Mayor Shepherd called the meeting to order at 6:40 p.m.

UPDATE FROM THE HILL AIR FORCE BASE (HAFB) ENVIRONMENTAL DIRECTORATE

Jason Wilde, Air Force Civil Engineer Center/Hill Section Restoration Project Manager reported on the progress the Air Force was having with response to the methane at Operable Unit 10. He explained Operable Unit 10 was located in Clearfield and there had been TCE and PCE plumes originating from vehicle maintenance shops in the west area years ago. He noted the area’s complex geology made treatment challenging; however, Enhanced Reductive Dechlorination (ERD) was selected as the remedy. Mr. Wilde reviewed the ERD treatment process which included using a carbon-rich liquid substrate to enhance biological breakdown of TCE/PCE; injecting the substrate into contaminated groundwater; chemical reactions which produced by products including methane; limiting the amounts of methane produced so it would dissipate
quickly; and, the unexpected high levels of methane discovered due to substrate displacing into shallow soils.

He commented ERD injections began in late 2015 and were done at multiple points along 200 West which was located in a residential neighborhood. He noted for the most part everything went well, but on the north end more was injected a year later and additional injections were completed in March of 2017. Mr. Wilde explained routine monitoring had been ongoing and in September of 2017 excessive amounts of methane were discovered. He advised due to the hazardous nature of methane, the Air Force took action to determine the extent of the methane plume and with the assistance of North Davis Fire District and Mayor Shepherd, residents living in the two homes nearest the injection site were contacted. Mr. Wilde stated excessive methane was located near one of the northernmost injection points; however, the two homes closest to the methane were tested for it and none was found.

He noted methane was not a toxic risk yet it was an explosive hazard. He mentioned the Air Force had been working with the City to restrict digging in the affected area. He reported on the remedial actions to date which included monitoring methane levels, deploying a portable soil vapor extraction (SVE) system, purging methane from the soil with vacuum pumps, and the safeguard measures taken to deal with hazards. Mr. Wilde said the five purge events to date had shown significant short term impacts and long term it was anticipated the methane levels beneath the street would decrease. He mentioned once the methane was purged then his team would get back to managing contaminated groundwater.

Mr. Wilde reviewed plans to continue using the SVE system to purge methane from the subsurface by conducting a purge every two to three weeks, testing before and after each purge, with the goal of reducing and maintaining levels of methane below the lower explosive limit (LEL) of 50,000 ppmv. He noted the Air Force was committed to informing residents of progress or changes as well as reporting to the City Council and Restoration Advisory Board (RAB). He added the next RAB meeting was scheduled for April 25, 2019.

Councilmember Bush wondered whether or not there was added danger for the surrounding areas when the purges occurred. Mr. Wilde responded the contractors made a manifold that mixed the methane as it came from the ground with just the right amount of oxygen so it could not combust and then it was pumped to the atmosphere to combust and dissipate at low energy levels so it was safe.

Councilmember Bush questioned if the contaminants were still coming from the base. Mr. Wilde answered the TCE source was found in about 2008 and the PCE was found in 2004; however, both sources were not in the soil once the Air Force finished with them. He noted there was not an ongoing soil source or raw chemical source and the real source impacting the City was groundwater moving its way west to the Great Salt Lake. He pointed out the Air Force was working hard to contain it and ensure the plumes were not getting bigger but actually retracting. He noted the plumes were not moving west but it could become necessary to reevaluate the continued approach because the ERD was a good plan but it did not work as well as planned.
Councilmember Bush asked if this problem existed in other areas of the country. Mr. Wilde confirmed it had; but, perhaps not to the extent as this area because of the base’s geology. There was a discussion about contaminants and methods used for measurement calculations.

Councilmember Phipps pointed out the Air Force was proactive in finding the contaminants, worked to minimize the impacts, and had incredible expertise. He suggested the Air Force was doing everything possible with the best science to mitigate any issues.

PLANNING COMMISSION AND PARKS AND RECREATION COMMISSION INTERVIEWS

Mayor Shepherd reported the applicants for the Planning Commission vacancies had withdrawn; therefore, the Council would interview candidates for the Parks and Recreation Commission.

