

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
July 14, 2020

City Building
55 South State Street
Clearfield City, Utah

The meeting was held electronically via Zoom Meeting address:

Zoom Meeting
<https://us02web.zoom.us/j/85262728358>
Meeting ID: 852 6272 8358

PRESIDING VIA
ZOOM MEETING:

Mark Shepherd

Mayor

PRESENT VIA
ZOOM MEETING:

Kent Bush

Councilmember

Nike Peterson

Councilmember

Vern Phipps

Councilmember

Tim Roper

Councilmember

Karece Thompson

Councilmember

STAFF PRESENT
VIA ZOOM MEETING:

JJ Allen

City Manager

Summer Palmer

Assistant City Manager

Stuart Williams

City Attorney

Devin Rogers

Assistant Police Chief

Adam Favero

Public Works Director

Eric Howes

Community Services Director

Spencer Brimley

Community Development Director

Rich Knapp

Finance Manager

Trevor Cahoon

Communications Coordinator

Nancy Dean

City Recorder

VISITORS: Heather Laird, Elizabeth McNally

Mayor Shepherd called the meeting to order at 7:08 p.m.

Councilmember Phipps presented an inspirational thought.

APPROVAL OF THE MINUTES FROM THE JUNE 2, 2020, WORK SESSION; JUNE 16, 2020, JOINT WORK SESSION; AND THE JUNE 23, 2020, POLICY SESSION

Councilmember Roper moved to approve the minutes from the June 2, 2020 work session; June 16, 2020 joint work session; and June 23, 2020 policy session; as written, seconded by

Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.

Mayor Shepherd opened the public hearing and the open comment period at 7:14 p.m.

Mayor Shepherd informed those present via the Zoom Meeting if they wanted to comment during the Public Hearing or Open Comment Period they could do so through the Zoom Meeting chat option as outlined on the agenda. He explained all comments would be shared during the meeting after the public had been allowed sufficient time to participate.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE FIVE-YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONSOLIDATED PLAN AND THE 2020/2021 ONE-YEAR ACTION PLAN

Brad McIlrath, Senior Planner, stated a public hearing to receive comments on the Five-Year Community Development Block Grant (CDBG) Consolidated Plan and the 2020/2021 One-Year Action Plan was opened on June 9, 2020 which commenced a 30-day comment period; however, no comments were received. He reviewed the Consolidated Plan. He stated the current public hearing provided the final opportunity to receive public comments on the plans before consideration by the Council. He noted the plan had been reviewed with the Council during work session on July 7, 2020.

Councilmember Thompson wondered if there were any suggestions after reviewing the data on how the City could notice the various sectors of the community it served to help increase exposure about the CDBG programs and assistance that was available. Mr. McIlrath asked if his concern was based on the statistical data included in the plan which identified the housing needs of those with low to moderate incomes in the community. Councilmember Thompson expressed his opinion it did not feel like the City was reaching enough of the people that really needed the programs and his concern was on messaging and usage of the programs. He pointed out there were many renters who could possibly benefit from home ownership and might need assistance in taking that step. Mr. McIlrath reiterated Councilmember Thompson's concern was in finding ways to allow people to take advantage of opportunities, such as home ownership. He reported the City was currently working with consultants to prepare its Analysis to Impediments Report which could help identify any barriers. He mentioned the five-year consolidated plan provided a needs assessment and gave a frame work on how the City planned to use CDBG funds in the future to benefit the people who really needed them.

Mr. McIlrath acknowledged the Down Payment Assistance Program had not been used for years; however, it was recommended in the One-Year Action Plan, as discussed during work session on June 7, 2020, to increase the amount provided towards the Down Payment Assistance Program, as well as increasing the allowed house price, and continuing with funding the Housing Rehabilitation Program.

Mayor Shepherd commented getting the word out to those in need was only part of the problem; additionally, home buyers were having difficulty in qualifying for a mortgage primarily because of the prices of housing. He continued incomes were not increasing at the same rate as housing

costs which was challenging. He added the City's funds were limited and would be utilized quickly. He elaborated on how the Down Payment Assistance Program was designed to help get people in a house and each year a portion of the grant proceeds was forgiven until the seventh year when there was no obligation to pay any of the funding back.

Mayor Shepherd acknowledged affordability was a real problem in the current market.

Once the public hearing was closed Mayor Shepherd asked for the public comments to be shared. Nancy Dean, City Recorder, replied there had been no comments received.

