

CLEARFIELD CITY COUNCIL MEETING MINUTES  
7:00 P.M. POLICY SESSION  
May 22, 2018

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Nike Peterson	Councilmember
	Kent Bush	Councilmember
	Vern Phipps	Councilmember
	Tim Roper	Councilmember
	Karece Thompson	Councilmember
STAFF PRESENT:	Summer Palmer	Assistant City Manager
	Stuart Williams	City Attorney
	Scott Hodge	Public Works Director
	Greg Krusi	Police Chief
	Eric Howes	Community Services Director
	Spencer Brimley	Community Development Director
	Rich Knapp	Finance Manager
	Trevor Cahoon	Communications Coordinator
	Nancy Dean	City Recorder
	Wendy Page	Deputy Recorder
EXCUSED:	JJ Allen	City Manager

VISITORS: Don Gilliland – DG Construction, Matthew Gyte, Jake Young – Civil Solutions Group, John Janson – Civil Solutions Group, Michael Roland, Bobi Merritt, Eric Lindquist, Craig Winder, Jeremy Sattler, Aaron Sattler, Walker Whiter, Melissa Evans, Michele Atwood, Steele Naisbitt

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

Mayor Shepherd informed 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 Peterson led the opening ceremonies.

APPROVAL OF THE MINUTES FROM THE APRIL 3, 2018 WORK SESSION, THE APRIL 10, 2018 WORK SESSION AND THE MAY 8, 2018 POLICY SESSION

**Councilmember Bush moved to approve the minutes from the April 3, 2018 work session, the April 10, 2018 work session, and the May 8, 2018 policy session, as written, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.**

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A ZONING TEXT  
AMENDMENT TO CITY CODE, TITLE 11 – LAND USE FOR THE ADOPTION OF FORM  
BASE CODE

Spencer Brimley, Community Development Director, stated the zoning text amendment for City Code, Title 11 – Land Use was being considered by the Council for the adoption of Form Based Code (FBC). He explained FBC was a zoning designation which was different than traditional zoning. He continued it was zoning which looked more at the form and the function of how a community was built creating a community with places where people would want to live, work, and play.

Mr. Brimley acknowledged the City began the process of creating and drafting the FBC based on a recommendation from the Downtown Small Area Plan (SAP) which was adopted by the Council in spring of 2017. He indicated the area specific to the downtown which was being considered for the FBC adoption was the corridor along State Route 126 (State and Main Street) from 300 North to 1000 South and on 700 South between State Street and I-15. He noted the document being considered had been through several iterations and discussions. Mr. Brimley explained a steering committee comprised of members of the City Council, Planning Commission, private business owners and the public discussed it at length, provided input and feedback which aided in the formulation of the document. He mentioned the framework for the document was created from a template by Wasatch Front Regional Council (WFRC). He recognized the consultants, John Jansen and Jake Young from Civil Solutions Group in attendance. Mr. Brimley acknowledged they had been working with staff to formalize the Form Based Code and were prepared with a presentation then afterwards would be available to answer any questions.

Mr. Jansen stated the drafted Form Based Code document was the culmination of about eight months of work trying to implement the Downtown Small Area Plan. He reviewed the basic FBC principles, the process of creating the document, and its layout. Mr. Young reviewed places and districts which included three nodes known as the Civic Center (Civic – CV), Mabey Place (Urban Commercial – UC), and Access Point (Town Commercial – TC). Mr. Jansen explained broad categories listed and what would be general uses for an area; however, there were also very specific use prohibitions listed for the uses not permitted within a category. Mr. Young and Mr. Jansen reviewed several of the street types; building types and uses allowed in each district; open spaces, landscaping, parking, sign requirements, and the administrative process.

Mr. Jansen acknowledged the townhouse type buildings were designed requiring the garages to be at the rear of the building so it would not be just a garage oriented building. Mr. Young identified some of the new concepts to the document regarding parking which included parking options for compact spaces, low impact development (LID) techniques for storm water, on street parking credits, the idea of parking once in a development because of its connectivity, and the option to back in so the vehicle was ready to head out.

