Mayor Shepherd called the meeting to order at 7:05 p.m.

Mayor Shepherd informed the members of the audience that if they would like to comment during the Public Hearing or Open Comment Period there were forms to fill out by the door.

Councilmember Thompson led the opening ceremonies.

Councilmember Bush moved to approve the May 8, 2018 work session; May 15, 2018 work session; May 22, 2018 work session; June 5, 2018 work session; June 12, 2018 policy session; June 21, 2018 neighborhood party; and the June 26, 2018 policy session.
Neighborhood Party; and the June 26, 2018 policy session; as written, seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Thompson. Voting NO – None. Councilmember Roper was not present for the vote.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REQUEST TO REZONE PROPERTIES LOCATED AT APPROXIMATELY 741, 767, AND 813 WEST 300 NORTH FROM A-1 (AGRICULTURAL) TO R-1-8 (SINGLE FAMILY RESIDENTIAL)

Brad McIlrath, Senior Planner, informed the Council that CW Land Company made application to rezone properties located at approximately 741, 767, and 813 West 300 North from A-1 (Agricultural) to R-1-8 (Single Family Residential). He stated the request was consistent with the City’s General Plan, which designated a residential land use for the properties and the surrounding properties were all a single family residential use as well. He informed the Council that the Planning Commission held a public hearing on the request on July 11, 2018 and recommended approval.

Mayor Shepherd declared the public hearing open at 7:12 p.m.

PUBLIC COMMENT

Opposed

Virgil Zaugg, adjacent property owner, commented he realized developing farmland was considered progress. He said all the best land that produced food was disappearing. He expressed his concern that the residential development being proposed would not be good neighbors for his agricultural use. He worried about garbage being thrown over the fence into his fields. He asked that the residents be told that was against City ordinance. He said he did not want two story houses on the property because they would shade his crops. He continued he did not want trees within twenty feet of the fence because of overhang and shade. He wanted to make sure the fences for the properties were built inside the homeowners’ property lines. He stated the developer needed to address the plan for the Smith property and the Weber Basin right-of-way in that area. He continued he would not agree to grant an easement for the sewer line to run across his property. He also asked that the development be built six inches higher on its western border so there was no chance the water from his fields would go into the yards of the properties in the development.

Marsha Hamblin, adjacent property owner, agreed there needed to be garbage control in the development and the Weber Basin right-of-way. She explained there was a ditch on the east side of the property that supplied irrigation water to the agricultural properties. She stated the ditch needed to be piped so access to that water was still available for her property as well as for the safety of children that might live in the development. She also said there needed to be a private and secure fence between the development and the surrounding agricultural uses so that those living in the development did not disturb or harm the animals. She commented the property was very near the Rail Trail and she regularly saw people trespassing to look and disturb the animals.
Mayor Shepherd acknowledged there were issues that would need to be resolved by the developer as he moved through the development process. He explained none of that could happen until a decision on the rezone was made and then staff and the Planning Commission would work with the developer to resolve those issues.

_In Favor_

None.

_Councilmember Bush moved to close the public hearing at 7:22 p.m., seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Thompson. Voting NO – None._

_Councilmember Roper was not present for the vote._

**PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REQUEST TO REZONE PROPERTY LOCATED AT 90 WEST 200 SOUTH FROM R-1-8 (SINGLE FAMILY RESIDENTIAL) TO R-3 (MULTI-FAMILY RESIDENTIAL)**

Brad McIlrath, Senior Planner, explained a request had been made to rezone the property located at 90 West 200 South from R-1-8 (Single family Residential) to R-3 (Multi-family Residential). He stated the City’s General Plan Future Land Use Map designated the property as a residential land use, which might support R-3, but other areas of the Plan indicated otherwise. He commented the City recently adopted the Form Based Code concentrating density in the downtown area east of the railroad tracks. He explained a multi-family development needed to have easy access to public transportation and well-connected pedestrian ways to be successful. He explained the property proposed for multi-family development was fairly isolated, which would create a burden for the development and surrounding single family residences. The Planning Commission held a public hearing on July 11, 2018, and recommended denial.

Mayor Shepherd declared the public hearing open at 7:25 p.m.

