Mayor Shepherd called the meeting to order at 7:00 p.m.

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

Councilmember Peterson led the opening ceremonies.


Councilmember Bush asked that the work session minutes from April 18, 2017 be amended to indicate he left the meeting following the open house at Holt Elementary. He also asked that the list of visitors in the work session minutes from April 25, 2017 be corrected to indicate that “Brady Jugler” was in attendance as opposed to “Tim Jugler.”

Councilmember Bush moved to approve the minutes from the April 18, 2017 work session and the April 25, 2017 work session, as amended; and, the May 2, 2017 work session, May 9, 2017 work session, May 23, 2017 policy session, and May 30, 2017 work session, as written, seconded by Councilmember Peterson. The motion carried upon the following
vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Young. Voting NO – None.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE REZONE REQUEST BY SILVER PEAK ENGINEERING FOR PROPERTY LOCATED AT APPROXIMATELY 1250 SOUTH STATE FROM M-1 (MANUFACTURING) TO M-1-SP (MANUFACTURING WITH A SPECIAL PURPOSE OVERLAY)

The approximately 24 acres of property, as a portion of the entire 70-acre site known as Clearfield Station was previously granted conditional approval of a rezone from M-1, Manufacturing to M-U, Mixed-Use. The conditions of the 2014 approval included the approval of a Master Development Plan (MDP) and Master Development Agreement (MDA). However, the MDA was never executed causing the rezone specific to the approximate 24 acres to revert to its original M-1, Manufacturing zone. The current request for a rezone would facilitate a portion of the site to be developed as light manufacturing by Stadler Rail. One of the conditions of the rezone was the execution of a development agreement that would be recorded against the property. The public hearing was opened on May 23, 2017.

Spencer Brimley, Development Services Manager, pointed out the project would be developed in phases. He stated the first phase of the construction would be about 200,000 square feet with 400 employees. He noted the development would be Stadler Rail’s United States headquarters.

Mr. Brimley explained the Special Purpose Overlay was necessary to address conditions of development that might need to vary from the standard development regulations for a manufacturing facility. He pointed out the following items to be addressed by the associated development agreement:

- **Building Height**
  - Required by ordinance: Maximum Building Height up to 45 feet (City code § 11-11D-5)
  - Requested Change: Maximum Building Height up to 65 feet

- **Fencing**
  - Required by ordinance: “Walls or fences may be required along all property lines which are adjacent to a residential zone or use or public right-of-way. The exact location, height and type of materials of the wall or fence shall be approved by the planning commission as part of the site plan approval process.” (City Code § 11-11D-11(C))
  - Requested Change: Allow the use of black vinyl coated chain link security fence on north side of building and along test track as shown on the proposed site plan.

Mr. Brimley stated the Planning Commission expressed concern about the fencing not screening storage so staff would address the screening of storage in the agreement. He explained Stadler Rail intended the north side of the building to be used for big trucks coming and going from the site and for security purposes.

- **Exterior Building Materials**
  - Required by ordinance: “Permitted exterior building materials for main buildings shall be brick, stucco, stone, rock, or vinyl siding. Exposed tilt-up finished
concrete and metal may also be used as a primary material on buildings located in
the M-1 manufacturing zone, provided there is incorporation of and significant
variation in materials along the base and near the entrances of the building. Any
building elevation facing a street or right of way shall include at least two (2) of
the following: brick, stucco, stone, or rock.”(City Code § 11-11D-11(F))

- Requested Change: North, west, and east portions of the building have proposed
  future additions. Due to these additions, the owner requests that a stone wainscot
  not be required in those areas. The proposed Wainscot on the office addition is a
  pre-cast concrete veneer.

Mr. Brimley explained timing would be addressed for the completing of the exterior
improvements so the site would enhance the quality of the development.

- **Driveway Width**
  - Requested by ordinance: “The placement of ingress and egress to commercial and
    industrial lots shall be subject to review and approval by the planning
    commission. Driveway approaches shall not be more than forty five feet (45') in
    width or less than sixteen feet (16') in width for one-way traffic and thirty feet
    (30') in width for two-way traffic…” (City Code § 11-14-4)
  - Requested Change: Lowboy trucks that deliver train cars have a very large turning
    radius, which will require a larger drive approach width than as specified in the
    zoning ordinance. The maximum drive approach on the north end of the site is
    120 feet wide.

