

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
February 11, 2020

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
	Adam Favero	Public Works Director
	Eric Howes	Community Services Director
	Spencer Brimley	Community Development Director
	Brad McIlrath	Senior Planner
	Rich Knapp	Finance Manager
	Trevor Cahoon	Communications Manager
	Wendy Page	Deputy Recorder
EXCUSED:	Summer Palmer	Assistant City Manager
	Nancy Dean	City Recorder

VISITORS: Chris and Tami Slocum, Ruth Jones, Kathryn Murray, Kristi Bush, Bob Bercher, Jason Hamblin, Dan Lower, Jeff Baker

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 JANUARY 7, 2020 WORK SESSION;
JANUARY 14, 2020 WORK SESSION; JANUARY 14, 2020 POLICY SESSION; AND THE
JANUARY 28, 2020 POLICY SESSION

Councilmember Peterson requested a change to the January 7, 2020 work session minutes on page 7 where she referenced a building type that should be updated from “*four story walkup apartments*” to “*three story walkup apartments.*”

Councilmember Peterson suggested an amendment be made in the January 14, 2020 policy session minutes page 11 related to her communication item number four. She recommended it be clarified that the function was not a Council event at a local business but it was an informal opportunity to talk with a council member and she planned to be there to meet with interested persons. She requested the comment be changed from *“Informed residents that the Council would have an informal sit down at Beans Coffee on January 23, 2020 from 5 to 6 pm.”* to *“Informed residents she would be available to provide any interested persons an informal opportunity to meet with a council member at Beans Coffee on January 23, 2020 from 5 to 6 p.m.”*

Councilmember Roper asked for a minor correction to the January 28, 2019 policy session minutes. He indicated in the communication items his second comment should be updated from *“North Davis Fire District’s Administration Control Board”* to *“North Davis Fire District’s Administrative Board of Trustees.”*

Councilmember Peterson moved to approve the minutes from the January 7, 2020 work session; January 14, 2020 policy session; and the January 28, 2020 policy session; as amended; and the January 14, 2020 work session; as written, 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 AMENDMENTS TO THE FORM BASED CODE (FBC)

Brad McIlrath, Senior Planner, explained the City Council adopted the Downtown Small Area Plan in 2016 and the Form Based Code in 2018. He explained that since the time of adoption it became apparent that some amendments might be needed to more fully address the vision the City had for the development of the downtown area. He noted staff had been working with a consultant, FFKR, to prepare the amendments. Mr. McIlrath highlighted the improved graphics, amendments to landscaping, building types, and the area proposed for the Form Based Code. He stated the public hearing was opened and tabled at the City Council meeting on January 14, 2020 because all the amendments were not ready for consideration at that time.

Mr. McIlrath reviewed the proposed zoning that would go along with the FBC and explained the proposed zoning would not be considered at the current meeting but would have a public hearing held in the future. He highlighted the different building types and uses that would be allowed in each of the zones presented.

Mayor Shepherd opened the public hearing at 7:15 p.m.

Mayor Shepherd asked for public comments.

Chris Slocum, resident, lived on 700 South and stated his property had been up for sale for 7 to 8 years. He felt limiting the area along 700 South to commercial or office building uses would be restrictive and requested it not be limited to commercial but kept open to allow for mixed uses including residential.

Councilmember Thompson moved to close the public hearing at 7:17 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.

OPEN COMMENT PERIOD

There were no public comments.

APPROVAL OF ORDINANCE 2020-05 AMENDING THE FORM BASED CODE (FBC)

Councilmember Peterson thanked staff for the time and resources that had gone into making the changes recognized. She inquired about the amenities requirements in Chapter 6 of the Form Based Code (FBC). She stated her opinion that the requirements should be higher than what was stated. She explained if a reduction in amenities were requested by an individual developer, it could be explored with a development agreement. Councilmembers Roper and Bush felt the zoning should not make a difference in the amenities requirements.

