

CLEARFIELD CITY COUNCIL MEETING MINUTES  
7:00 P.M. POLICY SESSION  
May 23, 2017

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush	Councilmember
	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
	Tim Roper	Councilmember
	Bruce Young	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Stuart Williams	City Attorney
	Scott Hodge	Public Works Director
	Greg Krusi	Police Chief
	Eric Howes	Community Services Director
	Trevor Cahoon	Communications Coordinator
	Nancy Dean	City Recorder
	Wendy Page	Deputy Recorder

VISITORS: Bob Bercher, Monica Sellers, Koral Vasquez, Theron Watson

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.

Dr. Ron Brown and the North Davis Jr. High Honor Society conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE MARCH 28, 2017 WORK SESSION, APRIL 11, 2017 WORK SESSION, APRIL 25, 2017 POLICY SESSION, AND MAY 9, 2017 POLICY SESSION

**Councilmember Roper moved to approve the minutes from the March 28, 2017 work session, April 11, 2017 work session, April 25, 2017 policy session, and May 9, 2017 policy session, as written, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Young. Voting NO – None.**

PRESENTATION BY THE NEW HOPE CHURCH ON ITS ANNUAL NEW HOPE CHURCH BACKPACK BLOCK PARTY EVENT

Dr. Ron Brown, Pastor for the New Hope Church, thanked Mayor Shepherd and the members of the Council for their past support of the New Hope Church's Annual Back-to-School Backpack

Giveaway Block Party. He informed the Council that the event was scheduled for August 12, 2017 from 4:00 to 7:00 p.m. at 1580 South State Street, Antelope Plaza. He asked the Council for its continued support of the event. Jeanette Archuleta, New Hope Church, requested Clearfield City be a sponsor for the upcoming event. She stated the Hope Center Utah was a non-profit organization with 501(c)3 tax-exempt status. Councilmember Bush asked if the backpacks were purchased at a good discount for the quantity. Dr. Brown assured the Council that the funds were spent wisely and purchases were made during Kiwanis Club dollar days and from other similar resources. Mayor Shepherd and Councilmembers were invited to attend the block party event on August 12, 2017.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REZONE REQUEST BY IRONWOOD DEVELOPMENT FOR PROPERTY LOCATED AT 823 WEST 1600 SOUTH FROM C-2 (COMMERCIAL) TO R-3 (RESIDENTIAL, MULTI-FAMILY)

Spencer Brimley, Development Services Manager, stated in 2010 the General Plan was amended to allow for residential uses on the property located at 823 West 1600 South. He received a request from Craig Winder on behalf of Ironwood Development proposing to rezone 1.88 acres from C-2 (Commercial) to R-3 (Residential, multi-family) with the intent to construct for sale townhomes on the property. Mr. Brimley explained the R-3 zone would allow for multi-family development with a maximum of 16 units to the acre. He continued the developer intended to subdivide the property to create individually owned lots with attached townhomes. Mr. Brimley displayed the current conceptual site plan which proposed 29 units. The Planning Commission heard the item on May 1, 2017 and recommended approval with the following conditions: 1) a Site Plan be submitted and approved by the Planning Commission, and, 2) a development agreement with the City be approved, fully executed, and recorded against the property in conformance with the Site Plan.

Mayor Shepherd declared the public hearing open at 7:16 p.m.

There were no public comments.

**Councilmember Young moved to close the public hearing at 7:17 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.**

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

This item was noticed for a public hearing but additional information was needed before the Council could consider the rezone request. Staff recommended opening the public hearing, receiving public comment, and continuing it to Tuesday, June 13, 2017 at 7:00 p.m.

Mayor Shepherd declared the public hearing open at 7:18 p.m.

## PUBLIC COMMENT

Koral Vasquez, resident, expressed a desire to receive more information prior to making a public comment.

**Councilmember Peterson moved to continue the public hearing to June 13, 2017 at 7:00 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.**

## CITIZEN COMMENTS

Theron Watson, Syracuse, stated he was the business owner of Olympus Fireworks. He explained he had partnered with Davis County School District to rent parking lot space in other communities for firework stands. He indicated a portion of the proceeds from the sales were donated to fundraising groups associated with the School District. He wanted to sell fireworks in parking lots of school properties in the City, Clearfield High School (CHS) and North Davis Junior High (NDJH), but it was prohibited by zoning regulations. He asked the Council to consider changing its ordinance to allow for the sale of fireworks on school property similar to what was being done in Layton, Farmington, and Bountiful cities. He mentioned the Clearfield High School (CHS) band wanted to earn money from fireworks sales in its parking lot and he was always looking for places to set up firework stands.

Mayor Shepherd commented the matter would be discussed with staff to determine its feasibility.