Mr. Jansen expressed appreciation to Councilmember Phipps for his comments about the drafted FBC. He stated those comments were used to clarify some definitions and for other minor edits throughout the document. He mentioned Councilmember Bush had spoken to him prior to policy

session about the hotels which were included in some of the charts; however, since there were no references to them in the document, it would be deleted. Mr. Jansen acknowledged there would be a few minor edits before the drafted document would be finalized. He asked if there were any additional questions.

Mayor Shepherd opened the public hearing at 7:21 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

**Councilmember Roper 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, Roper and Thompson. Voting NO – None.**

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON AN AMENDMENT TO THE FINAL SUBDIVISION PLAT FOR WEST SQUARE SUBDIVISION LOCATED AT APPROXIMATELY 875 SOUTH DEPOT STREET

Spencer Brimley, Community Development Director, stated the request by West Square, LLC was to amend the Final Subdivision Plat (FSP) for the West Square Subdivision creating residential condominium units in Building A of the multi-family development. He noted there was a development agreement in place originally executed in 2016; however, the developer was now proposing to change the development from apartments to condominiums. He stated the location was at approximately 875 South Depot Street. Mr. Brimley indicated it was surrounded by multi-family development and the railroad to the west.

He acknowledged the proposal would update the first building into condominiums and have each unit be for sale, with the potential of converting each of the remaining buildings from apartments to condos in the future. He noted the property was zoned R-3 (Multi-family Residential) which was consistent with the area. Mr. Brimley reviewed the layout of the building, the breakdown of the proposed units, and the parking. He indicated the proposed change would also require an update to the development agreement. He explained the Planning Commission held a public hearing on May 2, 2018 and recommended approval of FSP 1803-0003 based on conditions listed in the staff report.

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

Mayor Shepherd asked for public comments.

There were no public comments.

**Councilmember Thompson 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 Thompson. Voting NO – None.**

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON AN AMENDMENT TO THE FINAL SUBDIVISION PLAT FOR THE PROPERTY LOCATED AT APPROXIMATELY 572 WEST 300 NORTH

Mayor Shepherd indicated the City had been discussing the Final Subdivision Plat amendment with the developer and there were outstanding issues that still needed to be resolved. He stated it was recommended to table the public hearing and asked if there was a date available to revisit the public hearing. Nancy Dean, City Recorder, confirmed with the Stuart Williams, City Attorney, the item could be rescheduled for June, 12, 2018 at 7:00 p.m.

Councilmember Phipps asked if the public hearing would need to be re-noticed. Ms. Dean responded if the public hearing were tabled until a specific date and time it would not need to be noticed again.

Mayor Shepherd recommended the public hearing be tabled until June 12, 2018 at 7:00 p.m.

**Councilmember Phipps moved to table the public hearing until June 12, 2018 at 7:00 p.m. seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.**

OPEN COMMENT PERIOD

*Steele Naisbitt*, non-resident, stated he was an investor in the area and owned apartment units on 250 North which he had been maintaining for the last three years. He expressed his concern with code enforcement because he had spent a significant amount of money maintaining his property; however, felt the neighboring properties were not providing proper upkeep. He stated he went by the property earlier in the day, photographed the neighboring areas of concern, and offered to share the photos with anyone interested. He explained his frustration with the way code enforcement was happening in the area and thought he could save money if he made some cuts to his maintenance efforts.

Mayor Shepherd acknowledged the City had just shifted code enforcement to a civil process. Spencer Brimley, Community Development Director, stated he could meet with Mr. Naisbitt and then coordinate any needed efforts with the code compliance division. He mentioned there was an ordinance being considered later in the meeting which would help provide better defined regulations and the measures to enforce each through a civil process which could achieve the desired code compliance. Mr. Naisbitt expressed his appreciation for what the City was trying to accomplish.

*Michelle Atwood*, resident, expressed her opinion developing properties with garages on the backside of the units would force the kids to play on the grass in the front which would be closer to the busy streets. She acknowledged the appearance of a development might look better from the street if there were no garages; however, it would likely impact safety. Ms. Atwood voiced her concern with the level of drugs and crime within her apartment complex. She stated she and neighbors had contacted the police on numerous occasions about the smells of marijuana; yet,

indicated it appeared no one was taking the concern seriously because there were no arrests or evictions for the reported criminal behaviors. She mentioned there were good families living in the low income apartments and suggested the Council could pressure the police to take action and perhaps use the abatement vehicle in the area to help as a preventative measure.

