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
Summer Palmer  Assistant City Manager
Stuart Williams  City Attorney
Kelly Bennett   Police Chief
Scott Hodge  Public Works Director
Mark Baird  Deputy Public Works Director
Eric Howes  Community Services Director
Brad McIlrath  Senior Planner
Rich Knapp  Finance Manager
Trevor Cahoon  Communications Coordinator
Nancy Dean   City Recorder
Wendy Page  Deputy Recorder

VISITORS: Ruth Jones, Bob Bercher, Michael Rolow, Kayla Barriga, Kevin Leo – Utah Transit Authority, Greg Washburn – Scout Troop 6, Heather Ridenour, Tre Tolbert, Joseph Bernil

Mayor Shepherd called the meeting to order at 7:04 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 JANUARY 8, 2019 WORK SESSION;
JANUARY 22, 2019 POLICY SESSION; JANUARY 22, 2019 WORK SESSION;
FEBRUARY 5, 2019 SPECIAL SESSION; AND THE FEBRUARY 19, 2019 COMMUNITY NETWORKING MEETING

Councilmember Roper moved to approve the minutes from the January 8, 2019 work session; January 22, 2019 policy session; January 22, 2019 work session; February 5, 2019 special session; and the February 19, 2019 community networking meeting; as written,
seconded by Councilmember Bush. 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 THE REQUEST TO REORGANIZE THE NORTH DAVIS FIRE DISTRICT (NDFD) FROM A SPECIAL SERVICE DISTRICT TO A LOCAL DISTRICT SERVICE AREA

Mayor Shepherd explained the Administrative Control Board for the NDFD passed a resolution on December 20, 2018 petitioning the City to consider taking all necessary measures to reorganize it from a special service district to a local district service area. He noted the City Council approved Resolution 2019R-01 expressing its intent to reorganize the NDFD and provided notice of the public hearing to receive public input. He commented the proper noticing had been done as required by State Statue.

Mayor Shepherd opened the public hearing at 7:07 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember Bush moved to close the public hearing at 7:08 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 A REQUEST TO REZONE APPROXIMATELY 56 ACRES LOCATED AT 1250 SOUTH STATE STREET KNOWN AS CLEARFIELD STATION (TINS:12-067-0139, 12-066-0138, 12-882-0001, 12-882-0004, 12-882-0005, 12-882-0006, 12-882-0007) FROM C-2 (COMMERCIAL) AND M-1-SP (MANUFACTURING WITH A SPECIAL PURPOSE OVERLAY) TO MU (MIXED USE)

Brad McIlrath, Senior Planner, reviewed the background and history of the property owned by Utah Transit Authority (UTA) at 1250 South State Street known as Clearfield Station. He explained since 2013 the City had been working with UTA on its efforts to develop the property which included a previous conditional rezone to the MU zone; however, nothing had materialized so the zoning had reverted to its current status of C-2 (Commercial) and M-1-SP (Manufacturing with a Special Purpose Overlay). Mr. McIlrath commented UTA and the City collaborated with a consultant for the creation of a Station Area Plan in order to help facilitate further development of the site as a Transit Oriented Development.

He continued rezoning a property with the Mixed Use (MU) designation required a Master Development Plan and Agreement be in place. Mr. McIlrath stated it was recommended the Station Area Plan and Design guidelines serve as the guiding document and regulation until such time that a Master Development Plan and Agreement were in place for the remaining parcels. He reviewed the conceptual layout denoting what could be included in the area. He added the concept had been a collaboration effort between the City and other stakeholders.
Mr. McIlrath noted the rezone of the 56 acres from C-2 (Commercial) and M-1-SP (Manufacturing with a Special Purpose Overlay) to MU (Mixed Use) would potentially increase the opportunity for selection by UTA as one of its preferred sites and allow the development to move forward. He acknowledged a Master Development Plan would supersede the Small Area Plan and provide the direction for its further development.

He indicated on February 6, 2019, the Planning Commission reviewed the rezone request and recommended its approval with the following conditions:

- The rezone to MU (Mixed Use) would apply only to the remaining parcels owned by UTA of approximately 56 acres in total.
- The Station Area Plan and Design guidelines would serve as the guiding document and regulation until such time that a Master Development Plan and Agreement were in place for the remaining parcels.
- The rezone should not take effect without the approval and execution of a Master Development Agreement between the City, UTA and the master developer.

Mr. McIlrath reviewed the options for action by the Council and asked if there were any questions.

Mayor Shepherd opened the public hearing at 7:14 p.m.