- **Flags**
  - Requested by ordinance: “The flags, emblems, or insignia of any nation or political
    subdivision. Corporation flags may not exceed twelve (12) square feet and may be
    flown in tandem with the state or national flag. Large flags flown in high wind
    may cause a noise nuisance and are subject to removal upon investigation.” (City
    Code § 11-15-7(A)(7))
  - Requested Change: This site will be the United States Corporate Headquarters for
    Stadler US. As such they are requesting some large flags near the entrance to the
    office building. These flags exceed the maximum size of 12 square feet shown in
    the zoning ordinance. A rendering, and details of the flags is shown in the
    application packet.

- **Parking**
  - Requested by ordinance: “2 spaces for each 1,000 square feet of gross floor area or
    fraction thereof. This shall not apply to floor areas used exclusively for storage.”
    (City Code § 11-14-3)(B))
  - Requested Change: Much of this facility will be used exclusively for storage.
    Other areas, such as the assembly area, commissioning area, paint booths,
    welding and sand blasting areas will not be used exclusively for storage, but
    because they will be building train cars, there will not be a representative number
    of people in those spaces to justify the amount of parking required by the zoning
    ordinance. We propose that Stadler install 90 parking stalls near the office area
    for phase one of the project. If additional parking is required, Stadler will
    negotiate an agreement with UTA for use of their adjacent lot until additional
    spaces are built through the addition of phases two and three.
• **Off Street Loading**
  - Required by Ordinance: “For every building or part thereof having a gross floor area of ten thousand (10,000) square feet or more which is to be occupied by a commercial or industrial use or from which deliveries of materials or merchandise are made by motor vehicles, there shall be provided and maintained on the same lot with the building at least one off street loading space, plus one for each additional twenty thousand (20,000) square feet or major fraction thereof.” (City Code § 11-14-6)
  - Requested change: Stadler would like to provide only the off street loading areas deemed necessary for their operational needs.

Mayor Shepherd asked if there were any public comments.

There were no public comments.

**Councilmember Peterson moved to close the public hearing at 7:19 p.m., seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Young. Voting NO – None.**

**PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE PROPOSED 2017/2018 FISCAL YEAR BUDGET**

Utah Code required cities to hold a public hearing regarding the adoption of the upcoming fiscal year budget. City staff prepared and submitted to the Council a balanced tentative budget for the fiscal year 2017/2018 which would begin July 1, 2017 and end June 30, 2018. The submitted tentative budget was adopted on May 9, 2017 and included all funds.

Rich Knapp, Finance Manager, reviewed key points for the proposed 2017/2018 fiscal year budget with the Council. He explained the Council provided direction and goals for the budget during its Budget Kickoff meeting in January. He indicated the City was financially healthy and staff had budgeted the City’s resources in a responsible manner. He added the City would maintain a healthy reserve while spending down some of its reserves as part of the budget.

Mayor Shepherd opened the public hearing at 7:19 p.m. and asked if there were any public comments.

There were no public comments.

**Councilmember Roper moved to close the public hearing at 7:20 p.m., seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Young. Voting NO – None.**
The City’s 2017/2018 fiscal year budget included a transfer of resources from the Water Enterprise Fund to the General Fund in the amount of $100,000. The transfer was the City’s effort to recognize water used by the City’s general operation for which the City’s Water Enterprise Fund was not compensated.

Rich Knapp, Finance Manager, explained the public hearing was to address a transfer that was used to address the fact that the City did not charge itself for water usage.

Mayor Shepherd declared the public hearing open at 7:21 p.m. and asked if there were any public comments.

PUBLIC COMMENT

In Favor

None.

Opposed

Dale Lorbeske, resident, stated he was opposed to the transfer of funds from the utility funds to the General Fund. He expressed his opinion that the transfers would create a hardship to the utility funds by depleting reserves that could be used for much needed repairs. He suggested the Council keep revenues in the utility funds so that they could be used for additional repairs.

Adam Lenhard, City Manager explained the purpose of the transfers actually saved the residents money which was consistent with direction from the State Auditor’s office. He also remarked staff was doing its best to stay in front of needed repairs. He stated staff had a three-year capital facilities improvement plan that helped allocate available revenue to infrastructure projects. He stated nearly half of the City’s budget was spent in the utility funds. He expressed his opinion that the 2017/2018 fiscal year budget adequately addressed the needs the City had for its water infrastructure.

