

CLEARFIELD CITY COUNCIL MEETING MINUTES  
6:00 P.M. WORK SESSION  
July 7, 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/88239061688>  
Meeting ID: 882 3906 1688

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  
Kelly Bennett                            Police Chief  
Braden Felix                             City Engineer / Deputy PW Director  
Curtis Dickson                         Community Services Deputy Dir.  
Spencer Brimley                        Community Development Director  
Brad McIlrath                            Senior Planner  
Rich Knapp                                Finance Manager  
Lee Naylor                                Accountant  
Nancy Dean                                City Recorder

Mayor Shepherd called the meeting to order at 6:02 p.m.

DISCUSSION ON PLANNING COMMISSION VACANCY

Spencer Brimley, Community Development Director, stated there was a vacancy on the Planning Commission due to Ruth Jones moving from the City. He pointed out three alternates were appointed to the Planning Commission on April 21, 2020. He indicated staff recommended Karen Blackwood be appointed as a full member to fill the vacancy on the Planning Commission left by Commissioner Jones.

Mr. Brimley acknowledged as part of the recent appointments there had been a greater emphasis on training and each of the alternates had gone through an onboarding process as well as attended the training held on May 20, 2020. He reviewed the training efforts described in the staff report.

Councilmember Bush asked if staff wanted to continue with three alternates. Mr. Brimley answered staff had selected the three alternates last time because it was known Commissioner Jones was planning to move and it allowed more time for the Youth Commission to see what interest there was for continued participation. He mentioned staff was planning to leave that third alternate position open for a youth ambassador but was open to the will of the Council.

Councilmember Roper requested to continue holding the spot for a youth ambassador. He pointed out the Youth Commission had faced challenges with meetings during the pandemic but had resumed holding meetings. He acknowledged there were some that had expressed interest in participation with the Planning Commission and felt any of the leadership would do a good job. Mr. Brimley offered to have staff meet with any interested youth to provide support and information about the position or answer any questions about the role of the Planning Commission.

Mayor Shepherd proposed Karen Blackwood be appointed as a regular member to fill the vacancy on the Planning Commission. He further suggested leaving the alternate position open until a liaison could be selected from the Youth Commission. The Council agreed with the proposed course of action.

Mr. Brimley wondered if the Council had any suggestions or ideas that would be helpful for staff regarding any of the training efforts which had been implemented. Councilmember Peterson responded it would be good to see whether or not the new training efforts, on-boarding process, and screening process were helpful before requiring any additional efforts. She thanked staff and was happy with the current efforts. Councilmember Phipps acknowledged the staff report thoroughly identified the efforts to train the new members, which had been extensive and he thought it was great.

#### DISCUSSION ON AMENDMENTS TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) DOWN PAYMENT ASSISTANCE PROGRAM

Brad McIlrath, Senior Planner, presented the following proposed changes to the Community Development Block Grant (CDBG) Down Payment Assistance Program:

- Current program only allowed a maximum grant amount of \$3,000 with a 50 percent match. It was proposed to increase that amount to \$5,000. In comparison Davis County allowed \$7,500 as its maximum grant amount.
- Current program allowed the maximum purchase price for a home to be limited to \$250,000. It was proposed to increase the maximum purchase price for a home to \$325,000.

He explained staff had consulted with Davis Community Housing Authority and Mayor Shepherd about the recommended changes. He mentioned there were other minor changes

proposed such as the date and contact information for the representative at the Davis Community Housing Authority which were outlined in the attachment included with the staff report. Councilmember Bush wondered if individuals could apply for assistance from the City and then go to the County if additional funding was necessary. Mr. McIlrath explained residents of Clearfield must seek assistance through City programs because Clearfield was an entitlement community.