There were no public comments received.

Councilmember Peterson moved to close the public hearing at 7:28 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.

APPROVAL OF RESOLUTION 2020R-10 ADOPTING THE FIVE-YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONSOLIDATED PLAN AND THE 2020/2021 ONE-YEAR ACTION PLAN

Councilmember Thompson moved to approve Resolution 2020R-10 adopting the Five-Year Community Development Block Grant (CDBG) Consolidated Plan and the 2020/2021 One-Year Action Plan; 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.

OPEN COMMENT PERIOD

Mayor Shepherd acknowledged time had been provided for the open comment period and asked if any comments had been submitted. Nancy Dean, City Recorder, replied there had been no comments received.

There were no public comments.

APPROVAL OF AND CONSENT TO THE MAYOR'S PROPOSED APPOINTMENT OF KAREN BLACKWOOD AS A REGULAR MEMBER OF THE PLANNING COMMISSION

Mayor Shepherd noted Planning Commissioner Ruth Jones resigned and moved from the City creating a vacancy for a regular member. Mayor Shepherd recommended appointing Karen Blackwood, alternate member, to fill the vacancy.

Councilmember Thompson moved to approve and consent to the Mayor's appointment of Karen Blackwood as a regular member of the Planning Commission with a term expiring February 2021; 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 THE AWARD OF BID FOR THE 8-INCH WATERLINE IMPROVEMENT PROJECT ON 1100 SOUTH STREET

Adam Favero, Public Works Director, stated staff solicited bids to make improvements to the waterline on 1100 South Street east of 1500 East, two adjacent cul-de-sacs, and a portion of 1650 East. He reviewed the scope of the project. He mentioned six companies provided bids and the lowest responsible bidder was Paragon Construction Systems Inc. with a bid of \$388,347.

Mr. Favero noted the amounts for contingency and engineering costs as well as the total project cost provided in the staff report were incorrect. He explained staff was recommending to increase the contingency costs above the standard percentage for the project to \$85,269. He reported there could be a few upgrades needed for water services that would not be known until the work commenced. He indicated staff recommended the Council approve the award of bid for the 8-Inch Waterline Improvement Project on 1100 South Street to Paragon Construction Systems for \$388,347.

Councilmember Peterson moved to approve the award of bid for the 8-Inch Waterline Improvement Project on 1100 South Street to Paragon Construction Systems for the bid amount of \$388,347 with contingency and engineering costs of \$85,269 for a total project cost of \$473,616 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.

COMMUNICATION ITEMS

Mayor Shepherd

1. Reported the Air Force had been working on contacting residents with wells about possible ground water contamination issues as reported last meeting. He said there were two active wells in Clearfield and both were contacted. He reported one of the homeowners had not even been aware they had a well.
2. Received a letter from a resident requesting the City hold a breakfast for residents to interact with police officers. He replied to the letter explaining the community policing efforts the City had done in the past and planned to do and how those had been curtailed because of the pandemic. He noted the City would resume with activities such as "Night Out Against Crime" when allowed and the pandemic was in a better situation.
3. Received another letter from a resident this past week asking for the City to pass a cease and desist resolution against 5G and not allow small cell towers until the Federal government could do a full study and prove it was safe. He planned to get with staff and determine how to best respond to the letter.
4. Attended a good meeting with the County on July 13, 2020 and received updated information on COVID-19 numbers. He mentioned there was a lengthy discussion on the mandating of masks which resulted in sending a letter to all county businesses encouraging signage be posted requesting masks be worn. He reported the spread was happening and there was an increasing percentage of cases where the cause was unknown which was concerning.
5. Reported the County was currently receiving applications for Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funding. He mentioned the City was also marketing its program.
6. Spoke with Chief Bennett about speeding issues within the City. He indicated many residents had been expressing concerns to him and wanted stop signs in more neighborhoods. He requested Chief Bennett look at temporary speed bumps that could be removed in the winter as an alternate solution for

speeding concerns. He noted the Public Works department would need to weigh in on the feasibility and practicality of that option.

7. Planned to attend a first meeting next week as a representative of Davis County on the Utah League of Cities and Towns' (ULCT's) Love, Listen, and Lead Task Force to help shape police reform that could be presented to the Legislature.

8. Announced the ribbon cutting ceremony and tournament was planned for the City's new pickleball courts at Steed Park on July 15, 2020 at 6:00 p.m.

