

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
September 22, 2015

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Keri Benson Kent Bush Mike LeBaron Bruce Young	Councilmember Councilmember Councilmember Councilmember
EXCUSED:	Ron Jones	Councilmember
STAFF PRESENT:	Adam Lenhard JJ Allen Brian Brower Scott Hodge Greg Krusi Eric Howes Curtis Dickson Spencer Brimley Rich Knapp Nancy Dean	City Manager Assistant City Manager City Attorney Public Works Director Police Chief Community Services Director Community Services Deputy Dir. Development Services Manager Administrative Services Director City Recorder
EXCUSED:	Kim Read	Deputy City Recorder

VISITORS: Sam Chelemes, Joseph Barber, Bill Hart, John Clarke, Colleen Pacheco, Bob Bercher, Vern Phipps, Rick Scadden, Boy Scout Troop 472, Buzz Zaugg, Kathryn Murray, Boy Scout Troop 572, Con L Wilcox, Steve Wilcox, Charlie Benson, Braelyn Benson, Brad Lasater, Nike Peterson

Mayor Shepherd called the meeting to order at 7:30 p.m.

Mayor Shepherd informed the citizens present that if they would like to comment during Public Hearings or Citizen Comments there were forms to fill out by the door.

Councilmember Benson conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE AUGUST 25, 2015 AND SEPTEMBER 8, 2015
WORK SESSIONS AND THE SEPTEMBER 8, 2015 POLICY SESSION

Councilmember Benson moved to approve the minutes from the August 25, 2015 and September 8, 2015 work sessions, and the September 8, 2015 policy session as written, seconded by Councilmember LeBaron . The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, LeBaron and Young. Voting NO – None. Councilmember Jones was not present for the vote.

PRESENTATION TO ANDREW BENSON FOR RECOGNITION OF RECEIVING THE RANK OF EAGLE SCOUT

Andrew Benson completed the requirements to receive the rank of Eagle Scout. Mayor Shepherd and the City Council desired to recognize Andrew and acknowledge his achievement.

Mayor Shepherd requested Andrew share something about his scouting experience and what he accomplished for his Eagle Scout project. Andrew mentioned the most difficult requirement of becoming an Eagle Scout was camping. He stated he made grave markers at the City's cemetery for his service project which he found to be very rewarding. Mayor Shepherd mentioned it took a great deal of dedication and commitment to complete all the requirements to become an Eagle Scout. He presented Andrew a certificate of achievement and a commemorative coin to acknowledge his achievement.

PUBLIC HEARING TO RECEIVE COMMENT ON THE PROPOSED REZONE FOR A PORTION OF PROPERTY LOCATED AT APPROXIMATELY 850 WEST 1600 SOUTH (TIN: 12-391-0014) FROM (C-2) COMMERCIAL TO (R-3) RESIDENTIAL

The proposal included a request for approximately 2.25 acres to be rezoned from (C-2) Commercial to (R-3) Multi-family Residential with the intent to construct 30 dwelling units, specifically designed as two 12-plexes and one 6-plex. This property was part of an overall development plan for the corner of Antelope Drive and 1000 West which already included 26 businesses developed over multiple phases. The remaining property was tucked back off of Antelope Drive with no frontage on a major commercial transportation corridor. The property owner indicated that the remaining property had been marketed as commercial for more than 17 years. The property owner believed that the parcel with this application had limited commercial viability and that multi-family residential represented the highest and best use for the property at this time. The Planning Commission recommended approval of the rezone, subject to certain conditions (site plan approval, subdivision plat approval, and execution/recording of a development agreement), during its meeting on Wednesday, September 2, 2015.

Spencer Brimley, Development Services Manager, pointed out previous recommendations by the Council specific to the development proceeding at this time:

- Additional information to be provided by the applicant relative to completion of the subdivision plat for the 2.25 acre portion of a larger parcel.
- Site Plan including elevations and additional design elements relative to the project to be provided.

He pointed out the applicant requested the public hearing be held as scheduled but asked the Council to hold off on a formal decision for the project until a later date so a development agreement could be negotiated with the City.

Mayor Shepherd opened the public hearing at 7:40 p.m.

Mayor Shepherd asked for public comments.

PUBLIC COMMENT:

IN FAVOR

Buzz Zaugg, business owner, expressed his support for the proposed residential development. He believed it would be an asset to the City in addition to being beneficial to the businesses in that area. He suggested the traffic design would be an important element for the area and believed the residential component would be a good fit for the area.

Joe Barber, Wilcox Farms, stated the developer would be responding to the City's request in negotiating a development agreement, site plan, etc. and inquired if the Council had any questions regarding the project to which he could respond. Brian Brower, City Attorney, suggested it would be more appropriate to discuss specifics of the development during the approval process and not during the public hearing.