Councilmember Bush asked if the City was putting additional funding into the Down Payment Assistance Program while other programs would lose money. Mr. McIlrath responded the City no longer allocated funds for infrastructure projects because of the increase in costs to meet federal requirements, so those funds could be put towards the Down Payment Assistance Program. He reported the Community Development Block Grant (CDBG) award amount was just over \$200,000 each year. He indicated it was proposed just over \$54,000 be allocated to the down payment assistant program for this coming year. Mr. McIlrath pointed out those funds could have gone towards infrastructure projects or the Housing Rehabilitation Program but it could not be used to increase the sub recipient grants because those were already at award capacity. Mr. McIlrath acknowledged the Housing Rehabilitation Program was being allocated just over \$70,000 this year. Mayor Shepherd stated he was comfortable as long as putting money into the Down Payment Assistance Program was not taking money away from the Housing Rehabilitation Program and it was allocating available funds towards both programs.

There was a discussion about the amount the City should allow as its maximum grant award to recipients for the Down Payment Assistance Program. The consensus of the Council was to allow the recommended amount of \$5,000 as the maximum grant award for the Down Payment Assistance Program.

Councilmember Bush wondered if it was still a requirement to pay back grant funds if the home was sold prior to seven years. Mr. McIlrath answered it was. He pointed out the program had been funded for the past several years by those funds that had to be paid back if the home was sold earlier than the seventh year of ownership. He mentioned because many grant recipients were staying in the purchased homes longer than seven years, there was no longer enough money to create the necessary impacts with the program unless additional funding was allocated to it.

#### DISCUSSION ON RECREATION PROGRAMMING DURING COVID-19

Curtis Dickson, Community Services Deputy Director, updated the Council on the situation and resources for the recreation programs during the current pandemic conditions. He acknowledged the State was currently in the “yellow” low risk phase which required group sizes to be 50 or less, maintaining social distancing in public settings, keeping a six foot distance between household groups at events and entertainment venues, symptom checking prior to team sport competitions or practices, and facial coverings when social distancing was difficult to maintain.

He reviewed the efforts to date with the City’s tackle football program. Mr. Dickson explained the City had ended its waitlist registration on July 6, 2020. He noted there were 77 participants still willing to play. He pointed out the breakdown of divisions or age groups would mean the City would only have enough participants to field two teams and the remaining 36 to 41 players

would be able to participate with a neighboring city that had an appropriate age group and then next year return to play in the Clearfield.

JJ Allen, City Manager, asked what the minimum number was to field a team. Mr. Dickson responded the Wasatch Front Football League (WFFL) did not have a minimum requirement; however, experience had proven anything less than 17 made it difficult for a team to function.

Councilmember Bush asked how many other cities were participating in the WFFL. Mr. Dickson highlighted the many organizations that participated with the WFFL and indicated there were about 17 other cities funding the program.

Mr. Dickson reviewed current full-time and part-time staffing conditions. He noted there had been some struggles with getting staffing back to the levels before COVID pandemic began. He pointed out there were additional staffing needs for events to meet COVID guidelines.

He indicated there were still many unanswered questions from the WFFL and staff was working to obtain answers. Mr. Dickson reviewed the following items which were known regarding the WFFL 2020 season:

- WFFL plans to begin Monday, August 3, 2020 with player conditioning and practices.
- WFFL games are scheduled to start Saturday, August 22, 2020.

He reported the League had prepared the following recommendations but did not plan to require or enforce the recommendations:

- Participant symptom checklist
- Association and facility guideline sheet

Mr. Dickson highlighted the following concerns of staff:

- Different health department guidelines from Bear River, Weber, and Davis counties
- Spectator guidelines would be challenging and enforced differently by the various organizations
- Contact tracing protocols could require City staff excess time due to overload of the Davis County Health Department.
- League wide protocols and consistency regarding sanitization, spectators, and game modifications
- Managing of schedules if there was an outbreak or quarantine issues
- Unsure if high school fields would be accessible for use
  - If necessary the City could shift to Barlow Park but there would be impacts to other recreation programs
- Uncertainty to date for association and participation numbers
- Hydration – ensuring individual water bottles were provided and not shared

Mr. Dickson reported the City did have enough players interested to field two teams and others that had been waitlisted could be placed with another program for one year. He mentioned there had not been meaningful discussions with the League yet to address the issues and it was concerning that it could be difficult to get the necessary uniforms and equipment in time to start on August 3, 2020. He reiterated some league organizations had indicated they would not be

following and enforcing what few recommendations the League had in place because of the extra efforts involved and lack of penalties.