9. Received a challenge from West Haven City to a T-ball game with the Mayor and staff. He reported the game would be played at Steed Park on Friday, July 17, 2020 at 6:30 p.m.

Councilmember Bush

1. Thanked staff for all of the Fourth of July festivities.

2. Participated on the State's Uniform Building Code Board. He mentioned every three years the construction codes were updated and the current emphasis had been on electrical codes. He reported the Board had been reviewing the amendments and making suggestions or corrections. He noted once all amendments were in order the State Board would make a recommendation to the Legislature whether to adopt the regulations. He added there would be a 30-day comment period which was tentatively scheduled to start August 12, 2020.

3. Announced he had family commitments scheduled on July 28, 2020 at 7:00 p.m. so he would likely miss or might join the meeting late that evening.

Councilmember Peterson – thanked residents for supporting the parade on the Fourth of July as the Mayor and Council drove 41 miles of the City's streets to bring it to the neighborhoods. She mentioned about 1,500 goody bags had been distributed throughout the route and apologized to those residents who did not receive one as a result of the large participation throughout the City. She expressed appreciation to staff for its flexibility and help with all the preparations. She recognized a local business, Swiss Mix, which also assisted in the parade efforts.

Councilmember Phipps – reported Wasatch Integrated's new waste materials recovery facility was operational and working well. He mentioned the dollar increase per trash can was being put to good use and many items were being recovered from the waste stream and recycled with the new facility.

Councilmember Roper – thanked Mayor Shepherd and staff on their professional way of handling the pandemic, educating residents, and helping businesses.

Councilmember Thompson

1. Finished the community action partnership conference. He reported discussing with the City Manager the need to better assess poverty in the City.

2. Attended a meeting and was working with Representative Collins and the American Civil Liberties Union (ACLU) – Utah, in efforts to encourage Amendment C so it would be on the ballot. He pointed out slavery language still existed in the State's Constitution and felt it should be abolished. He suggested the aspects of the language speak to the issues seen in the criminal justice system.

3. Reported West Nile Virus tests were continuing and Arizona recently reported a death from it.

4. Announced the Mosquito Abatement District – Davis did have an employee's family member that tested positive for COVID-19 so the employee was quarantined.

5. Talked with a reporter from KUTV News which aired on July 10, 2020 at 6:00 p.m. about how Clearfield's Police Chief had been ahead of the curve on police reform. He advocated that the destruction of property and violence in the streets to stop. He suggested if reform was the desired outcome then making a police officer's job harder was the least effective way to go about it; instead, using peace to solicit reform was a better way to reach legislators.

STAFF REPORTS

JJ Allen, City Manager

1. Announced the City's pickleball court ribbon cutting and tournament would be held July 15, 2020 beginning at 6:00 p.m.
2. Expressed appreciation for the Council's efforts with the neighborhood parade held on July 4, 2020. He received many great reports and said it was well received by residents.
3. Reported Braden Felix, City Engineer / Public Works Deputy Director, was looking into the various types and practicality of temporary speed bumps.
4. Acknowledged there was a worldwide conspiracy theorist movement against 5G small cell towers. He cautioned many letters were sent out nationwide in a form letter format. He indicated State Statutes and the City Code governed those types of facilities. He pointed out Clearfield had received zero applications for small cell sites.
5. Reported the City had rolled out its CARES Act grant funding program. He encouraged the Mayor and Council to spread the word in addition to the emails and social media messaging which had already been shared. He suggested directing businesses to clearfieldcares.com for applications. He acknowledged the City had received some applications already.
6. Recognized the recommitment of the organization during the pandemic to wearing masks, teleworking and holding electronic meetings. He mentioned the retreat which had been scheduled for July 30, 2020 was also cancelled as a result of those efforts.
7. Planned to be out of the office Thursday and Friday, June 16 and 17, 2020.

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

- No meeting July 21, 2020.
- Work Session on July 28, 2020, policy session would be cancelled.
- Work session on August 4, 2020.
- Policy session on August 11, 2020 which would include a truth in taxation hearing.

There being no further business to come before the Council, **Councilmember Phipps moved to adjourn as the City Council and reconvene as the CDRA in policy session at 7:59 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.**

The minutes for the CDRA are in a separate location

**APPROVED AND ADOPTED
This 11th day of August, 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, July 14, 2020.

/s/Nancy R. Dean, City Recorder