OPPOSED

None.

Councilmember LeBaron moved to close the public hearing at 7:43 p.m. seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, LeBaron and Young. Voting NO – None. Councilmember Jones was not present for the vote.

PUBLIC HEARING TO RECEIVE COMMENT ON THE PROPOSED REZONE FOR PROPERTY LOCATED AT 1760 SOUTH MAIN STREET (TIN: 12-242-0002) FROM (C-2) COMMERCIAL TO (PF) PUBLIC FACILITIES

The site was currently vacant but had been the recipient of several code enforcement actions related to the maintenance of weeds. A public facility zoning designation was appropriate because the uses on the property directly south were public buildings and the rezone would facilitate the success of Antelope Elementary by assisting with a parking need. The Planning Commission recommended approval of the rezone during its meeting on Wednesday, September 2, 2015.

Spencer Brimley, Development Services Manager, pointed out the rezone request was being made by the Davis School District for the purpose of a parking lot to accommodate the off peak usage in the area. He indicated comments had been made during the Planning Commission's public hearing on the item on Wednesday, September 2, 2015. He reported the negative impact would be the lack of future economic development for the parcel; however, staff believed it could simply be repurposed for future opportunities. He shared an illustration which identified the location of the property and pointed out the remainder of the property in that location was owned by Mr. Chelemes, who had been involved in discussions with the School District. He emphasized the School District had opted to only rezone the area identified in red on the map provided to the Council and if the rezone was approved by the Council a site plan would be submitted for approval by the Planning Commission that met the City's ordinances.

Mayor Shepherd requested clarification the small parcel between the school and the proposed parking lot would be used for access to the remaining larger back parcel owned by Mr. Chelemes. Mr. Brimley responded in the affirmative.

Mayor Shepherd opened the public hearing at 7:45 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember Young moved to close the public hearing at 7:46 p.m. seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, LeBaron and Young. Voting NO – None. Councilmember Jones was not present for the vote.

CITIZEN COMMENTS

Sam Chelemes, resident, requested the Davis School District be required to provide a retaining wall instead of a fence on the south side of the property being rezoned (1760 South Main) because there was a difference in elevation of four feet between his property and that property.

APPROVAL OF ORDINANCE 2015-16 AUTHORIZING THE REZONE OF PROPERTY LOCATED AT 1760 SOUTH MAIN STREET FROM (C-2) COMMERCIAL TO (PF) PUBLIC FACILITIES

Councilmember LeBaron stated he had received approximately ten social media contacts expressing support for the rezone and subsequent additional parking. He continued many of the residents in the area believed the parking lot was necessary to address safety concerns at Antelope Elementary.

Councilmember LeBaron moved to approve Ordinance 2015-16 authorizing the rezone of property located at 1760 South Main Street from (C-2) Commercial to (PF) Public Facilities and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, LeBaron and Young. Voting NO – None. Councilmember Jones was not present for the vote.

APPROVAL OF RESOLUTION 2015R-25 EXPRESSING SUPPORT FOR THE DAVIS SCHOOL DISTRICT BOND ELECTION

Adam Lenhard, City Manager, explained the Davis School District was proposing a bond election be put forth to the voters. He reminded the Council representatives from the District had shared a presentation during a previous work session explaining its needs and was requesting the Council’s support for it being placed on the ballot.

Councilmember Bush moved to approve Resolution 2015R-25 expressing support for the Davis School District Bond election and authorize the Mayor's signature to any necessary documents, seconded by Councilmember LeBaron. Councilmember LeBaron stated since Utah had so many children enrolled in public education and until there other avenues recognized to fund education; he believed the bond was necessary. **The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron and Young. Voting NO – Benson.** Councilmember Jones was not present for the vote.

APPROVAL OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER) FOR PROGRAM YEAR JULY 1, 2014 TO JUNE 30, 2015

The Council received a copy of the 2014/2015 Community Development Block Grant (CDBG) Consolidated Annual Performance Evaluation Report (CAPER). The public was given the opportunity to review the CAPER in the Community Development Office from August 20, 2015 to September 4, 2015. No public comments were received.

Spencer Brimley, Development Services Manager, informed the Council that the City was designated a small Entitlement City which received \$228,652 CDBG funds in 2014 which were appropriated toward the 400 West Infrastructure Project, Grant Administration, Family Connection Center, Davis Community Learning Center, and Safe Harbor. He mentioned all of these recipients had been included in the 5-year Consolidated Plan and additional detail had been listed in the CAPER report.