Mr. Dickson stated the next League meeting was scheduled for Monday, July 13, 2020 in South Ogden. He acknowledged staff was concerned about putting the participants, parents, and staff at risk given the current lack of assurances and leadership from the League. Mr. Allen indicated staff was planning to move forward with running the program the best it could unless the Council desired for staff to pivot from its course given the concerns presented.

Councilmember Phipps asked if the health departments had shared any of their concerns with running the program. Mayor Shepherd indicated since it was allowed under the current status of the State guidelines, the Davis County Health Department was requiring social distancing be maintained which was difficult in a contact sport. Mr. Allen noted the County Health Department's guidelines were somewhat ambiguous. Summer Palmer, Assistant City Manager, mentioned a child participating in the City's T-ball program had tested positive and now there would be a two week quarantine for both teams. She mentioned quarantine impacts could be even greater in the fall once kids were in school and there would be an increased demand on staff time to assist with contact tracing.

Councilmember Phipps stated there were so many unknowns. Councilmember Roper stated the unknowns were what concerned him. Councilmember Peterson stated under the current pandemic circumstances any kind of sport was going to have inherent risks and football was no different than any other recreation program. She noted the City had already assumed the risks to run other recreation programs and so not participating in football because of risk should be a non-issue. There was a discussion about the impacts on recreation programs in general because of the pandemic.

Mr. Dickson stated the main concern with the tackle football program stemmed from the lack of consistency from the League itself. He pointed out the challenge for the football program was not being able to regulate what other organizations were doing because it was administered by the League; however, the City had control over its own programs.

Mayor Shepherd asked how many teams the City was usually able to field for football. Mr. Dickson responded typically it was six to eight teams. Mayor Shepherd pointed out the WFFL participation may not be cost effective for the City this year because of the reduction of participants during the pandemic. He wondered if it would be best to send all participants to play in other cities rather than just 41 players that needed to find a program with a similar age group participating for the year. Councilmember Peterson stated it would make sense to do that from a cost perspective but not because of safety. There was a discussion about the administrative costs and how it would work if the City had its players go elsewhere to play.

Mayor Shepherd voiced his recommendation for the City not to participate in the WFFL during 2020 because it would not be cost effective to do so only having two teams in addition to the other concerns mentioned regarding the current health conditions. The consensus of the Council was to not run the football program this year.

## DISCUSSION ON PROPOSED USES FOR CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT) FUNDING

Rich Knapp, Finance Manager, stated the City would receive over \$2.8 million in Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funding. He noted the first of three tranches had been received in June and was about \$946,000. He mentioned it was proposed the first tranche of funding be divided into thirds to be used for the following expenditures:

- External grants – small business grants, rent/mortgage and utility assistance. He pointed out the City had received a request for a homeless teen center construction but it was not part of the proposed expenditures; however, it could be discussed further to determine if it was something that should be considered.
- City COVID payroll costs – mostly for police and a few other needs.
- Internal COVID material and service costs.

Councilmember Peterson recalled the division among the thirds previously was discussed differently than what was presented and somehow the external grants all were lumped together after the initial direction given by the Council. She thought it was planned for one third to assist businesses, another third for external assistance and the last third for internal COVID related costs. Mayor Shepherd responded there might have been a communication issue but assured her the prior discussion had the expenditures divided into the thirds in the same fashion as designated by staff. JJ Allen, City Manager, stated the current discussion was the time set aside to work out any plans for spending and staff would follow the direction of the Council.