Mayor Shepherd asked for public comments.

PUBLIC COMMENTS

In Favor

Kevin Leo, UTA, stated UTA was fully in support of the proposed rezone.

Opposed

None.

Councilmember Bush moved to close the public hearing at 7:15 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.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A ZONING TEXT AMENDMENT TO TITLE 11, CHAPTER 15, PARAGRAPH 8, SECTION C AMENDING THE STANDARDS FOR ON PREMISE FREESTANDING SIGNS

Brad McIlrath, Senior Planner, stated the City proposed amendment to Title 11, Chapter 15, Paragraph 8, Section C of the City Code to ensure on premise freestanding signs complied with the City’s clear vision regulations. He reviewed examples of on premise freestanding signs and indicated the following changes were proposed as amendments to the City’s current ordinance:
11-15-8: SIGNS THAT REQUIRE A PERMIT

C. On Premises Freestanding Signs: Freestanding signs shall be allowed as follows:

1. Commercial or manufacturing parcels or centers less than ten (10) acres in size: No freestanding signs shall be allowed.
2. Commercial or manufacturing parcels or centers ten (10) acres or larger in size: One freestanding sign shall be allowed per three hundred feet (300’) of street frontage. Sign area shall not exceed three hundred (300) square feet, and sign height shall not exceed thirty five feet (35’). Signs shall comply with the clear vision regulations found in section 11-13-10 of this title.
3. For centers with more than one sign, there shall be a minimum separation of two hundred and fifty lineal feet (250’) between each sign.
4. Reader boards, changeable copy areas and electronic message centers: No such devices shall exceed fifty percent (50%) of the total copy area of the freestanding sign.
5. Signs must be integrated into the development with a common theme or integrated architecturally with the buildings.
6. Signs shall have at least a one foot (1’) pedestal that is constructed of materials such as stone, brick, or rock with landscaping around the base of each sign.

Mr. McIlrath noted the language for the proposed ordinance included the update to number two as discussed during work session on February 19, 2019 clarifying the parcel size as ten acres or larger. He mentioned the last two provisions were additions which should provide better aesthetics and promote high quality design and construction. He explained on February 6, 2019, the Planning Commission reviewed and recommended approval of the amendments.

Mayor Shepherd opened the public hearing at 7:19 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember Thompson moved to close the public hearing at 7:20 p.m. seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.

OPEN COMMENT PERIOD

Michael Rolow, resident, expressed his concern for the students’ safety being dropped off at the school bus stop on 500 West at 300 North. He explained many of the students were crossing 300 North at 500 West to get to their homes on the south side of 300 North. He noted there was not a crosswalk at that location and the students were expected to walk quite a distance and go under the bridge to cross from the north to the south side of the street. Mr. Rolow requested the City do something about the intersection to provide added safety for students and help with the flow of
traffic for residents exiting from the neighborhoods on the north and south onto 300 North. He expressed his worry traffic and congestion would get worse in the area because of the townhome development on the northwest corner of the intersection.

Mayor Shepherd thanked him for the comments. JJ Allen, City Manager, responded staff would communicate with the Davis School District to see what options were available.

APPROVAL OF ORDINANCE 2019-07 REZONING THE PROPERTY LOCATED AT APPROXIMATELY 1250 SOUTH STATE (TINS: 12-067-0139, 12-066-0138, 12-882-0001, 12-882-0004, 12-882-0005, 12-882-0006, 12-882-0007) IN CLEARFIELD, DAVIS COUNTY, UTAH, FROM (C-2) COMMERCIAL AND (M-1-SP) MANUFACTURING WITH A SPECIAL PURPOSE OVERLAY TO (MU) MIXED USE, WITH ITS ASSOCIATED “CLEARFIELD CONNECTED STATION AREA PLAN AND DESIGN GUIDELINES” SERVING AS A GUIDING DOCUMENT UNTIL SUCH TIME THAT A MASTER DEVELOPMENT PLAN AND AGREEMENT ARE FORMALLY APPROVED; AND AMENDING THE CLEARFIELD CITY ZONING MAP ACCORDINGLY

Councilmember Phipps commented he had some concerns about the Station Area Plan and he would continue to have them for a long time. Mayor Shepherd commented it was nice to have the UTA advisory board approve the Station Area Plan for the site last week. He indicated UTA would consider accepting the recommendation at its meeting on February 27 2019, and he planned to attend. Councilmember Peterson explained there were many sets of approvals still needed in the process and ultimately it would hinge on the decision of the City Council as the land use authority to approve the Master Development Plan and Agreement. She expressed her excitement to be moving the process along and was glad it was moving forward. Councilmember Bush commented the parcels would need to be the MU Zone no matter what future development took place on the site. Mayor Shepherd agreed and said the only consideration at this time was the zoning request.