**PUBLIC COMMENT**

_In Favor_

_Kirk Nalder and Kyle Weaver, developers of the property, explained the property was a unique piece because it was surrounded by railroad tracks and had Freeport Center at its back door. He suggested developing it as three or four single family residences did not make financial sense. They proposed to build townhomes on the property. They suggested they might have had a different outcome at the Planning Commission had they prepared a concept plan. They also commented the property had good access to SR 193. They asked the Council to table consideration of the request until a concept plan could be presented._

_Opposed_

None.
Councilmember Peterson moved to close the public hearing at 7:28 p.m., seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Thompson. Voting NO – None. Councilmember Roper was not present for the vote.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A ZONING TEXT AMENDMENT TO TITLE 11, CHAPTER 9, ARTICLE B OF THE CITY CODE REDUCING THE LOT WIDTH FOR CORNER LOTS AND THE FRONT AND REAR YARD SETBACKS

Brad McIlrath, Senior Planner, explained CW Land Company proposed amendments to the R-1-8 Zone regulations as part of its intent to develop the properties at 741, 767, and 813 West 300 North. He continued the developer was requesting reductions to the required lot width and front and rear yard setbacks as a way of accommodating larger homes on the lots. He reviewed the proposed feet and distance requirements for lot width and front and rear yard setbacks and shared neighboring cities’ criteria for lot width and front and rear yard setbacks. He indicated the amendment would also provide an opportunity for the expansion or improvement of existing homes in the R-1-8 zone in an effort to improve the standard of living for homeowners. He reported the Planning Commission held a public hearing on July 11, 2018, and recommended approval.

Mayor Shepherd declared the public hearing open at 7:32 p.m.

PUBLIC COMMENT

In Favor

Marcy Goddard, resident, commented she had recently finished her basement and found she could not get large furniture into the house because of the angle on her exterior basement stairs caused by current lot width requirements. She expressed her support for the proposed amendment because it would give her an opportunity to expand the yard and straighten those stairs so the basement would be more usable space for her family.

Opposed

None.

Councilmember Thompson moved to close the public hearing at 7:34 p.m., seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Thompson. Voting NO – None. Councilmember Roper was not present for the vote.
Brad McIlrath, Senior Planner, informed the Council that the City’s clear vision regulations were currently larger than what was needed for life safety standards. He proposed reducing the requirement from 60 feet to 30 feet for corner lots and from 25 feet to 10 feet for driveways. He provided a visual example of the proposed changes and their effect on properties. He explained the Planning Commission discussed the requirements at work session in December 2017, January 2018, and a public hearing was held on July 11, 2018. He noted the Planning Commission recommended approval.

Mayor Shepherd declared the public hearing open at 7:37 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

**Councilmember Thompson moved to close the public hearing at 7:38 p.m., seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Thompson. Voting NO – None. Councilmember Roper was not present for the vote.**

Brad McIlrath, Senior Planner, informed the Council that there appeared to be a market demand for more flexibility on design standards for the planned commercial center signs. He commented the current standards limited the type of sign to centers that are greater than ten acres in size and only one freestanding sign was allowed per street frontage in excess of 300 feet. He continued the sign area was limited to 150 feet and the sign could not exceed 25 feet in height. He added the signs had to be located 200 feet from an intersection and reader boards or electronic messages were limited to 50 percent of the sign area. He reviewed other cities’ regulations for freestanding signs with the Council.

Mr. McIlrath reviewed the proposed amendments with the Council. He stated one freestanding sign would be allowed per 300 feet of street frontage rather than in excess of, the total sign area would be increased to 300 feet, and sign height would increase to 35 feet. He continued centers with more than one sign would need to space the signs a minimum of 200 feet. He added that the electronic message centers would still be limited to 50 percent of the total sign. He reported the Planning Commission held a public hearing on the proposed amendment on July 11, 2018 and recommended approval.

Mayor Shepherd declared the public hearing open at 7:43 p.m.

Mayor Shepherd asked for public comments.
There were no public comments.

Councilmember Thompson moved to close the public hearing at 7:44 p.m., seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Thompson. Voting NO – None. Councilmember Roper was not present for the vote.

OPEN COMMENT PERIOD

There were no public comments.