## APPROVAL OF ORDINANCE 2017-08 AUTHORIZING THE REZONE OF PROPERTY LOCATED AT 823 WEST 1600 SOUTH FROM C-2 (COMMERCIAL) TO R-3 (RESIDENTIAL, MULTI-FAMILY)

**Councilmember Young moved to approve Ordinance 2017-08 authorizing the rezone of property located at 823 West 1600 South from C-2 (Commercial) to R-3 (Residential, multi-family) 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 THE FINAL PLAT FOR THE DAWSON SUBDIVISION LOCATED AT 171 WEST 200 SOUTH

Spencer Brimley, Development Services Manager, stated Dawson Homes was looking to expand its operation and building located at 171 West 200 South. Mr. Brimley indicated the request was to consolidate two lots. He informed the Council that staff recommended a deferral agreement for the installation of the infrastructure improvements to the property such as curb, gutter, and sidewalk that would be tied to the property until such time as the improvements were installed on adjacent properties.

**Councilmember Bush moved to approve the Final Plat for the Dawson Subdivision located at 171 West 200 South, contingent upon execution of a deferral agreement, and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.**

APPROVAL OF ORDINANCE 2017-09 AMENDING CITY CODE TITLE 1, CHAPTER 7, SECTION 2 – CAMPAIGN FINANCIAL DISCLOSURE REQUIREMENTS

Nancy Dean, City Recorder, explained the City previously adopted an ordinance addressing Campaign Finance Disclosure Requirements for municipal candidates. She continued the intent of the ordinance was to apply restrictions to the reporting of campaign financial disclosure that were greater than those proposed in State Law. She indicated the State Legislature made amendments to the State Law in 2016 that made it no longer necessary for the City to have a separate ordinance. She stated the changes were duplicative and might result in unnecessary confusion by requiring a candidate to study and interpret two codes rather than one. Ms. Dean recommended that the current language of City Code § 1-7-2 be stricken and replaced with in Utah Code Annotated § 10-3-208, as amended. She explained the City Code would always be current by making the requirements subject to State Law.

**Councilmember Phipps moved to approve Ordinance 2017-09 amending City Code Title 1, Chapter 7, Section 2 – Campaign Financial Disclosure Requirements 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 had recently returned from a trip to Washington DC where he had positive meetings with Senator Hatch, Senator Lee and Congressman Bishop.
2. Informed Council that President Trump's proposed budget included a bullet point for study of military base closures through a Base Realignment and Closure Commission "BRAC" and set a date for it by 2021.
3. Announced he would be unable to attend the joint meeting with the Planning Commission scheduled for Tuesday June 20, 2017 at 6:00 p.m.
4. Stated he would be presenting the City's Scholarship award at Clearfield High School on May 24, 2017.
5. Welcomed attendance at the first annual Memorial Day Commemoration event on Monday, May 29, 2017 beginning at 9:00 a.m. at the City cemetery.

**Councilmember Bush** - reported attending a Small Business Association awards presentation where Insta-Fire, a business temporarily operating at the Freeport Center, was recognized. He discussed the company's need to find 25,000 square feet of space to use for business operations when its lease ended in about a year. He suggested the City should assist the company with locating at a facility that will meet its needs in Clearfield. He commented on the company's growth since gaining attention from its participation on a Shark Tank episode to its current

international sales. He stated the company had previously participated at City events such as the Safety Fair and the Fourth of July celebration in 2016.

**Councilmember Peterson** – announced that National Police Week had just concluded and she wished to recognize Officer Trevor Swenson for his service during a recent auto accident. She commented on a discussion with a resident who shared her first interactions with police at an accident had been positive because he was so helpful and kind. Mayor Shepherd stated that was the second recommendation received today for Officer Trevor Swenson.

**Councilmember Phipps** – nothing to report.

**Councilmember Roper** – thanked the police department for its good work and mentioned recently riding along with the North Davis Fire District where he witnessed firsthand the employees’ efforts to give high-quality services to the community. He expressed his appreciation for having great first responders for the City.

**Councilmember Young** – nothing to report.

#### STAFF REPORTS

**Adam Lenhard, City Manager** – nothing to report.

**Nancy Dean, City Recorder** – reviewed the Council’s schedule:

- Neighborhood Open House on May 30, 2017 at Wasatch Elementary. UDOT will be joining the Council to field questions and concerns about its 700 South Project.
- Work and Policy Session on June 13, 2017
- Joint Meeting with the Planning Commission on June 20, 2017 in Multipurpose Room, 2nd Floor
- Work and Policy Session on June 27, 2017

There being no further business to come before the Council, **Councilmember Peterson moved to adjourn at 7:37 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.**

**APPROVED AND ADOPTED**

**This 13<sup>th</sup> 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, May 23, 2017.

**/s/Nancy R. Dean, City Recorder**