Mayor Shepherd thanked Ms. Atwood for her comments and advised her to discuss the matter with Chief Krusi following the meeting.

**CONSIDERATION OF AN AMENDMENT TO THE FINAL SUBDIVISION PLAT FOR THE PROPERTY LOCATED AT APPROXIMATELY 572 WEST 300 NORTH - TABLED**

The item was tabled specific to Tuesday, June 12, 2018 at 7:00 p.m. for a public hearing and consideration.

**APPROVAL OF ORDINANCE 2018-06 ENACTING TITLE 11, CHAPTER 19 TO THE CLEARFIELD CITY CODE ADOPTING A FORM BASED CODE TO REGULATE THE DEVELOPMENT OF THE DOWNTOWN CORRIDOR**

Mayor Shepherd acknowledged this item was presented during the public hearing and asked if there were any additional questions for John Jansen, Jake Young or Spencer Brimley.

Councilmember Phipps stated he did not have questions but did want to share how he felt about form based code. He expressed his opinion municipal government had an vested need to look at land use. He recognized the drafted document had a blend of uses and was not pure form based code; however, he voiced his concern with removing elected officials from the decision process. Councilmember Phipps noted specifically there would be no involvement from elected officials regarding the ultimate uses in development. He expressed appreciation about the planning efforts given to the design constraints which would help reach the goals for standardization, commonality and retaining a level of quality; though, he was uneasy because there were no constraints on density, categories of use, or approval by elected officials. He feared the City would be at the mercy of the developer rather than the residents and the community.

Councilmember Phipps expressed appreciation for the remarks made by the consultants about the comments he had provided which were utilized to edit the document. He stated he felt that some of his comments had not been addressed, but were also valid and requested the list of concerns be part of the permanent record. Councilmember Phipps' comments and concerns regarding Form Based Code have been made a permanent part of the record and can be viewed on page 122 of the May 22, 2018 Agenda Packet located at [www.clearfieldcity.org](http://www.clearfieldcity.org) and as a separate attachment to the May 22, 2018 Agenda Packet located at <https://utah.gov/pmn/index.html>. He expressed his worry the document would be rigorously reviewed and some would be looking for ways to exploit it. Councilmember Phipps expressed his opinion that even though the document was well intended, there were gaps in the wording and its approach which could open the City up to something not intended. He mentioned one of the visions he had for the City was being supportive of Hill Air Force Base (HAFB). He expressed his desire to have buildings located in the City to attract those affiliated with the HAFB providing the needed office space in Clearfield rather than neighboring cities.

Mayor Shepherd indicated much of the development in the City was market driven. He acknowledged Falcon Hill was the result of trying to accommodate for needed office space for HAFB contractors. He noted some of that development was even outside of the fence and in the Clearfield boundaries. He mentioned Legend Hills had office buildings which were 95 percent full and perhaps Mabey Place and Clearfield Station would be locations to attract developers to build office buildings and food establishments. There was a discussion about development in the City and the best uses. Mayor Shepherd stated he understood the concerns about high density; yet, he expressed his opinion having high density, office space, retail and a boutique hotel in Mabey Place would support the idea of Clearfield as a community where individuals could live, work, and play.

Councilmember Phipps indicated he tried to review the form based code document with an independent perspective. He expressed his fear others would have the same impression he had that the City was trying to add density or more housing rather than having an emphasis to increase commercial office or retail space. He stated his comments to the consultants reflected his concern about office use which he expressed was lacking and not well defined. Mayor Shepherd explained the development along the corridor and specifically the nodes identified in the Downtown Small Area Plan would likely not be possible without form based code because it allowed the developer to put a concept together to develop a place not an individual parcel. He added form based code had been successful in other communities.

Councilmember Phipps stated he wished to merely highlight some of the concerns he had expressed to staff and the consultants regarding form based code rather than review each comment in depth in the meeting. He expressed his concern with the specific encouragement of using storm water management systems as open space. He stated he was concerned a retention pond covered in sod would constitute a park which was not what he envisioned for places along the corridor and its redevelopment. Mr. Young pointed out a percentage of the landscaping could be used for storm water management systems, but it would not meet the open space requirement for use. He acknowledged in regards to office space, it was a building type permitted in all zones other than civic.