The Council interviewed Andrea Bush and Kristi Bush to fill the vacancies on the Parks and Recreation Commission.

DISCUSSION ON APPOINTMENTS TO THE PLANNING COMMISSION AND PARKS AND RECREATION COMMISSION

There was no discussion on appointments to the Planning Commission during the meeting because the applicants had withdrawn from consideration.

Eric Howes, Community Services Director, indicated there were currently two regular positions available on the Parks and Recreation Commission. He explained David Graves had been serving as an alternate member and had expressed interest in serving as a regular member. Mayor Shepherd noted if David Graves were selected to fill the regular position there would be one regular and one alternate position available. Councilmember Peterson recommended Kristi Bush serve as the regular member because of her experience and Andrea Bush serve as the alternate since she was a newer resident. The Council concurred. There was a discussion about the influence of the Youth Commission as it appeared to have enticed parent involvement, the diversity of the Parks and Recreation Commission with its addition of female perspectives, and the responsibility and involvement of the alternate members.

Mayor Shepherd stated if there were no objections he planned to recommend David Greaves and Kristi Bush be appointed to fill the vacancies for regular members and Andrea Bush be appointed to fill the vacancy of an alternate member. The Council did not express any objections. He requested the appointments be on the agenda for February 12, 2019.

DISCUSSION ON THE VACATION OF AN ABANDONED WATERLINE EASEMENT LOCATED AT APPROXIMATELY 1335 EAST 3000 NORTH AND 1303 EAST 3000 NORTH IN LAYTON (TINS: 09-050-0089, 09-050-0014)

Brad McIlrath, Senior Planner, explained the City had a waterline easement that ran through various properties in Layton City; however, the easement was no longer in use and any lines in the easement had been abandoned. He mentioned Wright Development was interested in
developing the properties at 1335 East 3000 North, Layton, and 1303 East 3000 North, Layton, and requested the City vacate the abandoned easement for the two properties it owned. He explained there were other properties in Layton City that might request a similar vacation in the future; however, the City would need to have the legal descriptions of each of the parcels before taking any action on the matter. Mr. McIlrath indicated the legal descriptions had been provided on the requested properties by the developer and no services offered by the City would be impacted by the proposed vacation of the waterline easement. There was a discussion on the prior use of the waterline, the need for further research to obtain the legal descriptions for additional properties, and the requirement of noticing and holding a public hearing prior to considering approval of an easement vacation for any additional properties. Mr. McIlrath asked if the Council desired staff to move forward to research and notice other Layton properties in preparation for the easement vacation. Mayor Shepherd responded it would be a lower priority item; but because the applicant had provided the City with the legal descriptions needed for the current request, the Council could move forward with the item as planned for an upcoming policy session.

DISCUSSION ON THE CLEARFIELD STATION AREA PLAN

Spencer Brimley, Community Development Director, provided the Council with an update on the progress of the Clearfield Station Area Plan. He stated the planning process began in August of 2018 and included meetings, discussions, a design charrette with the Council, a market study for the site, and the completion of a concept master plan and design guidelines. He reviewed the contents of the Clearfield Station Area Plan:

- Introduction
- Vision and project goals
- Market study and economics
- Framework and concept plan
- Buildings and architecture
- Open space and public realm
- Transportation and mobility
- Strategic recommendations
- Appendix A- Market Study
- Appendix B – Traffic Analysis

Councilmember Bush wondered why the intersection at 1000 East and 1700 South was not included with the traffic study. Mr. Brimley responded the engineer that completed the traffic study felt that intersection was suitable for the proposed concept without redoing the intersection. He explained once a master developer was selected the roadways and traffic patterns could be reviewed in more detail to help establish the master development plan. He reported the City’s effort to move the project forward included rezoning the area to MU (Mixed Use) so the site could be selected by Utah Transit Authority (UTA) as one of its Transit Oriented Development (TOD) sites. He noted the MU zone required a master development plan be in place; however, the Station Area Plan and Design Guidelines document could be the support for the master development request with an understanding that any developer would need to do additional studies and analysis for the next step towards development of the site.
Councilmember Phipps expressed his concern the traffic data used for the analysis was outdated and the traffic surges from the rail stop were not accurately reflected and hoped a more recent study would be completed before any development began. Mr. Brimley agreed a greater detailed traffic study would be paramount moving forward.