Councilmember Peterson questioned the section related to parking credits. She advocated to eliminate the parking credits option for on-street parking since it would only be allowed for a portion of the year because of the City's winter parking restrictions. Councilmember Bush agreed on-street parking was for the general public and should not be counted towards a minimum parking requirement.

Councilmember Thompson expressed his concern that when looking at affordable housing and the features and amenities being required that the affordability would be affected and cause less diversification within the City.

Councilmember Peterson explained developers would still have a table of amenities to choose from in creating a development. She stated she felt that the development quality was of high importance so future residents had nice places to live within the City.

There was a discussion regarding the language used within the FBC regarding some of the amenities' options included in Table 6.13 (1) specifically for upgraded floor coverings or finishes. Mr. McIlrath stated in previous meetings it had been discussed to make the language more concrete; however, it was decided it would be hard to state what would be upgrades currently and what those upgrades would look like in the future so the language was not changed. He stated another option would be to completely omit sections of the table calling out amenity upgrades. Mayor Shepherd and Councilmembers Peterson and Roper felt like omitting upgraded floor coverings and upgraded finishes from the amenities table was the best option.

JJ Allen, City Manager, stated there was confusion with the word "amenities" within the Building Features section of the FBC and suggested it should be changed to say building "features." Mr. McIlrath agreed it would clarify that section to change the wording.

Councilmember Peterson requested on page 107, section 9.3 (1) and (1)(a) be removed entirely so on-street parking would not be used to fulfill parking requirements or applied as a credit

towards visitor parking. There was a discussion regarding parking credits and the ways transit or structured parking credits could incentivize the developer as well as benefit future tenants.

There was a discussion regarding the public hearing comment about zoning. Mr. McIlrath reviewed the zoning map included with the proposed FBC amendments. He explained if the Council chose to make changes to the proposed zoning of FBC, then those changes would be reported during the future Planning Commission and City Council meetings when the public hearings for rezoning the properties were scheduled. He mentioned the notices had already gone out to the property owners for the public hearings which were scheduled in coming weeks. He indicated ultimately the zoning would need to match what was included in FBC.

Mayor Shepherd stated the concern brought up in the public hearing was to allow commercial on a main level with vertical mixed use not horizontal mixed use. Mr. McIlrath confirmed and indicated the FBC only allowed for vertical mixed use. He highlighted key aspects that had been discussed to arrive at the final decision for the current zoning proposal which included meeting with the Utah Department of Transportation and looking at what would be the best fit in the future.

Councilmember Phipps expressed appreciation for the amount of work put into the revisions to the FBC and explained the FBC was an upgrade to what the City had before and that it was significantly better as far as the document was concerned. Councilmember Phipps stated his primary concerns regarding the FBC which were: the purest FBC did not take into account the types of uses and elected official involvement in decisions. He expressed his opinion that some of the types of uses descriptions within the document did not match his vision for the City. He felt the high density would not spawn the kind of environment envisioned and felt it would bring harmful effects. He expressed concern that what was envisioned along Main Street would not be met. He stated he was a proponent of change and progress and sought to improve the City, but was against this type of change.

Councilmember Roper moved to approve Ordinance 2020-05 amending the Form Based Code with the following changes as were discussed:

- **Amend page 79, sections 6.13.8 (2) and (3) to require a minimum of four (4) building features and four (4) tenant amenities in all zones.**
- **Update the word “amenities” to “features” on page 79, section 6.13.8 (2).**
- **Amend table 6.13 (1) on page 79 by striking “upgraded floor coverings” and “upgraded finishes in units” from the building features section.**
- **Strike from page 107, section 9.3 (1) and (1)(a) related to on street parking credits and renumber the other parking credit options as necessary.**
- **Amend table 9.2 (1) on page 107 by striking “On-street parking directly in front of a building may count towards required visitor parking (i.e up to 15% of total parking requirements).” from Footnote 1.**

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, and Roper. Voting NO – Councilmembers Phipps and Thompson.