Councilmember Phipps indicated there were concerns regarding ancillary impacts on schools and traffic which would transform the City once development was completed. He suggested many could question the mindset of elected officials at the planning stages if regards were not given to those impacts on the City. Councilmember Peterson responded she was pleased the drafted form based code showed recognition of the increased traffic in the planning of street widths, parking management, and bicycle designations. She continued those items were called out in a manner not included in code previously and the form based code called for multi-formula transportation as well as parking which was space conscious. She added the current street configurations allowed traffic to get from one end of the City to the other quickly, rather than providing a reason to stop and stay. She commented she would love to see a reduction in speeds along the corridor or even more intersections added because of an uptick in traffic so it would entice people to stay here instead of visiting restaurants or retail shops in neighboring cities. She recognized faster roads were potentially a detriment to local businesses and residents.

Councilmember Peterson spoke to Councilmember Phipps concern of not removing elected officials from the land use process. She stated the concern was valid because elected officials had a job to do in protecting the residents; however, she indicated there were two protections in the drafted form based code. She pointed out adopting form based code was not citywide and was only referring to a narrow area within the City. She stated elected officials were involved in the process of its creations and had the opportunity to weigh in, vet, and be involved in the drafting of code and would continue to have oversight of it. She acknowledged if the form based code were adopted it would outline the standards and prevent developers from having to come to the Council each time there was an adjustment if it fit within the purview of the Code. She explained on rare occasions, when a proposal was desired which was an exception, the elected body would continue to review those requests to make sure it was a good fit. She insisted the drafted form base code was careful not to be pure because it still allowed for development agreements. She stated the Planning Commission which was a body appointed by the Mayor with the consent of the Council would be the body reviewing development plans and determine if each request was meeting the code requirements. She said the development agreements provided a fail-safe system which allowed for the elected officials to review any proposals which were questionable and discuss, vet, and reach a level of comfort through approval or denial. She commented form based code may have as big of an impact on the City as the Naval Depot did which transformed the City, so there was a level of discomfort and risk; however, to allow the corridor to continue to decay and never progress was equally problematic. She reported form based code allowed elected officials to set the terms by which the corridor could be developed and was a forward thinking approach to development. She expressed her opinion elected officials were not surrendering the protection of residents and oversight was still in place. Mayor Shepherd acknowledged there were other cities that would likely follow suit and were very interested in the process the City had gone through to develop form based code. Councilmember Peterson recognized the differences in downtown Ogden and Salt Lake City, as well as other areas which had transformed into gathering places. She identified society was changing the way it shopped and commuted; additionally, its population was skyrocketing with an influx of people. She stated we now live in a time when the City's zoning could represent those changes as well. She concluded form based code was a document like every other part of the City's Code which was living and could be reviewed and updated as needed over time.

Councilmember Bush commented the Planning Commission currently approved site plans and whatever type of zoning the City designated would still be reviewed by that body. He expressed his opinion that if form based code were adopted, the Council would not be giving up its rights or responsibility for having oversight on the legislative part of zoning.

Mr. Young clarified the drafted form based code indicated the maximum water storage retention allowed in the open space was up to ten percent. Mayor Shepherd acknowledged with the amount of density being considered there would be a need for water storage retention; however, the space planned for the corridor would not be similar to residential areas if there were excess runoff.

Councilmember Phipps expressed his appreciation for the discussion. He indicated it was hard to disagree with those whom he inherently respected. Councilmember Roper commented he appreciated Councilmember Phipps thorough review of the document and the concerns he

identified which had encouraged him to review it more carefully as well. Mayor Shepherd reported he was pleased there had been a detailed review and the evidence was supported by the comments provided by Councilmember Phipps. He reported he personally had been able to go through the process and was very involved in the details, but expressed his hope others would be as interested in the details. Councilmember Phipps agreed with Councilmember Peterson's comments claiming the adoption of form based code would be a significant event for the City and whether it was the right or wrong thing to do; it would impact the City's future. Councilmember Roper expressed he felt this would be the one big thing to help change the City for the better. Councilmember Phipps expressed his worry and reason for loss of sleep was that he did not want to be involved in making a decision which would end up being a huge mistake. Mayor Shepherd reported he hoped to be involved with the decisions which helped to revitalize the downtown and transformed the image of Clearfield. Councilmember Phipps agreed that was his hope as well.