Councilmember Young moved to close the public hearing at 7:26 p.m., seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Young. Voting NO – None.
The City’s 2017/2018 fiscal year budget included transfers of funds from the Enterprise Funds to the General Fund. The transfers compensated the General Fund for the cost of providing services necessary for the funds to operate. The budget transfers were $143,942 from the Utility Admin Fund, $269,109 from the Water Fund, $319,546 from the Sewer Fund, $241,787 from the Storm Water fund, and $26,963 from the Solid Waste Fund.

Rich Knapp, Finance Manager, explained that the public hearing on the Enterprise Fund transfers was a new requirement under Utah State Law. He stated the transfers being discussed were for services being provided to the Enterprise Funds by the General Fund such as liability insurance fees, finance services, human resource services. He indicated the City recently commissioned a study on its rate structure and the transfers were built into the rates that were charged to residents.

Mayor Shepherd declared the public hearing open at 7:27 p.m. and asked if there were any public comments.

There were no public comments.

Councilmember Roper moved to close the public hearing at 7:28 p.m., seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Young. Voting NO – None.

CITIZEN COMMENTS

There were no citizen comments.

APPROVAL OF AND CONSENT TO THE MAYOR’S PROPOSED APPOINTMENTS OF INDIVIDUALS TO THE PARKS AND RECREATION COMMISSION

The Park and Recreation Commission had several vacancies. Interviews were held on two separate occasions to fill the vacancies. Mayor Shepherd recommended Jeff Baker, Jim Cordeiro, and Stuart Jones be appointed as regular members of the Parks and Recreation Commission, and David Greaves as an alternate member.

Councilmember Phipps moved to approve and consent to the Mayor’s appointments of Jeff Baker, Stuart Jones, and Jim Cordeiro as regular members of the Parks and Recreation Commission; and, David Greaves as an alternate member of the Parks and Recreation Commission, with terms expiring December 31, 2019. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Young. Voting NO – None.
APPROVAL OF ORDINANCE 2017-11 AUTHORIZING THE REZONE OF PROPERTY LOCATED AT APPROXIMATELY 1250 SOUTH STATE STREET FROM M-1 (MANUFACTURING) TO M-1-SP (MANUFACTURING WITH A SPECIAL PURPOSE OVERLAY)

Councilmember Phipps stated he had significant reservations with the project currently being proposed for the UTA (Utah Transit Authority) property. He added the fourth paragraph in the resolution that stated the proposed plan was the highest and best use for the property was a concern for him. He stated he had been involved in the planning for the site for a long time and its development was a concern of his and the people he talked to as he sought a return to elected office. He recalled that previous councils believed UTA and the developer would help do great things for the City with the development of that property but that had not been the case. He commented that for many years the City had been prevented from doing something grand and bold on the site because it did not meet the needs of UTA and its developers. He expressed his opinion the proposed project was not the best use for the property and did not benefit Clearfield residents. He reiterated his opinion that the City was losing the opportunity to do something grand and bold on the property. He suggested the proposed project would impact Clearfield City for decades. He expressed concern that in the future residents would believe the City failed in its efforts to control the development of that property.

Mayor Shepherd commented it was difficult to force a particular type of development on property that was privately held. He stated Frontrunner ridership was the driving force for the property owner’s development of the property. He agreed the City might have grand ideas for the property’s development but it was hard to tie a property owner to that vision especially when the property was being used as it had been zoned for decades. He expressed concerns about stepping on the property rights of the owner. He also commented the UTA Board of Directors appeared to feel that the proposed project was the best development option for its property. He added the property was already zoned manufacturing and could be used for that purpose.

Councilmember Phipps noted that UTA had declared the property surplus property which opened it up to being sold on the open market and thus its usage was no longer under the control of UTA or its developers – which had never been the case before. He stated the City worked hard to create a special zone that allowed it to control the development of the property. He expressed concern that all those plans had changed.

Councilmember Peterson moved to approve Ordinance 2017-11 authorizing the rezone of property located at approximately 1250 South State Street from M-1 (Manufacturing) to M-1-SP (Manufacturing with a Special Purpose Overlay) and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Roper, and Young. Voting NO – Councilmember Phipps.
APPROVAL OF RESOLUTION 2017R-05 SETTING THE TAX RATE FOR ALL REAL AND PERSONAL PROPERTY IN CLEARFIELD AT 0.001745

Councilmember Phipps expressed appreciation for the Council’s determination to accept the certified tax rate as determined by Davis County. He remarked that he was concerned last year when the Council chose to hold a Truth-in-Taxation hearing and maintain its rate at 0.0018.