Mr. Brimley explained the Clearfield Station Area recognized components which could be used to entice development such as its status as an “opportunity zone” and the current CDA (Community Development Area) which was in place for the site, as well as other community assets. He reviewed the objectives stated in the plan as well as the vision and project goals. Councilmember Peterson indicated the words “complete community” was included language in the vision section as well as throughout the document but felt it did not delineate what the benchmarks were and it was nebulous; but, it could have statutory implications on certain components, so she requested it be better defined.

Councilmember Phipps voiced his concern about Utah Transit Authority’s (UTA) priority for increased ridership and accompanying impacts. There was a philosophical discussion about the impacts of increased ridership.

Mr. Brimley continued identifying the vision and project goals of the Clearfield Station Area Plan which included:

- Creating an exciting destination
- Creating a complete community
- Providing community assets
- Promoting quality urban design
- Maintaining connecting street access
- Generating ridership
- City and Region Connections
- Promoting City Heritage

He reviewed the market study and economics and explained the Council would determine any incentives for future development. Councilmember Bush asked what the consideration was between prime and secondary locations. Mr. Brimley stated it was primarily determined by the use type location. He pointed out the frontage properties would be considered prime and interior locations would be considered secondary. He indicated if the property were less visible there might be more of a need to incentivize the development.

Mr. Brimley commented the concept plan was included with the Plan. Councilmember Phipps stated the original concept plan had the soccer facility bordering the FrontRunner Station; thus, he was not convinced the best placement was on State Street as currently presented in the concept plan. Mayor Shepherd pointed out he was not opposed to its new location because UTA would not support it at any other location and if Real Salt Lake was able to develop a practice facility at the site it would create an identity for the station, if located at its entrance. There was a discussion about the concept plan, key components, and its design features.
Councilmember Thompson asked whether the City or UTA would control the funds available because of the opportunity zone. Mayor Shepherd explained the developer would have a tax advantage and could defer taxes if it developed area in an opportunity zone.

Councilmember Phipps questioned if there were other purposes planned for the land set aside for a school if it did not develop. Mayor Shepherd indicated a community space area was set aside for a school; however, the Davis County School District would be allowed the right of first refusal. JJ Allen, City Manager, suggested perhaps there would be another component that was missing from the overall “complete community” concept which could be used in its place if the School District determined to not include a school at the location. There was a discussion about uses for the community space which included a variety of school types.

Mr. Brimley pointed out the land-use section contained percentage breakdowns for the various zoning types found within the mixed use development. Councilmember Peterson confirmed the 24.3 percent identified as the residential zone had excluded the Thackeray Garn residential units in the calculations. Mr. Brimley acknowledged the percentages included only pertained to the approximate 60 acres of land remaining for development and did not include the 216 units developed by Thackeray Garn. There was a discussion about primary and secondary facades and visibility factors which contributed to the layout design.

Councilmember Phipps expressed his concern about commuter parking terraces and worried the goal to maintain convenient transit access would be overlooked. Mayor Shepherd commented UTA was expecting to need a large amount of parking and required a minimum of 700 parking stalls for commuters. There was a discussion about the development of the Clearfield Station Area and the City’s active participation in the creation of the design guidelines and concept plan. Mayor Shepherd pointed out the proposed plan was a concept level plan and how the development was ultimately laid out would be determined by a development agreement and master planning. There was a discussion about whether UTA planned to sell or lease its land and how it would affect the development at the site. Mr. Allen pointed out one of UTA’s goals was to have ongoing revenue generation, so likely leases would be preferred. Mr. Brimley stated some developers had expressed interest in developing the site which was encouraging.

Mr. Brimley highlighted all of the building and architecture components addressed in the Clearfield Station Area Plan. He asked if there were any questions. There was a discussion about building and architecture components. Councilmember Bush pointed out the definition for “step back” included in the Station Area Plan and Design Guidelines on page 61 was not complete. Mr. Brimley stated staff would make sure the definition was finished. He added there would be additional detail included in a master development agreement (MDA) and many components were yet to be determined through a master development plan (MDP).