**Councilmember Roper moved to approve Ordinance 2018-06 enacting Title 11, Chapter 19 to the Clearfield City Code adopting a Form Based Code to regulate the development of the downtown corridor 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 Thompson. Voting NO – None.**

Councilmember Phipps stated he voted aye based upon his trust and respect for the other members of the City Council.

APPROVAL OF AN AMENDMENT TO THE FINAL SUBDIVISION PLAT FOR WEST SQUARE SUBDIVISION LOCATED AT APPROXIMATELY 875 SOUTH DEPOT STREET

Mayor Shepherd commented prior meetings had been spent discussing affordable housing but the one thing that seemed to be lacking was housing affordability which had been a top concern locally and statewide. He expressed his opinion having an amendment to change the West Square development from apartments to condominiums would help create housing affordability and he applauded the developer for being willing to contribute to what was lacking in the City as well as throughout the County and State.

Councilmember Peterson requested to hear from the developer who was present. Craig Winder, Ironwood Development Group, shared with the Council the decision process moving the development from apartments to condominiums. He indicated there was a need all along the Wasatch Front for housing and even the starter townhomes were getting to a higher price point around \$300,000. He acknowledged developers and builders were desperately trying to provide a product for ownership knowing the advantages to communities in having residents who were making an investment. He reported all the necessary documents were prepared for the Home Owners Association (HOA) and stated it would be a fantastic site with amenities including club house, weight room, pool, and grass to play on.

Mayor Shepherd asked if he knew what the price point would be for the condominiums. Mr. Winder recalled it should be under \$200,000 but there were one, two or three bedroom units available at various starting points.

**Councilmember Peterson moved to approve an amendment to the Final Subdivision Plat for West Square Subdivision located at approximately 875 South Depot Street 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 Thompson. Voting NO – None.**

APPROVAL OF AMENDMENTS TO THE DEVELOPMENT AGREEMENT WITH IRONWOOD DEVELOPMENT GROUP FOR THE WEST SQUARE SUBDIVISION LOCATED AT APPROXIMATELY 875 SOUTH DEPOT STREET

Spencer Brimley, Community Development Director, stated the Development Agreement was previously approved in February 2016 with specific language addressing the design of the buildings as well as the use being defined as apartments. He indicated the developer wanted to change from apartments to condominiums as well as make some changes to the façade. He noted the changes with façade design materials were discussed during work session on June 15, 2018. He explained originally the developer had proposed design material percentages; however, after the work session discussion staff added language to the development agreement allowing approval for what was presented to Council during work session rather than the initial proposals. He acknowledged there was also a reduction to the building height allowance from 40 feet down to 35 feet which would be more consistent with heights in the surrounding area and current code.

**Councilmember Bush moved to approve amendments to the development agreement with Ironwood Development Group for the West Square Subdivision located at approximately 875 South Depot Street, 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 Thompson. Voting NO – None.**

APPROVAL OF THE DEVELOPMENT AGREEMENT WITH DG CONSTRUCTION FOR CLEARFIELD JUNCTION LOCATED AT APPROXIMATELY 17, 51, AND 101 NORTH MAIN STREET

Summer Palmer, Assistant City Manager, stated the City received a proposal for a mixed use development and it was discussed in a work session on April 10, 2018. She indicated the proposal included property owned by the City at 17 and 51 North Main, as well as the property adjacent to it located at 101 North Main Street which DG Construction was attempting to purchase. She acknowledged staff was directed to work on drafting a development agreement which could be considered for the proposed Clearfield Junction. Ms. Palmer continued the Development Agreement had been reviewed and discussed during the work session earlier and last week on May 15, 2018. She reported staff was recommending approval of the Development Agreement and asked if there were any additional questions or if all the concerns had been vetted.

Councilmember Phipps expressed appreciation for the work session discussion which addressed his concern about the library.

Ms. Palmer noted Donovan Gilliland with DG Construction had proposed a project which, if approved, would include the City selling a portion of its land to the developer for a mixed use development. She explained some of the property would be reserved for continued negotiations with Davis County to move the library from its current location to the corner portion of land adjacent to Center and Main Street. She indicated conceptual drawings had been presented to the Council which included approximately 244 residential units and 20,000 square feet of commercial/retail space on the lower level of the building facing Main Street. She asked if Mr. Gilliland would like to share his vision for the development.