Councilmember Phipps moved to approve Resolution 2017R-05 setting the tax rate for all real and personal property in Clearfield at 0.001745 and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Young. Voting NO – None.

APPROVAL OF RESOLUTION 2017R-06 ADOPTING THE 2017/2018 FISCAL YEAR BUDGET

Councilmember Peterson thanked staff for its efforts in proposing a balanced budget that worked to best address the needs of the City.

Councilmember Young moved to approve Resolution 2017R-06 adopting the 2017/2018 fiscal year budget and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Young. Voting NO – None.

APPROVAL OF THE AWARD OF BID FOR THE PUBLIC WORKS BUILDING PHASE 2 PROJECT TO NORTH RIDGE CONSTRUCTION

Staff solicited bids to build a new facility for the Parks maintenance operations and the Public Works administrative offices at 497 South Main, the current location of the City’s Public Works facilities. Eleven bids were received and the lowest responsible bid was received from North Ridge Construction with a bid amount of $4,043,000. Staff met with the architect and North Ridge Construction to value engineer the project to determine if there were any cost saving measures that could be taken to reduce the cost of the project without compromising it. The process identified savings of $222,715, which were agreed to by North Ridge Construction bringing the bid amount for the project to $3,820,285.

Councilmember Roper moved to approve the award of bid for the Public Works Building Phase 2 Project to North Ridge Construction with a value engineered bid amount of $3,820,285 and contingency fees in the amount of $204,715 for a total project cost of $4,025,000; and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Young. Voting NO – None.

APPROVAL OF RESOLUTION 2017R-07 FINDING THAT A SECTION OF PROPERTY LOCATED IN THE VICINITY OF 343 WEST 300 NORTH IS NOT A SIGNIFICANT PARCEL OF PROPERTY AND DIRECTING STAFF TO MOVE FORWARD WITH THE
EXCHANGE OF SAID PROPERTY FOR THREE OTHER SECTIONS OF PROPERTY TO ADJUST THE PACIFIC STREET RIGHT-OF-WAY ALIGNMENT

The City was preparing to make improvements to Pacific Street from 300 North to 75 North which required minor adjustments to the current street right-of-way to better facilitate the project. Robert and Cheryl Landon owned property at 343 West 300 North and had mutually agreed to exchange sections of their property with a section of property owned by the City as well as other betterments so the improvement project could be completed.

Councilmember Phipps asked if there were a financial component to the transaction. Scott Hodge, Public Works Director, stated the City agreed to some betterments for the Landons in exchange for the property. He noted those were relocating a cherry tree and planting a second tree, relocating some fencing, and adding a small section of driveway. Councilmember Phipps asked if the cost of the betterments was anticipated as part of the project. Mr. Hodge responded those costs were accounted for as part of the design for the project.

Councilmember Peterson moved to approve Resolution 2017R-07 finding that a section of property located in the vicinity of 343 West 300 North is not a significant parcel of property and directing staff to move forward with the exchange of said property for sections of property currently owned by Robert and Cheryl Landon as well as other betterments and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Young. Voting NO – None.

APPROVAL OF ORDINANCE 2017-10 AMENDING THE CONSOLIDATED FEE SCHEDULE ADJUSTING AQUATIC CENTER AND RECREATION FEES AND ADDING CHICKEN LICENSES

Staff is recommending amendments to the City’s Consolidated Fee Schedule specific to Aquatic Center and Recreation Fees and the addition of the chicken license. Eric Howes, Community Services Director, reviewed the proposed changes with the Council.

Councilmember Phipps asked when the Aquatic Center and Recreation fees had last been changed. Mr. Howes responded the fees had not been changed for about six years.

Councilmember Phipps moved to approve Ordinance 2017-10 amending the Consolidated Fee Schedule adjusting Aquatic Center and Recreation Fees and adding chicken licenses and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Young. Voting NO – None.