A discussion ensued about private versus public streets. Councilmember Bush pointed out the concept plan showed a street connection into the cemetery. Mr. Brimley indicated IBI Group did not want to limit an access and encouraged keeping the connection for future development; however, staff discussed the option of allowing it as pedestrian access rather than a roadway. Councilmember Bush stated 1150 South was identified in the Plan as 1150 East and should be
corrected. Mr. Brimley mentioned it had been identified for correction by the consultants. There was a discussion about pedestrian accessibility with neighboring parcels.

Mr. Brimley commented the primary purpose of the Clearfield Station Area Plan and Design Guidelines was to allow the possibility of a rezone of the property so it could rise to the top of UTA’s sites selections. Councilmember Peterson expressed her concern that a stated strategic recommendation included with the Station Area Plan was to consider the creation of a TRZ (Transportation Reinvestment Zone). She requested the matter be vetted prior to its inclusion as a strategic recommendation of the Plan.

Councilmember Peterson noted a design review committee was called out in the document; however, it was not clearly defined. There was a discussion about the land use approval process, authorized bodies in place to vet land use items, and the use or role of a design review committee. Councilmember Peterson expressed her opposition to needing a design review committee; yet, suggested if it was called out it should be clearly defined and limited in scope.

Councilmember Peterson pointed out her concern with language on page 116 which stated “However, if any inconsistencies are found, these documents should be amended to align with the Clearfield Station Area Plan Vision.” She expressed her opinion the City’s General Plan should not have to align to a biased document and was not comfortable with the statement that was included. Mr. Allen stated in the MU zone the MDP would become the zoning regulation. Councilmember Peterson agreed, but felt other language would be better suited to suggest reconciliation rather than imply the City had to fix any inconsistencies in its General Plan, as stated. She expressed her similar concerns with language used concerning the rezoning of the site needed to be consistent with the Clearfield Station Area Plan and Design Guidelines. Mr. Brimley commented his understanding was rezoning would be based upon TOD standards for zoning which was unique to each City. Councilmember Peterson stated that would be fine, but wanted to provide protection the City was not subservient to the Station Area Plan and Design Guidelines.

Councilmember Peterson reported on page 117 of the document, a list of physical improvements was included but the access road on the southern half of the property from 1000 East was not on the list even though it was on the concept plan. She recommended it be added to the list.

Mr. Allen asked when the Planning Commission would consider the rezone for the UTA properties at Clearfield Station. Mr. Brimley responded at the meeting scheduled for February 6, 2019. He added the Council would consider the rezone of the overall site during a policy session at the end of the month. There was a discussion about the rezone, the requirement of the MU zone to have an MDP and MDA in place before it could be fully enacted and rezoned, and the intent to use the Station Area Plan and Design Guidelines as preparatory documents to allow for the rezone. Mr. Allen explained since the City did not yet have a Master Development Plan in place the Station Area Plan and Design Guidelines document would be used as a de facto MDP which would be replaced once a developer was selected and the actual MDP and MDA were in place. Mr. Allen indicated the motive of the rezone would be to increase the likelihood of Clearfield being selected as a TOD site by UTA.
DISCUSSION ON THE AMENDED SUBDIVISION PLAT FOR LARSEN COMMERCIAL SUBDIVISION LOT 2A SECOND AMENDMENT LOCATED AT APPROXIMATELY 325 WEST ANTELOPE DRIVE (TIN: 12-809-0001)

Brad McIlrath, Senior Planner, noted a request was received to amend Lot 2A of the Larsen Commercial Subdivision Plat to subdivide the existing lot into two (2) new lots for the property located at approximately 325 West Antelope Drive. He mentioned a similar request was reviewed by the City Council in its December 11, 2018 policy meeting and it was denied because it did not meet the landscaping standard for the C-2 (Commercial) zone. He noted the applicant reapplied after making some additional modifications to the landscaping since the December meeting.

