

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
September 24, 2019

City Building
55 South State Street
Clearfield City, Utah

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Nike Peterson Vern Phipps Tim Roper Karece Thompson	Councilmember Councilmember Councilmember Councilmember
EXCUSED:	Kent Bush	Councilmember
STAFF PRESENT:	JJ Allen Summer Palmer Stuart Williams Kelly Bennett Spencer Brimley Brad McIlrath Rich Knapp Nancy Dean Wendy Page	City Manager Assistant City Manager City Attorney Police Chief Community Development Director Senior Planner Finance Manager City Recorder Deputy Recorder
EXCUSED:	Adam Favero Eric Howes	Public Works Director Community Services Director

VISITORS: Tab L. Uno, Edward Gordon, Curtis Hadley, Frank Volante, James Peter, Julie Johansen, Bob Bercher, Kathryn Murray, Mr. and Mrs. Steve Wilcox, Mark Weekes, Leann Weekes, Kelland Davis, Olivia Young, Michael Olsen, David Volante, Frey Blount, Ruth Jones, Robyn Larsen, Kathryn Murray, Con L. Wilcox, Jacob Briggs, Chris Uccardi, Jay Berger, Jason Briggs, Spencer Barber

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 Open Comment Period there were forms to fill out by the door.

Councilmember Thompson led the opening ceremonies.

APPROVAL OF THE MINUTES FROM THE AUGUST 27, 2019 WORK SESSION; THE SEPTEMBER 3, 2019 WORK SESSION; AND THE SEPTEMBER 10, 2019 POLICY SESSION

Councilmember Roper moved to approve the minutes from the August 27, 2019 work session; the September 3, 2019 work session; and the September 10, 2019 policy session; as written, seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Peterson, Phipps, Roper and Thompson. Voting NO – None. Councilmember Bush was not present for the vote.

PRESENTATION TO KELLAND DAVIS RECOGNIZING HIS EFFORTS AS AN OUTSTANDING TEACHER

Mayor Shepherd invited Kelland Davis up to be recognized for his outstanding efforts as a teacher at North Davis Junior High School. He reported Mr. Davis had been selected Teacher of the Year in Davis School District and then second runner up for the State of Utah Teacher of the Year. Mayor Shepherd presented Mr. Davis with a City Coin and letter commending him for his efforts.

OPEN COMMENT PERIOD

Tab Uno, resident, presented the Mayor and Council with a packet of materials. He explained he wanted to address design irregularities on 1000 West. He presented a petition on behalf of approximately 250 residents to Mayor Shepherd. Mr. Uno reported statistics related to accidents that had occurred at various locations on 1000 West. He expressed concerns with the traffic and visibility for drivers. He stated he hoped, along with other residents, that the City Council would take the plea for public safety seriously.

Mayor Shepherd stated public safety was of the utmost importance to the City. He also explained the City was currently in the process of hiring a City Engineer and hoped that position would be able to provide additional insight and study on traffic patterns throughout the City.

Con Wilcox, resident, stated he had lived on 1000 West for 61 years. He explained his concern with the growing traffic along 1000 West. He suggested speed monitoring devices or a turning lane might be helpful.

Julie Johansen, resident, expressed concern with the proposed Mayfly Rise development. Her concerns included decreased privacy, and the value of neighboring homes being negatively affected. Ms. Johansen requested a privacy fence be required for the development. She felt transparency in the planning process would be helpful so residents could speak up sooner before decisions were already made.

Steve Wilcox, resident, stated he represented two properties that were adjacent to the proposed Mayfly Rise development. He discussed concerns with the setbacks on the east side, the privacy fence around the development, inadequate storm water areas, the potential for flooding, and the

possibility of depreciation of homes in the area. He stated the field once belonged to Woods Cross Canning, the field drains installed have cause flooding to homes before when disturbed.

Leann Weekes, resident, stated she had lived on 1000 West for 31 years and had seen many accidents occur, two of which happened in her yard. She wondered if a speed limit reduction were possible. She mentioned the increased traffic and how hard it was to get out of her driveway.

Robin Larson, resident, stated she lived on 1000 West and was concerned about the speed limit and getting in and out of driveways. She wondered if anything could be done about the semi trucks coming down the street to access 300 North. She stated there was a bump in the road that needed to be checked out. She thanked the Mayor and Council for listening.

JJ Allen, City Manager, stated there was a capital project planned for resurfacing 1000 West and it might be a good time to address some of the issues presented to the Council. Ms. Larson wondered about a crosswalk to the bus stop being put in as well. Mr. Allen explained that midblock crosswalks were problematic, however the City would research the possibility.

APPROVAL OF THE FINAL SUBDIVISION PLAT FOR THE MAYFLY RISE
TOWNHOMES LOCATED AT APPROXIMATELY 172 AND 140 NORTH MAIN STREET
(TINS: 12-001-0212, 12-010-0213, AND 12-001-0002)

Brad McIlrath, Senior Planner, stated the developer proposed to develop a townhome subdivision for the properties located at 172 and 140 North Main Street. He pointed out the Planning Commission had reviewed the plat at its meeting on August 4, 2019 and recommended its approval based on the following five conditions:

1. The subdivision plat and improvement drawings shall be revised to address Clearfield City Engineering requirements prior to final approval.
2. The project shall include the creation of a Homeowners Association (HOA) to maintain all of the private common spaces of the project, including but not limited to: landscaping, snow removal, building maintenance, trash collection, and open space areas. The proposed CC&Rs shall be revised to provide the needed information required by City Code and outlined in this report.
3. The power lines and utilities shall be placed underground to allow for the location of streetlights and street trees along the property frontage and within the furnishing zone.
4. The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to: curb and gutter, sidewalks, landscaping park strip improvements, driveways, etc.
5. An escrow or cash bond agreement as required by Section 12-9-2 of the Subdivision Ordinance shall be provided and will be subject to approval by the City Engineer and City Attorney. The agreement for the public improvements shall be established prior to obtaining any permits for the properties or plat being recorded.