COMMUNICATION ITEMS

Mayor Shepherd
1. Reported he would be out of town June 19 through 22, 2017.
2. Recognized the new Parks and Recreation Commission members who were present in the meeting.
Councilmember Bush
1. Reported the Kiwanis awarded the Hope of America and Freedom Leadership awards at North Davis Junior High and the elementary schools.
2. Informed the Council that the North Davis Sewer District would meet Wednesday, June 21, 2017, in special session, to approve its tax rate.
3. Reported he would be attending the Utah Digital Government Summit on Thursday, June 15, 2017 in Salt Lake City.
4. Thanked staff and UDOT for its participation in the recent Neighborhood Open House at Wasatch Elementary. He expressed his appreciation for being able to interact with residents at the events and looked forward to continuing the meetings in the future.

Councilmember Peterson
1. Reported the Sunset City Council passed a resolution requesting annexation into the North Davis Fire District (NDFD). She continued the NDFD reviewed the proposal and approved moving forward in the process to annex Sunset City. She indicated the NDFD would contract with Sunset City to provide fire and emergency medical services while the request for annexation was processed.
2. Reminded the Council to come and help build the Council’s Fourth of July float on Saturday, June 24, 2017 at 8:00 a.m. at the City shops. She expressed appreciation for the Clearfield High School welding class participation in the project.

Councilmember Phipps
1. Reported the Hill Air Force Base Restoration Advisory Board indoor air sampling program was being discontinued. He explained there would be public hearings before that was official.
2. Reported Wasatch Integrated Waste updated its Solid Waste Management Plan as a result of the closing of the Burn Plant. He stated the document provided the planning for solid waste management over the next few years. He stated Nathan Rich volunteered to come and explain the new long term plan to the various councils throughout the County. He also reported the facility would begin construction of its transfer station in 2018.
3. Reported Wasatch Integrated Waste was committed to reuse and recycling. He stated it had been determined that the district needed to enhance its recycling capabilities. He also reported the contracts with waste haulers for the participating communities in the district had been reviewed by the district, and it was determined that there was some non-standard language that needed to be added when those contracts were renegotiated.
4. Reported Wasatch Integrated Waste was in the process of entering into an agreement with the South Davis Sewer District, which was willing to buy some of the district’s waste for its composting.
5. Explained the Burn Plant had been providing secure destruction of evidence for cities. He reported that service would still be available to cities.
6. Reported Wasatch Integrated Waste would be strongly enforcing its covered load fee. He stated there would be a $10 fine assessed for uncovered loads.
7. Stated green waste recycling was an important topic to be discussed. He commented green waste was a poor use of the available space in a landfill and when green waste was removed, capacity was increased.

Councilmember Roper – expressed appreciation for the City’s residents and their valuable feedback.

Councilmember Young – nothing to report.
STAFF REPORTS

Adam Lenhard, City Manager
1. Reported he sent the monthly update to the Council earlier in the day.
2. He thanked the City Council and staff for their efforts with the preparation of the budget. He noted it was no small accomplishment to cash fund the construction of the new Maintenance Operation Center at the Public Works facility. He stated it took years of careful planning to accomplish that goal. He expressed his hope that the budget represented the collective needs of the Council.
3. Updated the Council on the 700 South 1000 West intersection project. He stated one of the property owners had been difficult to reach in order to acquire easements that were necessary for the project.
4. Informed the Council that the City was trying to better coordinate volunteers with service needs in the community. He stated former Mayor Don Wood agreed to coordinate those efforts. He reported there had been a couple of meetings and the program was up and running.

Nancy Dean, City Recorder – reviewed the Council’s schedule:
• Joint meeting with the Planning Commission on June 20, 2017 in Multi-purpose Room, 2nd Floor
• Work and Policy Session on June 27, 2017
• No meeting on July 4, 2017
• Employee Summer Party at Boondock’s in Kaysville on Friday, June 23, 2017 at 6:00 p.m.

Eric Howes, Community Services Director – explained the new playground equipment purchased with PARAT Tax revenue would be delivered Thursday, June 15, 2017. He anticipated the North Steed Park, Train Watch Park and Fisher Park playgrounds should be completed by Friday, June 23, 2017. He stated there would be a community build for the playground at Train Watch Park on Friday, June 23, 2017 at 3:00 p.m.

Councilmember Peterson moved to adjourn as the City Council and reconvene as the CDRA 8:14 p.m., seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Young. Voting NO – None.

**The minutes for the CDRA are in a separate location**

APPROVED AND ADOPTED
This 27th day of June, 2017

/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, June 13, 2017.

/s/Nancy R. Dean, City Recorder