Councilmember Peterson moved to approve Ordinance 2019-07 rezoning the property located at approximately 1250 South State (TINs: 12-067-0139, 12-066-0138, 12-882-0001, 12-882-0004, 12-882-0005, 12-882-0006, 12-882-0007) in Clearfield, Davis County, Utah, from (C-2) Commercial and (M-1-SP) Manufacturing With A Special Purpose Overlay to (MU) Mixed Use, with its associated “Clearfield Connected Station Area Plan And Design Guidelines” serving as a guiding document until such time that a Master Development Plan and Agreement are formally approved; and amending the Clearfield City Zoning Map Accordingly; 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 ORDINANCE 2019-06 AMENDING TITLE 11, CHAPTER 15, SECTION 8, PARAGRAPH C – LAND USE, SIGNS THAT REQUIRE A PERMIT OF THE CITY CODE

Councilmember Bush moved to approve Ordinance 2019-06 amending Title 11, Chapter 15, Section 8, Paragraph C – Land Use, Signs That Require A Permit of the City Code, 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, Roper, and Thompson. Voting NO – None.

APPROVAL OF ORDINANCE 2019-08 TO AMEND TITLE 2, CHAPTER 4, SECTIONS 5, 6, 7, AND 8 – REVENUE AND FINANCE, CITY DONATIONS OF THE CITY CODE

Stuart Williams, City Attorney, stated the amendments to Title 2, Chapter 4, Sections 5, 6, 7, and 8 – Revenue and Finance, City Donations were proposed to make clarifications about the processes necessary when a monetary donation was made on behalf of the City. He explained some donations were reoccurring from year to year and identified as line items during the budgeting process and others came up throughout the year. He mentioned the amendments to the ordinance would provide clarity there would be an exception to the procedures currently outlined in the City Code for donations addressed during the fiscal budgeting process.

Mr. Williams continued the current ordinance allowed for a donation only after a determination was made by the City Council, a study was performed to support the monetary donation, and a public hearing was conducted. He commented the procedures allowed for the City Council to create a record to establish that its decision to donate public funds was done through a transparent process and included an opportunity for public input through a public hearing. He explained the City followed the transparency requirements that existed for donations through its budgeting process and associated public hearings so amendments were made to clarify the exception. He acknowledged any donations made throughout the year would need to clearly announce the purpose of the donation and allow for public comment on the matter before any decisions were made.

Councilmember Phipps expressed his appreciated for staff looking at potential problems the Council could have and presenting a great solution. He thanked staff for supporting the Council in its position so well.

Councilmember Phipps moved to approve Ordinance 2019-08 to amend Title 2, Chapter 4, Sections 5, 6, 7, and 8 – Revenue and Finance, City Donations of the City Code, 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 RESOLUTION 2019R-09 APPOINTING REPRESENTATIVES TO SERVE ON THE TAXING ENTITY COMMITTEE FOR PROJECT AREAS ESTABLISHED BY THE CITY’S COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

JJ Allen, City Manager, stated the Clearfield City Community Development and Renewal Agency (CDRA) had begun the process to create the project area called Mabey Place. He explained as part of the project, the CDRA Board determined to consider the potential use of eminent domain; therefore, by State Statute a taxing entity committee needed to be created. He noted the taxing entity committee would be comprised of representatives of the City, School District, County, and State School Board, and Special Districts. Mr. Allen explained the CDRA
had provided notice to the taxing entities of its intent to create a CRA and the need to appoint representatives to the Taxing Entity Committee (TEC).

He indicated Mayor Shepherd recommended he and Mayor Pro Tem Nike Peterson be appointed to the Taxing Entity Committee (TEC) and Councilmember Kent Bush be appointed as an alternative member.

Mayor Shepherd clarified eminent domain would not be entertained lightly should it become a necessity and it would only be done as a last resort. Mr. Allen noted the project area was planned to be the heart of the City and it was an ambitious vision which would still require a lot of work and political will to accomplish. Councilmember Bush acknowledged eminent domain was not merely taking property but it allowed for it to be purchased at fair market value.