Mr. Gilliland expressed his excitement for the project. He stated he was hopeful the Development Agreement would be approved so he could finalize the purchase of the Albion property and begin the project. He reviewed the conceptual plans which included commercial or retail on the lower level with apartments or housing on the additional three levels. He mentioned the library, along with the other amenities, would benefit the project and he anticipated moving it forward with architectural drawings as soon as possible.

**Councilmember Bush moved to approve the Development Agreement with DG Construction for Clearfield Junction located at approximately 17, 51, and 101 North Main Street, 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 Thompson. Voting NO – None.**

APPROVAL OF ORDINANCE 2018-07 AMENDING CITY CODE TITLE 5, CHAPTER 1 - NUISANCE

Spencer Brimley, Community Development Director, stated the City recently changed its code enforcement process from a criminal process to a civil administrative process. He mentioned as a result of the changes code compliance was moved from Police to Community Development for its administrative process. He indicated staff reviewed the City Code and proposed some changes which would provide the increased ability to enforce nuisance violations. Mr. Brimley explained the language was adjusted with some minor changes which clarified definitions and would allow for noticing the property as well as implementing the civil process for code compliance.

He acknowledged the changes to the code were discussed during work session on May 15, 2018 and staff had worked to incorporate the feedback from Council and included it with the drafted Ordinance 2018-07. He asked if there were any additional questions.

Councilmember Bush stated he had reviewed the ordinance and saw the references to construction equipment or machinery and vehicles. He wondered if adding farm equipment would help to avoid having old dilapidated farm equipment from being a nuisance in the community. There was a discussion about whether or not farm equipment should be called out specifically in the Ordinance, the zones where it would be allowed, the ability to enforce equipment which was not required to be licensed or registered, and the differences between vehicles and equipment or machinery.

Councilmember Peterson asked if there was anything in the drafted Code which restricted enforcement of farm vehicles if it were inoperative, dismantled or considered a junk vehicle. Stuart Williams, City Attorney, stated vehicles no matter the type would be enforceable; however, it would be difficult to define what constituted nuisance farm equipment. He advised any nuisance concern could be evaluated to determine if there would be other elements of the Code which validated it. Mayor Shepherd commented regardless of the type of vehicle it would need to be parked appropriately and not displayed on the front lawn. Mr. Brimley indicated there were other aspects of the City's Code which addressed vehicle parking.

**Councilmember Thompson moved to approve Ordinance 2018-07 Amending City Code Title 5, Chapter 1 – Nuisance 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 Thompson. Voting NO – None.**

#### AWARD THE BID FOR THE FREEPORT G STREET SANITARY SEWER IMPROVEMENT PROJECT

Scott Hodge, Public Works Director, stated the City advertised and received bids for a capital improvement project to replace a sewer line on G Street in the Freeport Center. He indicated the first of four phases would be to install a new 12-inch sanitary sewer line on G Street in the Freeport Center from 3<sup>rd</sup> Street to 5<sup>th</sup> Street. Mr. Hodge explained the project would require a directional bore underneath the railroad tracks. He acknowledged six contractors bid the project and the lowest responsible bidder was Brinkerhoff Excavating and Construction with a bid amount of \$297,210. He reported the City engineers had reviewed and recommended awarding the bid to Brinkerhoff Excavating and Construction.

Councilmember Phipps asked what the schedule would be for the project. Mr. Hodge answered the City would like to get started as soon as possible; however, the contractor would need to fit the project into its work schedule. He added it should be a 90 day project and piping construction was best during the summer months; thus, anticipated it would be scheduled and completed during the summer. He concluded a pre-construction meeting with the contractor would be held but until that time the start date was unknown.

**Councilmember Phipps moved to award the bid for the Freeport G Street Sanitary Sewer Improvement Project to Brinkerhoff Excavating and Construction for the bid amount of \$297,210; approve funding for the bid amount with contingency and engineering costs of \$52,790 for a total project cost of \$350,000; 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 Thompson. Voting NO – None.**

#### COMMUNICATION ITEMS

##### *Mayor Shepherd*

1. Reported attending the groundbreaking ceremony earlier in the day for the Have a Heart Home in Clearfield which the City had donated the land for the project. He indicated it would allow a family to

purchase a home that otherwise may not have been possible. He stated Nilson Homes was the builder and announced it would review the option for xeriscaping the front yard of the property to help reduce the watering costs associated with maintaining a half-acre property using culinary water.