APPROVAL OF ORDINANCE 2018-09, REZONING PROPERTIES LOCATED AT APPROXIMATELY 741, 767, AND 813 WEST 300 NORTH FROM A-1 (AGRICULTURAL) TO R-1-8 (SINGLE FAMILY RESIDENTIAL)

Councilmember Bush expressed his appreciation that the proposed development would be a single-family use. He commented the adjacent residents brought up some good points that would need to be worked out through the development process. Greg Day, developer, responded it was the intent of his company to be respectful and neighborly to the adjacent property owners. He stated he had made notes of the residents’ concerns so they could be addressed. He commented the development was in the early stages and the first step was to apply for the rezone. Councilmember Phipps added there was a process in place through the Planning Commission to address the concerns by placing conditions on the development.

Councilmember Peterson moved to approve Ordinance 2018-09, rezoning properties located at approximately 741, 767, and 813 West 300 North from A-1 (Agricultural) to R-1-8 (Single Family Residential), seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Thompson. Voting NO – None. Councilmember Roper was not present for the vote.

DENIAL OF ORDINANCE 2018-10, REZONING PROPERTY LOCATED AT 90 WEST 200 SOUTH FROM R-1-8 (SINGLE FAMILY RESIDENTIAL) TO R-3 (MULTI-FAMILY RESIDENTIAL)

Councilmember Bush explained the Council had worked hard to determine a vision for the City and had introduced new zoning opportunities for multi-family development in specific areas. He stated that property at 90 West 200 South was not in an area designated for such a use. He expressed his opinion that a multi-family use on that property would be detrimental to the surrounding single-family uses. He added the transportation options were also limited for that property, which would be detrimental for those living in the development. He commented the developer mentioned developing townhomes on the property but that was still a multi-family use.

Councilmember Bush moved to deny Ordinance 2018-10, rezoning the property located at 90 West 200 South from R-1-8 (Single Family Residential) to R-3 (Multi-family Residential). Councilmember Peterson asked Stuart Williams, City Attorney, if the Council had an obligation to table consideration of the rezone because the developer requested it. Mr. Williams responded it was an option for the Council to consider or it could choose to move
forward. **Seconded by Councilmember Peterson.** Councilmember Peterson expressed her opinion that the issue had been properly vetted by the Planning Commission and the analysis appeared to verify it was not a good location for a multi-family use. She added the particulars of what that might look like were irrelevant because it had been determined to be inconsistent to the adjacent uses. Councilmember Bush added staffs’ recommendation indicated it was not a consistent use for the location. Councilmember Phipps agreed and expressed his respect for the Planning Commission and staff. He wondered if the Council should acknowledge the developer’s request and table the consideration until after a concept plan could be created for the site. Councilmember Bush commented the use would still be multi-family and not consistent with the uses on adjacent properties. Councilmember Peterson expressed concern with the entitlement created by zoning the property R-3, which allowed a maximum of sixteen units per acre. She commented that type of density was inconsistent with the City’s General Plan for that area. She expressed her opinion that the request did not meet the City’s standard. Councilmember Phipps expressed appreciation for the responses from members of the Council. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Thompson. Voting NO – None. Councilmember Roper was not present for the vote.

**APPROVAL OF ORDINANCE 2018-11, AMENDING THE LOT WIDTH FOR CORNER LOTS AND THE FRONT AND REAR YARD SETBACKS IN TITLE 11, CHAPTER 9, ARTICLE B OF THE CITY CODE; AMENDING CLEAR VISION REGULATIONS IN TITLE 11, CHAPTER 13, SECTION 10 OF THE CITY CODE; AND, AMENDING ON PREMISES FREESTANDING SIGN REGULATIONS IN TITLE 11, CHAPTER 15, SECTION 8, PARAGRAPH C OF THE CITY CODE**

Councilmember Phipps moved to approve Ordinance 2018-11, amending the lot width requirements and front and rear yard setbacks in Title 11, Chapter 9, Article B of the City Code; amending the clear vision regulations in Title 11, Chapter 13, Section 10 of the City Code; and, amending on premises sign regulations in Title 11, Chapter 15, Section 8, Paragraph C of the City Code; 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, and Thompson. Voting NO – None. Councilmember Roper was not present for the vote.