**Councilmember Roper moved to approve Resolution 2019R-09 appointing representatives to serve on the Taxing Entity Committee for Project Areas established by the City’s Community Development and Renewal Agency, 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, Roper, and Thompson. Voting NO – None.**

**COMMUNICATION ITEMS**

**Mayor Shepherd**
1. Acknowledged the legislative session was a few weeks away from its completion and there were many bills to keep watching including sales tax reform. He explained the Utah League of Cities Towns Legislative Policy Committee (LPC) was working to help keep the cities whole which would be a challenge. He noted Senate Bill 179 was another thing to watch which outlined the truth in taxation requirements.
2. Planned to attend the UTA board meeting on February 27, 2019 to answer any questions as it considered the Small Area Plan for Clearfield Station.
3. Met with representatives from the County, Wasatch Front Regional Council, and other City officials representing the Davis County Council of Governments (COG) on the third quarter local option sales tax recently approved by Davis County. He commented the option would create about 12 to 14 million dollars annually to be used toward new roads or congestion improvements. He suggested the City would want to make application for some of the funding and more information would come as the application process was developed.
4. Attended meetings of the Promised Partnership subcommittee he served on which was looking at mobility of students. He explained the entire group was looking at financial issues students’ families were facing. He expressed his excitement with trying to find something that would make an impact.
5. Thanked the members of the Council for the various boards and commissions they served on. He explained through that representation the Council was informed and able to make important decisions.
6. Attended a Davis Chambers of Commerce Board meeting where Layton City’s Police Department conducted active shooter training and shots were fired for educational purposes. He recommended it would be a good addition to the City’s next training so people could understand the feelings and sounds that are created by actual shots being fired. He thanked Chief Bennett for attending City Council meetings.
7. Reminded Mayor Pro Tem Peterson she would be conducting the City Council meeting on March 12, 2019 since he and Councilmember Roper would be out of town attending the National League of Cities Congressional City Conference in Washington D.C.
Councilmember Bush
1. Attended the Community Networking Luncheon on February 19, 2019. He thought it was a good meeting with many decisions being made.
2. Reported that on February 14, 2019 the Sewer District’s Board meeting was held and the 2018 budget was preliminarily finalized. He explained there was ten percent excess money left from the estimates provided with the 2017 budget which would be kept in the reserve funds for future projects.

Councilmember Peterson – nothing to report.

Councilmember Phipps
1. Reported Wasatch Integrated Waste Management District was currently selling the gases produced from its waste materials to Hill Air Force Base at a very low rate but its ten year contract would soon expire. He explained Wasatch Integrated would bring on an engineer to help completely utilize those gases. He indicated a study would be done to determine if the facility could generate renewable natural gas which was pipeline certified that could be sold at a commercially viable rate. Councilmember Bush commented the Sewer District produced gas as well and it was used at the plant to power some of its equipment which may be an option for Wasatch Integrated as well. Councilmember Phipps acknowledged it was a great point and was a viable option being considered. He indicated part of the study being conducted would provide models of what could be done with the gases. Mayor Shepherd stated he was aware of a facility that was self-sustained from the gases produced as well as its fleet.
2. Announced the Restoration Advisory Board had an opening for the community representative for Clearfield. He requested those interested in participating to contact him or there was a website to apply online.

Councilmember Roper – thanked residents who came to meetings and commented and shared their concerns with the Council and others who reach out on an individual basis.

Councilmember Thompson
1. Reported there was one death from West Nile Virus in Davis County in 2018. He indicated there were five schools in the Davis County participating with the mosquito abatement education. He noted there were some bills opposing mosquito abatement and one was House Bill 59 which would require a study before a district was created. He indicated the Mosquito Abatement District for Davis County would be hiring night time sprayers and job opportunities would be posted at the local colleges.
2. Attended the Black History and Family Night Art Show at the Clearfield Branch library. He enjoyed hearing perspectives from black students and felt a confirmation that residents of the City are feeling a connection to the community.

STAFF REPORTS

JJ Allen, City Manager
1. Reported budget preparation was underway and thanked Rich Knapp, Finance Manager, and his staff for managing the budget and Tyler software conversion.
2. Participated in the School Board’s work session discussion last week concerning the Lifetime Community Redevelopment Area. He reported it would be on Board’s agenda next week for consideration. He anticipated the CDRA would have Interlocal Agreements with the School District and others for consideration on upcoming agendas.
3. Commented the City had a great team of staff. He shared an example of teamwork demonstrated through Trevor Cahoon, Communications Coordinator, as he organized a meeting with staff to review
lessons learned from Sandy City when it recently had water contamination issues. He said it was a good
team exercise on how to communicate with the public immediately and effectively in any type of
situation.