2. Participated in the employee golf activity on May 10, 2018. He thanked staff for its efforts in planning the activity.

3. Reported being contacted by the President of Utah Defense Alliance about attending the Alliance Defense Committee (ADC) meetings during June of 2018. He reported the ADC would be paying for his attendance at its meeting in June since it was not in the City's budget.

4. Announced he would be out of town for the City Council meetings held on June 19, 2018 and June 26, 2018 in order to attend the National League of Cities (NLC) and ADC meetings on those dates.

***Councilmember Bush*** – thanked Stuart Williams, Spencer Brimley, and all staff members for the work involved with preparing the ordinances. He expressed gratitude for the hard work of all staff and acknowledged the City parks looked good. He complimented Eric Howes and staff for all the efforts involved with parks maintenance.

***Councilmember Phipps*** – nothing to report.

***Councilmember Peterson*** – expressed appreciation to staff for its time and vetting which went into drafting substantive ordinances which allowed the Council to make informed decisions.

***Councilmember Roper***

1. Expressed his excitement about things moving forward with Form Based Code and anticipated it would do so much to help the community.

2. Thanked Mayor Shepherd, Councilmembers Bush, and Councilmember Phipps for supporting and attending the Youth Commission's activity on May 19, 2018 at Fisher Park.

***Councilmember Thompson***

1. Reported drones would be used as a first step in combating mosquito abatement especially in harder to reach areas. He mentioned if a resident desired to have an area sprayed for an event it may be sprayed a few nights before the event because there was such a high demand for the abatement services. He acknowledged Clearfield had six sprayed events during the past month which was fewer than the other cities in the district.

2. Thanked staff for all the work involved with the ordinances which just made sense to him.

**STAFF REPORTS**

***Summer Palmer, Assistant City Manager***

1. Reported JJ Allen, City Manager, was out of town celebrating a milestone anniversary in the Bahamas.

2. Announced the week of May 13 to 19, 2018 was National Police Week. She mentioned the officers in the City serve with professionalism and expressed her opinion Clearfield had the best police department in the State.

3. Reported the Community Leader Luncheon was held May 15, 2018 and the next meeting would be June 19, 2018 at noon in the multi-purpose room. She indicated those meetings were for anyone in the community who had the ability to reach out to groups of people whether they were in neighborhoods, schools, or ecclesiastical groups. She acknowledged the meetings were a chance to be informed about what was happening in the City and help prepare groups for it or even bring concerns and issues to staff which could be instrumental in being addressed.

4. Announced Memorial Day the City offices would be closed; however, there would be a flag raising ceremony at the City cemetery on Monday, May 28, 2018 at 9:00 a.m.

**Stuart Williams, City Attorney** – reported during the many meetings regarding Form Based Code there was civility throughout the process. He expressed his opinion it was nice to be part of the group that handled these complex issues in a professional manner and was resolved to make changes when necessary.

**Spencer Brimley, Community Development Director** – updated the Council on the progress of the Station Area Plan process which was underway. He stated a committee was being formed and there was a meeting with the consultant scheduled for May 23, 2018 to discuss dates for an open house. He reported Trevor Cahoon, Communications Coordinator, was working to get a website prepared for public comment.

**Trevor Cahoon, Communication Coordinator** – indicated the City was beginning its big promotional push with advertising for the Fourth of July event. He stated there was an integrated marketing approach with print media, billboards, newsletters, multiple channels, emails, and posters. He mentioned the City also had a Uniform Resource Locator (URL) which was ccjuly4.com and it would allow direct access to the Fourth of July information.

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

- **No meeting planned at this time for May 29, 2018**
- **Work Session June 5, 2018**
- **Work and Policy Session on June 12, 2018**
- **Work Session June 19, 2018**
- **Work and Policy Session on June 26, 2018**

There being no further business to come before the Council, **Councilmember Thompson moved to adjourn as the City Council and reconvene as the CDRA in policy session at 8:44 p.m., seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

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

**APPROVED AND ADOPTED  
This 26<sup>th</sup> day of June 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, May 22, 2018.

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