Mr. McIlrath reviewed the proposal with the Council, which included adding 506 square feet of landscaping to the existing 707 square feet which could be obtained by moving the parking areas currently on the north of the property to the rear and removing the asphalt on the north side to plant shrubs and trees in the park strip. He mentioned that even though the park strip landscaping did not count towards the total landscaping it was important to note the developer intended to make improvements to that area and maintain it, which would create uniformity throughout the area. He continued the Planning Commission reviewed the proposed outlay at its meeting on January 9, 2019, and was forwarding a recommendation of approval subject to the seven conditions included with the staff report. Mr. McIlrath pointed out the sixth condition was the applicant should execute a development agreement with the City to allow the existing site landscaping, along with additional frontage landscaping, to be less than the 10 percent as required in the C-2 zone.

DISCUSSION ON THE AMENDED SUBDIVISION PLAT FOR THE JNH SUBDIVISION LOCATED AT APPROXIMATELY 360, 340, AND 320 WEST ANTELOPE DRIVE (TINS: 12-787-0001, 12-787-0002, 12-787-0003)

Brad McIlrath, Senior Planner, indicated the City received a request to amend a subdivision plat by combining Lots 1, 2, and 3 of the JNH Subdivision into a single new lot for the properties located at approximately 360, 340, and 320 West Antelope Drive. He reviewed the proposed plan and pointed out the various easements which likely dated to the World War II era. He stated the developer and applicant had not proposed any changes to the easements and confirmed they would be in the parking lot area once it was developed.

Councilmember Bush asked if there were pipes in all of the easements. Mr. McIlrath responded yes. Councilmember Bush questioned if those pipes were still in use. Mr. McIlrath answered yes all were still active. Mr. McIlrath commented the Planning Commission reviewed the request on January 9, 2019, and forwarded a recommendation of approval subject to two conditions included in the staff report.

Councilmember Bush wondered if the single lot would be identified as Lot 1. Mr. McIlrath indicated the applicant planned to combine lots 1, 2, and 3 and name it Lot 1 and eliminate Lots 2 and 3. Councilmember Bush reported the County might not allow renumbering lots within an
existing subdivision. Mr. McIlrath indicated if that were the case it would likely become Lot 11, and also need to be identified with a new parcel number but he would find out.

DISCUSSION ON THE AMENDED SUBDIVISION PLAT FOR THE MASONIC TEMPLE SUBDIVISION LOT 2 LOCATED AT APPROXIMATELY 723 SOUTH DEPOT STREET (TINS: 12-066-0113, 12-066-0099, 12-850-0002)

Brad McIlrath, Senior Planner, stated a request was received to amend Lot 2 of the Masonic Temple Subdivision located at approximately 723 South Depot Street to create a 32-unit townhome subdivision. He reviewed the proposed plat amendments and explained the area was zoned T-C (Town Commercial) as part of the Form Based Code rezone, which allowed for townhome development. He mentioned previously the City Council had approved the reorganization of the three properties: Lot 1, 2, and 3. Mr. McIlrath noted Lot 1 would not change other than some improvements to the parking lot; Lot 2 would be developed into the 32-unit townhome subdivision lots; and Lot 3 was proposed for a commercial office building.

Mr. McIlrath commented on January 9, 2019, the Planning Commission reviewed the request and recommended approval subject to the four conditions included with the staff report. He reviewed the site plan, composition of the units, landscaping and proposed elevations. He reported the townhomes were designed to meet Form Based Code (FBC) standards and included a pocket park, ten (10) visitor parking spaces and proposed street names that were likely to change but had been used as place holders. Mr. McIlrath indicated the applicant was attempting to work with West Square to upsize the detention basin to allow for use by both subdivisions.

Councilmember Bush questioned if there would be enough landscaping for the project to meet Code requirements. Mr. McIlrath confirmed there would be over 20 percent landscaping. There was a discussion about utility lines, secondary accesses, and plans for the other lots. Mayor Shepherd questioned whether the townhome project and the office space would be developed simultaneously. Mr. McIlrath responded townhomes were not allowed in the T-C zone unless it was part of a commercial area and to the rear, but there was no language in the FBC that required the commercial to be built prior. He stated there could be a condition, either as part of the site plan review or development agreement process, for the developer to have the office building permitted prior to allowing the completion of the townhome portion of the project.