Nancy Dean, City Recorder – reviewed the Council’s schedule:
• No meeting on March 5, 2019
• Policy Session on March 12, 2019
• Work Session on March 19, 2019
• Policy Session on March 26, 2019

Brad McIlrath, Senior Planner – updated the Council on the collaborative efforts to date in preparing
noticing signs that would be posted on the property sites to announce public meetings and public
hearings. He explained the vision with the signage was to help draw attention and then direct people to a
website where they could find additional information about the project. He anticipated the City’s website
would have a map where people could click on the location and find the property notice with additional
details. He explained if there were questions staff would also be available to respond to calls or emails.
Mr. McIlrath mentioned the public hearing notice sign was an invitation for the public to stop and attend
public hearings, collaborate with the Council, and listen to the opinions of others while participating in
the public hearing process which was the forum in place to receive public comments.

Trevor Cahoon, Communications Coordinator, pointed out the new signage did not provide the date and
time of the public hearing as the previous signage had; however, the State Statute did not mandate those
items for on-site notices. He indicated the standardized signs would help train residents or those with
questions to visit the City’s website to obtain information. He indicated the signs’ design process was an
effort of teamwork with good conflict and staff was proud of the end result. Mr. McIlrath stated the signs
should be ordered soon and staff would continue to work on getting the website ready for accessing
noticing information.

Trevor Cahoon, Communications Coordinator – reviewed upcoming events with the Council:
• March 30, 2019 – Pruning event taught by Tyler Hill, City Arborist.
• April 26, 2019 – Kickoff for Celebrate Clearfield Week would be the Arbor Day event in the
  morning and the Summer Blitz in the afternoon to encourage summer recreation enrollment.
• April 27, 2019 – Take Pride in Clearfield Day for community based neighborhood projects in
  conjunction with the 30 dumpsters which would be delivered to areas of the City to help facilitate
  use during the cleanup efforts. The Wizard of Oz Junior auditions would also be this same date.
• April 29, 2019 – Everyone Matters event geared towards children kindergarten through 12th
  grade that Weber State University students and the City were planning called “treating your neighbor.”
• May 2, 2019 – Culmination event for Celebrate Clearfield Week would be the Police
  Department Outreach. He noted staff had discussed including the watermelon drop at this
  event rather than during the Fourth of July celebration to help incorporate the physics’
  clubs at the high school or NUAMES which could engineer the vessel used for the night.

Mr. Cahoon asked if there were any questions about the upcoming Celebrate Clearfield Week. JJ
Allen, City Manager, stated all the events could be found on the Trello board that Mr. Cahoon
had shown to the Council during the retreat. Councilmember Roper indicated he had been using
it and found it helpful. There was a discussion about the event details, conflicts in schedules due
to the ULCT meetings, and the option for the Council to divide and conquer so that each event
was represented by elected officials if possible.
Mr. Cahoon updated the Council on the progress of the Fourth of July events planned. He noted the bands had been scheduled with Foreign Figures as the headliner and Michael Barrow and the Tourists had requested to return again as the opening band. He indicated the vendor space was almost all reserved and the food truck league would be coordinating it this year. He stated there were some complaints received from vendors that had participated with a booth in prior years; however, each was notified early so other arrangements could be made in advance. Mr. Cahoon commented the marketing focus for the event would be in Davis and Weber Counties. Eric Howes, Community Services Director, added contact was made with a vendor that could supply gaming entertainment on the Fourth of July at Fisher Park at a reasonable amount. He continued the vendor had an air conditioned trailer with about 30 arcade style games as well as it had recently acquired laser tag or archery tag games that could be set up in parks. He reported in about a month it would be available for the Council to test and see if it would be worth adding to the event. Mayor Shepherd mentioned the proposed changes would be nice additions for the event as well as free up staff time previously utilized for vendor coordination.

Mr. Cahoon stated the Community Networking luncheon was held on February 19, 2019. He commented the feedback received was to hold a nighttime meeting to see if there was any increased participation in the evening. He indicated the next meeting would be on March 13, 2019 at the Art Center Building because the City Building multipurpose room was already scheduled. Mr. Cahoon stated dinner would be arranged by the City for the meeting. He reported following the March meeting, the City planned to transition to have the meetings facilitated by community leaders and the City would continue to provide the space and guidance discussed during the retreat meeting on January 17, 2019.

Councilmember Bush moved to adjourn the policy session and reconvene in work session at 8:20 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.

APPROVED AND ADOPTED
This 12th day of March, 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, February 26, 2019.

/s/Nancy R. Dean, City Recorder