APPROVAL OF THE FINAL SUBDIVISION PLAT FOR THE HAMBLIN ESTATES
SUBDIVISION LOCATED AT APPROXIMATELY 741 WEST 300 NORTH (TINS: 12-019-
0121, 12-019-0030, AND 12-019-0029)

Brad McIlrath, Senior Planner, stated the applicant was requesting final approval to subdivide two properties and a portion of another for a 30-lot single-family development. He mentioned the proposed subdivision would have public streets and a connection to 300 North with future access points to the west and south. He reviewed the zoning and proposed layout with the preliminary request and the layout for proposed lots. He noted the Jordan Valley Water Conservancy District had an existing ninety foot (90') easement on the east side of the subdivision, so the homes on the east side of the subdivision would have greater rear yard setbacks than other subdivisions of the City. He commented parcel A was only 15,816 feet so it would be deeded to the City for a parking lot area for trail access. Mr. McIlrath indicated the Planning Commission heard the request on January 22, 2020, and recommended its approval with seven conditions outlined in the staff report.

Councilmember Phipps stated the engineer's report stated the storm water basin was too small and wondered if it had been addressed. Mr. McIlrath indicated it had been addressed and it was adequate for the requirements.

Councilmember Bush wondered if there was room in front of the easement line to put a house and if the developer had talked to the water district about that option. He also stated he did not see any standard fire access roads. Mr. McIlrath explained because the development was sticking to 30 lots and how the streets were designed, the fire access had been addressed.

Councilmember Phipps moved to approve the Final Subdivision Plat for the Hamblin Estates Subdivision located at approximately 741 West 300 North (TINs: 12-019-0121, 12-019-0030, and 12-019-0029) 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 AND CONSENT TO THE MAYOR'S PROPOSED APPOINTMENTS OF
INDIVIDUALS TO THE PARKS AND RECREATION COMMISSION

Mayor Shepherd explained three members of the Parks and Recreation Commission had terms that had expired. He acknowledged the individuals currently serving had indicated an interest and willingness to continue to serve. He noted there was also a vacancy created by the resignation of one of the members. He recommended Jeff Baker, Jim Cordeiro, and Andrea Bush as regular members of the Parks and Recreation Commission and Alyssa Belford as an alternate member of the Commission, with terms expiring December 31, 2022.

Councilmember Phipps commented each member had been a great asset to the Parks and Recreation Commission and he supported the recommendation.

Councilmember Phipps moved to approve and consent to the Mayor’s proposed appointments of Jeff Baker, Jim Cordeiro, and Andrea Bush as regular members of the Parks and Recreation Commission and Alyssa Belford as an alternate member of the Commission, with terms expiring December 31, 2022 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 THE AWARD OF PROPOSAL FOR THE PURCHASE OF EXERCISE BIKES FOR THE CLEARFIELD AQUATIC AND FITNESS CENTER

Eric Howes, Community Services Director, acknowledged the City had budgeted in FY20, \$45,000 for equipment replacement of 20 exercise bicycles. He mentioned staff recently solicited proposals to provide new exercise bikes for the Clearfield Aquatic and Fitness Center. He noted six vendors responded. He stated staff reviewed the proposals and was able to try out the proposed equipment from the vendors. Mr. Howes indicated staff’s recommendation was complex but the intention would be to replace the 16 spin bikes used for classes with the Chrono Bike from Pacific Fitness and purchase the four remaining bikes from Fitlogistix - two Stages bikes for those users desiring a high intensity workout and two Solo bikes for those desiring a variety of courses. He pointed out the cost of delivery was included in the pricing. He noted there had also been a quote for a trade-in value, but staff felt it was low and might opt to maximize the return by selling through public surplus if a higher trade-in value could not be negotiated with the supplier.

Councilmember Phipps asked if the four bikes would be going out to the fitness area. Mr. Howes responded yes.

Councilmember Phipps wondered what the main differences were in the evaluations because the scoring seemed very similar but the pricing of bikes varied dramatically. Mr. Howes answered the four criteria identified in the staff report were used to evaluate the proposed equipment which included performance and efficiency, ease of transition, ability to continue certification with the Spin brand, and simplicity of maintenance.