DISCUSSION ON THE AWARD OF BID FOR THE MABEY POND WATER SUPPLY PROJECT

Eric Howes, Community Services Director, explained the Mabey Pond Water Supply Project had been discussed previously in the fall of 2018 and was intended to provide a water supply for Mabey Pond utilizing an existing well on 200 South Street that had been out of service. He stated the project would renovate the vault and connect a water line from the well that would run to the west along 200 South to 700 East and then to 300 South Street and west to Mabey Pond. He continued it also included an outfall on the southwest side of the pond, across the parking lot to a storm drain on 450 South. Mr. Howes mentioned when the project bid in the fall it was nearly twice the budgeted amount. He indicated the budget was amended to allow for the increased costs associated with the outfall.
He commented the City solicited bids and received eleven which was much greater than the one received previously. Mr. Howes noted the lowest responsible bid was from NeZhoni Construction with a bid amount of $296,154.43. He stated the City had not worked with the company in the past; however, had received good reviews for the contractor. He indicated staff was recommending a contingency of $40,000, so the total project cost would be $336,154.43.

Councilmember Bush asked if the funds were coming from park impact fees. Mr. Howes answered yes, all the funding would be from park impact fees.

Councilmember Phipps requested to know whether or not the costs fell into the original amount budgeted for the project. He recognized there had been additional funds added to the budget for the outfall. Mr. Howes responded the original budget money would have been very close to covering the bid amount for the water supply from the well to the pond; but, with the addition of the outfall the budget had been amended to cover those additional costs.

Councilmember Peterson wondered what type of water would be coming from the well. Mr. Howes answered it would not be treated water. There was a discussion about project impacts, timelines, size of water lines, notification efforts to residents, and cleanup needed. Mr. Howes stated the contractor would be contacting residents about what would be happening. Councilmember Bush suggested a neighborhood meeting could be advantageous to notify the property owners of the project. Mr. Howes indicated there were a few residences the City would be contacting to address pump access rights prior to the project’s start date. He reported contract execution and a pre-construction meeting would be held soon after the bid was awarded and anticipated it would begin towards the end of March 2019. He added the project had a 90 day construction period and it was intended to finish prior to the end of the fiscal year.

DISCUSSION ON THE WESTSIDE FOOD PANTRY

JJ Allen, City Manager, acknowledged the Council had discussed the food pantry matter during a work session in August 2018. He mentioned any action was discretionary in nature and there were two questions for the Council to consider regarding whether or not the assistance should be contingent upon the property owner obtaining a building permit for the pantry and if the best method to provide assistance would be through Open Doors. Mayor Shepherd reported on a dilemma with the concrete pad not meeting building code, thus the property owner currently had no building permit. He explained there were some creative solutions to remedy the situation that did not require demolition of the building already constructed on the pad; however, he was uncertain of the financial impacts associated with the remedy options and whether or not the property owner would be able to afford to do it. He noted it could require the operation to shut down. There was a discussion about the Westside Food Pantry and the direction the City should take moving forward to ensure the safety of the facility as well as to promote long term solutions to service the needs of the community.

Mayor Shepherd indicated Open Doors applied for an additional $2,500 of CDGB funds to help with the Westside Food Pantry. He expressed his opinion Open Doors would be the best channel to support the funds assisting the food pantry. He noted the application from Open Doors was
specifically for the purpose of using those CDBG funds to assist with the dump fees and offset costs by the Gardner family for the Westside Food Pantry. There was a discussion about the resources available to those in need within the community and the financial support from the City through CDBG pass-through funding.

The Council had consensus the City should continue to follow procedures in place for the building permit process to ensure public safety and standards were met in regards to the building design of the Westside Food Pantry despite any possible social or media pressures. The Council appeared supportive of Open Doors continuing to receive CDBG funding to help with needs of the community and offering some financial relief to the Westside Food Pantry.

Councilmember Thompson moved to adjourn at 8:59 p.m., seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

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

APPROVED AND ADOPTED
This 14th day of May, 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 5, 2019.

/s/Nancy R. Dean, City Recorder