Mr. McIlrath stated a requirement could be added for a fence if the Council desired to require it.

Mr. McIlrath stated the purpose of the proposed subdivision plat was to combine three lots into one area which was then planned to be subdivided. He explained all conditions would need to be met and complied with City requirements prior to signatures on the Plat.

Mr. McIlrath reviewed the final subdivision plat. He discussed aspects of the plat regarding storm water retention, building size, snow removal, parking, open spaces, utilities, landscaping, and Form-Based Code (FBC) requirements.

Mayor Shepherd asked if a Development Agreement were in place. Mr. McIlrath explained the process for requiring a development agreement and stated the proposed development did not require a development agreement because it met the requirements of the Form Based Code (FBC).

Mayor Shepherd expressed his desire to have a fence installed around the development. He also stated a desire to change the direction the townhomes were facing, but acknowledged the design currently met FBC. Mayor Shepherd wondered if a development agreement would be appropriate to enter into to change the direction the townhomes would be facing.

Mr. McIlrath stated upcoming proposed changes to the FBC would address some of the concerns being expressed but the Mayfly Rise development was subject to current regulations.

JJ Allen, City Manager, asked for further clarification on the current code regarding fences and wondered if the developer had ever discussed installing a fence. Mr. McIlrath stated current FBC did not require a fence and there had been a brief discussion about a fence but no decisions had been made.

Councilmember Peterson questioned if the topic of a fence were discussed during the Planning Commission meeting. Mr. McIlrath recalled a brief discussion took place but nothing substantial. Councilmember Peterson expressed concern regarding possible legal ramifications if a development agreement were enforced so late in the process.

Jason Briggs, developing partner, stated he concurred with everything that had been presented by staff. Mr. Briggs explained reasons why the developer wished not to enter into a development agreement. He addressed the direction of the front entryway concern and stated it was not anticipated that those entryways would be heavily used. He stated the installation of a fence had always been in the development plans. Mr. Briggs assured the Council that the conditions, as set by the Planning Commission, would all be addressed and met.

Spencer Barber, partner in the project, stated from the beginning of the project the developers had worked with staff to find the best fit for the property. Mr. Barber again affirmed that the installation of fencing had always been planned.

Councilmember Phipps expressed his concerns about the project and empathy for the landowners in the area.

Councilmember Roper moved to approve the final subdivision plat for the Mayfly Rise Townhomes located at approximately 172 and 140 North Main Street (TINs: 12-001-0212, 12-010-0213, and 12-001-0002) with the five conditions as recommended by the Planning Commission with the addition of a requirement for the installation of fencing around the perimeter of the development and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Peterson, Phipps, Roper, and Thompson. Voting NO – None. Councilmember Bush was not present for the vote.

APPROVAL OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER) FOR THE 2018/2019 CDBG PROGRAM YEAR

Brad McIlrath, Senior Planner, stated the Community Development Block Grant (CDBG) Consolidation Annual Performance Evaluation Report (CAPER) was an overview of the accomplishments that were met during the previous program year. He reported the public had been given the opportunity to review the plan at the Customer Service Center from September 2, 2019 to September 24, 2019. He explained no public comments had been received.

Mr. McIlrath reported the City received funds each year to help low to moderate-income households and programs that had those same goals. He reviewed the sub-recipients such as Open Doors, Safe Harbor, and the Davis Community Learning Center. He reported seeing success with the programs. He stated there were some grammar modifications made to the report based on discussion had with the Council during work session on September 17, 2019.

Councilmember Thompson moved to approve the Community Development Block Grant (CDBG) Consolidated Annual Performance Evaluation Report (CAPER) for the 2018/2019 program year and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Peterson, Phipps, Roper, and Thompson. Voting NO – None. Councilmember Bush was not present for the vote.

COMMUNICATION ITEMS

Mayor Shepherd - Met with Job Corp and recognized the great work being accomplished there.

Councilmember Peterson

1. Thanked the Youth Commission and Clearfield High School for hosting the candidate debate.
2. Announced the North Davis Fire District open house on Thursday, September 26, 2019. He highlighted the events planned and invited all to attend.

Councilmember Phipps – nothing to report

Councilmember Roper – Recognized and thanked Battalion Chief Weekes for his service.

Councilmember Thompson

1. Announced the Emergency Preparedness Fair was coming and kits would be available there providing ideas for putting emergency kits together at home on a budget.

2. Expressed appreciation to Clearfield for being an inclusive community.

STAFF REPORTS

JJ Allen, City Manager – nothing to report

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

- Work Session on October 1, 2019
- Policy Session on October 8, 2019
- Policy Session on October 22, 2019

Councilmember Thompson moved to adjourn at 8:05 p.m., seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmember Peterson, Phipps, Roper, and Thompson. Voting NO – None. Councilmember Bush was not present for the vote.

The minutes for the CDRA are in a separate location

**APPROVED AND ADOPTED
This 8th day of October, 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, September 24, 2019.

/s/Nancy R. Dean, City Recorder