Councilmember Thompson moved to approve the award of proposal for new exercise bikes at the Clearfield Aquatic and Fitness Center to purchase 16 bikes from Pacific Fitness and purchase four bikes from Fitlogistix for a total purchase price of \$45,000 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.

COMMUNICATION ITEMS

Mayor Shepherd – announced he would be out of town for the next policy session on February 25, 2020.

Councilmember Bush

1. Reported he was out of town for the last policy meeting on January 28, 2020.
2. Attended an economic forecast meeting and learned interesting tendencies.

3. Toured the Animal Care Davis County Center on February 4, 2020.
4. Thanked staff for a good retreat meeting on February 7, 2020.
5. Announced he would be available at Beans Coffee on Thursday, February 13, 2020 from 5 to 6 p.m. for any interested persons wanting to have an informal discussion with a council member.

Councilmember Peterson

1. Expressed appreciation to staff for the retreat meeting on February 7, 2020.
2. Recognized North Davis Fire District for its accomplishments during the past year. Thanked Mayor Shepherd for serving as the Vice-Chair of the Board previously and acknowledged Councilmember Roper was recently appointed to serve as the Chair of the Board of Trustees.
3. Thanked all staff for keeping the City running.

Councilmember Phipps – expressed appreciation for the work involved with the offsite meeting on February 7, 2020 and felt it was a highly productive use of time.

Councilmember Roper

1. Attended Local Officials Day on January 29, 2020 and had a great day with the Youth Commission.
2. Substituted for Mayor Shepherd since he was unable to attend “Lunch with the Mayor” on February 5, 2020, and had a great time with the elementary school children.

Councilmember Thompson

1. Reported he was unable to attend Local Officials Day on January 29, 2020.
2. Attended a conference and made a connection with USU to assist with Mosquito Abatement District.
3. Updated the Council on 2019 statistics of the Mosquito Abatement District.
4. Thanked Police Officers Association and Chief Bennett for sharing contacts in the County.

STAFF REPORTS

JJ Allen, City Manager

1. Thanked the Council for its attendance at the retreat meeting on February 7, 2020.
2. Indicated the Monthly Report would be sent out tomorrow, February 12, 2020.
3. Reported budget meetings would begin next week for fiscal year 2021.
4. Announced the City Offices would be closed on Monday, February 17, 2020 in observance of Presidents Day.
5. Explained the Legislative Session was ramping up and suggested House Bill 273 (HB273) would be worth a look as it dealt with property rights.
6. Reported staff would be providing updates to the Council during future policy meetings about the progress and timeline of Clearfield Station project. He indicated there would also be times when a work session discussion would be necessary as a regular agenda item.

Wendy Page, Deputy Recorder –reviewed the Council’s schedule:

- Work Session on February 18, 2020
- Work and Policy Sessions on February 25, 2020
- Work Session on March 3, 2020
- Work and Policy Sessions on March 10, 2020

Spencer Brimley, Community Development Director – updated the Council on the progress of the Clearfield Station project. July 2019 Clearfield Station was selected by UTA, Nexus development partner,

infrastructure meeting with public works, UTA and the developer, groundbreaking most likely in Fall 2020.

Trevor Cahoon, Communications Coordinator – reviewed upcoming events with the Council:

- Announced there would not be a third Thursday soiree in February but an event would be scheduled for March once schedules could be better coordinated.
- Reported the Fourth of July committee meetings were underway and with the construction of the elementary school the fireworks would be launched from the basketball courts and so the layout for the event would be reconfigured.
- Details for Celebrate Clearfield Week would be sent out to the public in coming newsletters and on social media. He reported the Police Outreach Event would be held at Bicentennial Park and the community could participate in painting a mural. He also explained the dumpster drop would be held that same week.

There being no further business to come before the Council, **Councilmember Thompson moved to adjourn at 8:34 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.**

**APPROVED AND ADOPTED
This 10th day of March, 2020**

/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 11, 2020.

/s/Nancy R. Dean, City Recorder