

CLEARFIELD CITY COUNCIL MEETING MINUTES  
6:00 P.M. WORK SESSION  
April 2, 2019

City Building  
55 South State Street  
Clearfield City, Utah

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush	Councilmember
	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
	Tim Roper	Councilmember
	Karece Thompson	Councilmember
STAFF PRESENT:	JJ Allen	City Manager
	Stuart Williams	City Attorney
	Kelly Bennett	Police Chief
	Scott Hodge	Public Works Director
	Mark Baird	Public Works Deputy Director
	Eric Howes	Community Services Director
	Ben Frye	Parks/Open Space Manager
	Brad McIlrath	Senior Planner
	Rich Knapp	Finance Manager
	Lee Naylor	Accountant
	Trevor Cahoon	Communications Coordinator
	Nancy Dean	City Recorder
EXCUSED:	Summer Palmer	Assistant City Manager

VISITORS: Ruth Jones

Mayor Shepherd called the meeting to order at 6:07 p.m.

DISCUSSION ON A ZONING TEXT AMENDMENT TO AMEND STEP BACK REQUIREMENTS IN SECTION 5.4 FOOTNOTE 3 OF THE CITY'S FORM-BASED CODE

Brad McIlrath, Senior Planner, reviewed the zoning text amendment to the Form Based Code (FBC) proposed by Marvin Murri, developer. Mr. Murri asked that the City consider amending the Form Based Code requirements for step back on three story multi-family residential buildings. Mr. Murri had proposed the following changes:

*Amend Section 5.4 footnote 3 of the Form-Based Code to require the six foot (6') step back for buildings taller than four (4) stories rather and three (3) stories as the Code currently reads and remove the step back standard in the table which requires a step back of ten (10') at the top of the 3<sup>rd</sup> story.*

Mr. McIlrath shared some visual illustrations with the Council that showed step backs on various types of buildings. He informed the Council that staff was in favor of the amendment but the Planning Commission recommended denial citing a need to finish the consultant's review and proposed revisions to FBC in its entirety.

There was a discussion about step back requirements on multi-family residential buildings and the Council's reluctance to make amendments to the FBC on a project by project basis. The Council agreed with the Planning Commission that it might be better to wait until the consultant finished a review and proposed revisions to FBC.

DISCUSSION ON THE SECOND AMENDMENT TO THE MIDTOWN VILLAGE AT LEGEND HILLS SUBDIVISION PLAT LOCATED AT APPROXIMATELY 788 SOUTH 2000 EAST (TIN: 09-419-0102)

Brad McIlrath, Senior Planner, informed the Council that the request was for a second amendment to the Midtown Village at Legend Hills Subdivision Plat. He explained the developer was proposing dividing the existing Lot 102 into two new lots. He reported the amendment would not vacate or amend any existing utility easements, access points, or public rights-of-way. He indicated the zoning for the parcel would remain D-R (Downtown Redevelopment). He reported the Planning Commission recommended approval of the request.

DISCUSSION ON THE FINAL SUBDIVISION PLAT FOR THE LANDON'S CORNER SUBDIVISION LOCATED AT APPROXIMATELY 357 AND 343 WEST 300 NORTH (TIN: 12-020-0087 AND 12-020-0155)

Brad McIlrath, Senior Planner, informed the Council that the property proposed for the Landon's Corner Subdivision was currently zoned R-3 (Multi-family Residential). He stated the developer proposed to build sixteen townhomes on the property. He reported the request was for final subdivision plat approval and then site plan approval would follow later with the Planning Commission. He suggested a quality development would be beneficial to the area. He reported the Planning Commission recommended approval of the request.

DISCUSSION ON THE AWARD OF BID FOR THE CORNERSTONE PARK IMPROVEMENT PROJECT

Eric Howes, Community Services Director, explained the Cornerstone Park Improvement Project proposed improvements for the north end of the park by adding a parking lot and restroom. He reported the City received nine bids for the project and 3XL was the lowest responsible bidder with a bid amount of \$118,599.52. Mr. Howes informed the Council that one of the challenges to the project would be the placement of the restroom because of overhead power lines so various alternatives were being considered. He explained if one of the alternatives for the placement of the restroom didn't work, its location would be moved farther from the play area. He stated the project should be complete by the end of June. He explained there was \$210,000 budgeted for the project and the additional funding would be used to purchase and place the restroom and for contingency needs.

DISCUSSION ON THE AWARD OF PROPOSAL FOR ARCHITECTURAL SERVICES ON THE PRELIMINARY DESIGN OF THE PUBLIC WORKS BUILDING PHASE 3

Scott Hodge, Public Works Director, informed the Council that a Request for Proposal (RFP) was issued for preliminary design of Phase 3 of the Public Works maintenance and operations facilities. He explained staff prepared a floor plan sketch as a starting point for the facilities that would assist with the operations of the fleet, streets, and utility maintenance divisions. He stated the intent was to get a good cost estimate for finishing the upgrades for the entire site. He reported the City received four responses to its RFP and staff selected Think Architecture with a proposed cost of \$5,850. There was a discussion about the disparity in the proposal response specific to the price points. Mr. Hodge reported Think Architecture was the same company that prepared the Master Plan for the entire site so it was very familiar with the project. He added the project should be completed about three weeks after the contract was signed.