**APPROVAL OF THE FINAL SUBDIVISION PLAT FOR THE FALCON CORNER SUBDIVISION LOCATED AT 1215 SOUTH 1000 EAST**

Brad McIlrath, Senior Planner, reviewed the specifics of the subdivision plat for the Falcon Corner Townhome project. He reminded the Council that the property was recently rezoned to R-3 (Multi-family Residential) with a required development agreement as one of the conditions for approval. He stated the proposal included subdividing the property into eight (8) individual townhome lots with a common private drive located in the middle of the property to provide vehicular access to the townhomes. He reported the Planning Commission reviewed the plat at its meeting on July 11, 2018, and recommended approval with conditions.
Councilmember Peterson commented the letter from the City Engineer on issues that needed to be addressed appeared quite lengthy. She asked what the timeframe was addressing those issues. Mr. McIlrath responded the applicant’s engineer had been working with the City Engineer on those items and they were close to a resolution for all of them. He added most of the comments were directed at minor corrections for the plat itself.

Councilmember Bush expressed his opinion that the townhome project was a good fit in the proposed location. He commented there were apartments already adjacent to the development. He expressed appreciation for Mr. Buck and his willingness to work with the City by adding amenities that benefit the City and the development.

Councilmember Bush moved to approve the Final Subdivision Plat for the Falcon Corner Subdivision located at 1215 South 1000 East, with the conditions as recommended by the Planning Commission on July 11, 2018, and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Thompson. Voting NO – None. Councilmember Roper was not present for the vote.

APPROVAL OF THE DEVELOPMENT AGREEMENT WITH FALCON CORNERS LLC FOR THE CONSTRUCTION OF THE FALCON CORNER TOWNHOMES LOCATED AT 1215 SOUTH 1000 EAST

Brad McIlrath, Senior Planner, expressed appreciation to Mr. Buck for his willingness to work with the City. He stated the main requirements of the Development Agreement were to provide fencing as a sufficient buffer along 1000 East and 1215 South and to have the rear façade modified to meet the design standards in the land use ordinances. He shared a visual representation of the fencing and rear façade. He reported the Planning Commission reviewed the development agreement on July 11, 2018, and recommended its approval.

Councilmember Peterson moved to approve the Development Agreement with Falcon Corners LLC, addressing the construction of the Falcon Corner Townhomes located at 1215 South 1000 East and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Thompson. Voting NO – None. Councilmember Roper was not present for the vote.

APPROVAL OF THE FINAL SUBDIVISION PLAT FOR THE MASONIC TEMPLE SUBDIVISION LOCATED AT APPROXIMATELY 452 EAST 700 SOUTH

Brad McIlrath, Senior Planner, informed the Council that the Masonic Temple Subdivision was located at approximately 452 East 700 South and was recently rezoned to Town Commerce (TC). He reviewed the plans for the subdivision. He stated the applicant planned to keep the Masonic Temple on one lot, build a commercial building with 10,000 to 20,000 square feet on the second lot with frontage, and build townhomes on the rear lot. He continued the developer had been given a copy of the Form Based Code and was aware the development would need to
meet the standards in that Code. He reported the Planning Commission reviewed the proposed Final Subdivision Plat on July 11, 2018, and recommended its approval with conditions.

Councilmember Thompson moved to approve the Final Subdivision Plat for the Masonic Temple Subdivision located at approximately 452 East 700 South, with the conditions as recommended by the Planning Commission, 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, and Thompson. Voting NO – None. Councilmember Roper was not present for the vote.

APPROVAL OF THE AWARD OF BID FOR THE CITY HALL ROOF REPLACEMENT PROJECT TO LIFETIME ROOFING

Curtis Dickson, Deputy Director, stated the budget allocated funds to replace the roof at City Hall. He stated the roof was twenty years old and at the end of its life. He continued there were leaks impacting the interior of the building. He explained four bids were received for the project, and Lifetime Roofing was the lowest responsible bidder with a bid amount of $99,999. He stated the budget allocation for the project was $145,000 and staff was requesting $45,001 in contingency because there was no way to tell what damage had been done by leaks until the roof was removed.

Councilmember Phipps asked if the bidders were given an opportunity to look at the roof before submitting their bids. Mr. Dickson responded there was a mandatory pre-bid meeting for the bidders that allowed them to inspect the roof.

Councilmember Thompson moved to approve the award of bid for the City Hall Roof Replacement Project to Lifetime Roofing, with a bid amount of $99,999; approving funding for the bid amount with a project contingency of $45,001 for a total project cost of $145,000; 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, and Thompson. Voting NO – None. Councilmember Roper was not present for the vote.