Councilmember Young moved to approve the Community Development Block Grant (CDBG) Consolidated Annual Performance Evaluation Report (CAPER) and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, LeBaron and Young. Voting NO – None. Councilmember Jones was not present for the vote.

APPROVAL OF ORDINANCE 2015-17 ENACTING A TEMPORARY LAND USE REGULATION REGARDING PAWN AND SECONDHAND BUSINESSES PURSUANT TO UTAH CODE ANN. § 10-9A-504 APPLICABLE TO ALL OF THE COMMERCIALY ZONED PROPERTIES LOCATED WITHIN THE CITY'S GEOGRAPHIC BOUNDARIES

Concern had been expressed to staff by residents, members of the City's Planning Commission and City Council about the number of pawn shops located in the City as well as the locations where they are permitted and proximity to other pawn shops. This Ordinance would temporarily prohibit accepting or approving applications for development, erection, construction, installation, expansion or relocation of any pawnbrokers, pawn and/or secondhand businesses (as defined in the City's land use ordinance or business license ordinance) on commercially zoned property throughout the City.

Adam Lenhard, City Manager, informed the Council that staff had been collecting feedback and comments for nearly a year regarding the process and the City ordinance which regulated pawn and secondhand businesses. He continued staff believed it was the right time to enact a temporary land use ordinance which would allow the Council and staff up to six months to

amend the current ordinance while at the same time postponing application and subsequent approval for those types of businesses.

Councilmember LeBaron mentioned approval of the ordinance was something residents in a certain geographical area of the City would welcome regarding a specific pawn shop which received approval through the currently permitted process. He believed it was a step in the right direction on behalf of the City.

Mayor Shepherd expressed agreement with Councilmember LeBaron's remarks and stated the ordinance was something which needed to be addressed by the City.

Councilmember LeBaron moved to approve Ordinance 2015-17 enacting a temporary land use regulation regarding pawn and secondhand businesses and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Benson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, LeBaron and Young. Voting NO – None. Councilmember Jones was not present for the vote.

COMMUNICATION ITEMS

Mayor Shepherd

1. Informed the Council that he would be out of town Tuesday, September 29, 2015 through Saturday, October 3, 2015.
2. Stated he had received a call from LDS Public Affairs Department and announced he would be receiving some tickets to the Saturday morning session of General Conference if members of the Council were interested in attending.
3. Commented on the Utah League of Cities and Towns (ULCT) meetings.

Councilmember Benson

1. Stated she enjoyed attending classes at the Utah League of Cities and Towns (ULCT) Conference and indicated it was worth attending.
- 2.

Councilmember Bush

1. Announced he had attended the ULCT Conference which took place the week of Monday, September 14, 2015 through Friday, September 18, 2015.
2. Stated he had also attended the Buy Local First meeting which took place at Lucky Slice pizza and expressed appreciation to the staff for its efforts in organizing the event. He announced there were 34 businesses which had registered with Local First. He stated representatives from three businesses were in attendance at the event and learned how social media could benefit their business.

Councilmember LeBaron – Mentioned the water year would be ending on September 30, 2015 and stated he would like to see the City look at ways to conserve water and set a suggested goal of ten percent reduction by a given date. He suggested the City begin thinking now of what it could do to conserve water next summer. Mayor Shepherd encouraged residents to visit Weber Basin Water District and take a tour which identified water conservation suggestions.

Councilmember Young – Informed the Council the Mosquito Abatement facilities were expanding.

Adam Lenhard, City Manager

1. Commented on Councilmember LeBaron's comments regarding water usage and expressed agreement there was room for improvement and it would be wise to focus on water conservation. He spoke to the need for providing recreational spaces to serve the residents as opposed to his own yard.

STAFFS' REPORTS

Nancy Dean, City Recorder – Reviewed the Council's calendar:

- No meeting on Tuesday, September 29, 2015
- Special Session scheduled for Tuesday, October 6, 2015 beginning at 7:00 p.m.
- Work and Policy Session scheduled for Tuesday, October 13, 2015.

There being no further business to come before the Council **Councilmember Benson moved to adjourn at 8:06 p.m., seconded by Councilmember LeBaron. Voting AYE – Councilmembers Benson, Bush, LeBaron and Young. Voting NO – None.** Councilmember Jones was not present for the vote.

**APPROVED AND ADOPTED
This 13th day of October, 2015**

/s/Mark R. Shepherd, Mayor

ATTEST:

/s/Nancy R. Dean, City Recorder

I hereby certify that the foregoing represents a true, accurate, and complete record of the Clearfield City Council meeting held Tuesday, September 22, 2015.

/s/Nancy R. Dean, City Recorder