Councilmember Peterson asked what the next step would be regarding design if the architect did not produce the desired result. Mr. Hodge responded the budget would allow for additional work with the architect should it be necessary. Mayor Shepherd recommended it be brought back to the Council for review if that scenario played out.

DISCUSSION ON A PUT/CALL OPTION AGREEMENT WITH LOTUS ACQUISITIONS, LLC, FOR PROPERTY LOCATED AT APPROXIMATELY 448 SOUTH STATE STREET

JJ Allen, City Manager, informed the Council that Lotus Acquisitions, LLC, was in the process of purchasing the property located at 448 South State Street, adjacent to the property formerly known as the Clearfield Mobile Home Park. He reminded the Council that the City had a Memorandum of Understanding with Lotus Company that was specific to the redevelopment of the area but a development agreement had not yet been executed, so Lotus was asking for the approval of a Put/Call Option for the property located at 448 South State Street. He explained the agreement would commit the City to purchasing the property should a development agreement never materialize between the two parties. He added the purchase price for the property was \$325,000 and Lotus was scheduled to close in mid-April. Mr. Allen expressed his opinion that the property at 448 South State Street was essential to getting the frontage on State Street needed to properly develop the Clearfield Mobile Home property even if Lotus ended up not being the developer for the site. He reported the City and developer were experiencing challenges purchasing some of the other key parcels of property making the purchase of the proposed piece critical for the project.

Councilmember Peterson asked what funding would be used to meet the terms of the agreement should the City need to purchase the parcel. Mr. Allen stated the funding would come from bond proceeds. Mayor Shepherd added the purchase of the parcel was imperative to getting the development moving so the City could work toward paying back the bond proceeds as soon as possible.

Councilmember Phipps asked if the City would be liable for the costs of clearing the property for development in addition to the purchase amount. Mr. Allen responded the site would not be cleared until the development agreement was in place. Councilmember Peterson asked if any of

the structures on the property were considered historical in nature. Mayor Shepherd commented the structures were not old enough to be historical.

### DISCUSSION ON THE FISCAL YEAR 2020 BUDGET

Rich Knapp, Finance Manager, reviewed the budget schedule through the adoption of the tentative budget with the Council.

Mr. Knapp stated staff had been working on creating the budget for Fiscal Year 2020 (FY20). He explained there were still items that were being estimated until further information was determined: property tax revenue, health insurance premiums, property and liability insurance premiums, capital projects that might not be completed by June 30, 2019, and the indirect cost allocation. He reviewed the proposed expenditures by function for all budget funds, the savings being recognized because of the energy efficient upgrades, and the City's total debt history and ongoing obligations. He cautioned personnel costs continued to climb and a significant increase was expected to health insurance premiums.

Mr. Knapp provided a history of the City's certified tax rate. He informed the Council that the City would pay off its General Obligation bonds in 2021 and suggested the Council consider maintaining the property tax rate at or near the rate established to include the debt payment on the bonds. He expressed his opinion that it would be a good way to prepare for future payments on the bonds issued to redevelop Mabey Place or to refresh the aging Aquatic and Fitness Center. Councilmember Phipps expressed his opinion that the proposed scenario of maintaining the rate as the bonds were retired would not have a significant impact on the taxpayers. Councilmember Peterson agreed and commented the City had major assets it would need to keep operational and beautiful.

Councilmember Phipps expressed his concern with the technology stipend offered to elected officials every other year. He did not believe there was a need to replace the devices used by the members of the City Council quite as often as was currently the practice. There was a discussion on the need for the technology and associated warranties with the devices and how often they should be replaced. The Council determined to keep the stipend as currently being administered. Councilmember Phipps also expressed his concern with the City offering health benefits to elected officials who were identified as part time. JJ Allen, City Manager, commented there were many cities that provided benefits to elected officials and there were others who did not. Councilmember Phipps expressed concern for the taxpayer and wanted to raise the concern.

There was a discussion about the City's proposed operational expenses and their comparison to last year's requests. The Council asked staff to remove the purchase of a wood chipper from the budget for now. The Council was invited to more thoroughly review the budget materials and direct any questions to staff. JJ Allen, City Manager, informed the Council that an additional budget question and answer period would be held during the work session scheduled for Tuesday, April 9, 2019.

**Councilmember Thompson moved to adjourn at 8:10 p.m., seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

**APPROVED AND ADOPTED**

**This 23<sup>rd</sup> day of April, 2019**

**/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, April 2, 2019.

/s/Nancy R. Dean, City Recorder