APPROVAL OF THE CLEARFIELD CITY SANITARY SEWER MANAGEMENT PLAN

Scott Hodge, Public Works Director, informed the Council that every City maintaining a sewer system was required by the State to have a plan addressing how it would manage its system. He explained the plan helped to evaluate the City’s system, identify capacity, and show how the system would be maintained. He said it was a guideline to follow rather than a regulatory document and would help negotiate the day to day operations of the system.

Councilmember Phipps moved to approve the Clearfield City Sanitary Sewer Management Plan (SSMP) 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, and Thompson. Voting NO – None. Councilmember Roper was not present for the vote.
COMMUNICATION ITEMS

Mayor Shepherd
1. Reported Hill Air Force Base had finished its Air Installation Compatible Use Zone Study. It addressed the noise issues and flight patterns and asked municipalities to consult the Air Force when planning development in flight path areas.
2. Recommended a publication called Business Council’s Best Practices Report. He stated it highlighted quality projects that had been accomplished in different municipalities throughout the country. He offered to email it to the members of the Council for ideas in efforts to move the City forward.

Councilmember Bush – reported he attended the showing of the movie Wonder in the park. He stated he liked the movie. He quoted from the movie, “When given the choice between being right and being kind, choose kind.”

Councilmember Peterson
1. Thanked Bob Bercher who had represented the Veterans Association in inviting the Council to attend the event highlighting the recently erected Vietnam Veterans memorial in Layton. She commented the memorial was a replica of the wall in Washington DC and it was impressive. She expressed her gratitude to those who had served.
2. Thanked staff for all the hard work at the Fourth of July festivities.

Councilmember Phipps – nothing to report.

Councilmember Thompson
1. Commented it had been a great summer for Clearfield. He thanked Jared Hadley Real Estate for contributions made to the boxing program at the Aquatic Center. He commented he enjoyed seeing the competitive nature of such young, great people.
2. Met with the Governor’s Office of Economic Development and the Utah African American Chamber of Commerce. He reported the meeting discussed how to expand and improve the State. He commented Utah was losing out on some of the economic opportunities because there was a perception that the State was not diverse enough. He continued Clearfield was an industrious and diverse city and people should know more about it. He encouraged the City to attract those opportunities.
3. Expressed appreciation for the giving spirit in the City. He recognized the Hope Center for its backpack event and a local barber shop for giving free haircuts to children 14 years and younger.

STAFF REPORTS

JJ Allen, City Manager – commented it had been a busy summer. He reminded the Council that there was a Neighborhood Pop-up Party on August 1, 2018 at 6:00 p.m. in Jacobsen Park. He also reminded the Council the Mid-year Retreat was on August 23, 2018.

Summer Palmer, Assistant City Manager – reported on the closure of the Clearfield Mobile Home Park. She stated four tenants still remained on the premises and had made arrangements to leave in the next few days and the other two tenants were moving their belongings to storage units and would be gone within a few weeks. She explained all the remaining tenants had families in the area or had been given financial assistance to help them relocate. She reported barricades would be going up at the main entrance and the west gate would be locked. She continued the next step was to remove the trailers from the property or have them demolished and the property manager was assisting with that task. She mentioned that SWAT and the police department were conducting some training exercises on the property. Mayor Shepherd
expressed appreciation to staff for the professional handling of the project. JJ Allen, City Manager, expressed appreciation to Ms. Palmer for her significant efforts on the project.

Nancy Dean, City Recorder – reviewed the Council’s schedule:
- Work Session on August 7, 2018
- Work and Policy Session on August 14, 2018
- No meeting currently planned for August 21, 2018
- Work Session and Policy Session on August 28, 2018
- Work Session on September 4, 2018
- Policy Session on September 11, 2018

Councilmember Peterson presented a thank you video from Mayor Shepherd and the members of the Council to all the staff who helped make the Fourth of July festivities an amazing experience.

Councilmember Bush moved to adjourn policy session and reconvene in work session at 8:49 p.m., seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Thompson. Voting NO – None. Councilmember Roper was not present for the vote.

APPROVED AND ADOPTED
This 14th day of August, 2018

/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, July 31, 2018.

/s/Nancy R. Dean, City Recorder