Councilmember Bush wondered if there was still a plan to hire a program administrator and if that was a designated expense for some of the first tranche spending. There was a discussion about the position being posted, the timing of kicking off the grant program quickly that prevented the administrator's involvement with the program creation, and some individuals that had been considered to help administer the program which had not worked out. Mr. Knapp stated it was still planned as part of the proposal to use funding towards that position when it was filled.

Councilmember Bush questioned about the homeless center at Clearfield High School and wondered if the Davis School District was getting CARES Act funding to help with it or any of the sanitization efforts and other costs related to COVID incurred by the schools, or if that would be the responsibility of the City to help provide for the schools within its jurisdiction. Mayor Shepherd explained the School District was getting money from the CARES Act to help with its expenditures; however, the homeless center was a project of the Davis Education Foundation.

Councilmember Peterson expressed her love for the homeless shelter project, but was uncertain if it was considered a COVID related expense to qualify for CARES Act funding. Summer Palmer, Assistant City Manager, pointed out there was a component of the CARES Act addressing homelessness so it would qualify. Councilmember Phipps wondered if funding the homeless center project would be a one-time expense or if there would be ongoing expenses. Mr. Allen answered it would be for construction costs only; the administration and ongoing expenses would be handled by the School District.

Mr. Allen acknowledged the current discussion was to establish the process, procedures, and set up parameters for the City's external grant program. He stated once those were established the City could suggest the Davis Education Foundation make application for the desired \$150,000 for the homeless center and justify the related expenses. Councilmember Phipps felt the process and criteria were great and the project would be a good use of funding.

Councilmember Peterson expressed her concern about external grants of about \$315,000 being lumped all together for businesses and residents. Mayor Shepherd responded a third of the money in the first tranche would be set aside for both purposes and then it could be reassessed when the additional funding was received to see if there was more or less needed for external grants. He expressed his opinion the City's grant programs would likely not use all of the allotted funds. Councilmember Peterson voiced her fear the word would spread and there would be more interest in the program than available funds. There was a discussion on the application process, justification for expenses, and possibility of using funds not only for a hardship grant but also to help with scholarship or education grants because of being effected by COVID.

Councilmember Peterson liked the idea of tying the grant funding to an expense due to job loss or for education purposes that could help those affected by COVID. Mayor Shepherd mentioned the money was designated to help those in need and help them get moving forward. Councilmember Phipps pointed out there was a philosophy difference between helping with things that had happened in the past to get people caught up or educational grants which essentially meant people were whole and needed help with the future. He felt the Council should decide which it wanted to do. Mayor Shepherd expressed his feeling the City could help with both needs.

Mayor Shepherd voiced his opinion the at-home workers or self-employed would be best served with the City's grant funding because of losses experienced due to COVID. He suggested many other businesses had already received assistance through the Paycheck Protection Program (PPP) and were on their way to recovery.

Councilmember Thompson shared some data prepared by United Way of Utah he had received while attending the Community Partnership Conference regarding searches and calls related to needs for assistance, housing, and utilities. He indicated he would also be providing staff with the Open Data Catalog which included a roadmap on PPP CARES Act loan totals to Utah businesses. He hoped those tools could provide assistance as the City reached out to businesses and residents which might qualify for the City's grant program. There was a discussion about the City's external grant program and its target audience, setting criteria for ranking applications so the priority could help those that lived in the City or owned a small business, and adjusting funding allocations for the various tranches in the future when necessary to best meet the prioritization needs.

Councilmember Bush questioned if there were Federal guidelines that people had to meet to qualify for a grant or if it was up to the City to determine standards. Mayor Shepherd explained it was up to the City; however, the applicant would need to be able to show a negative impact that was COVID related because the City would need that justification for a future audit.

Councilmember Thompson asked how the City planned to communicate the availability of the aid. Ms. Palmer responded staff would first need direction for the desired program and how to spend the money and then it could work out the necessary efforts to market the program and hire people that could help residents and business owners obtain the needed assistance.

Mayor Shepherd asked the Council if there were any concerns with the breakdown of prioritization that had been listed in the staff report. The Council voiced no concerns.

Trevor Cahoon, Communications Coordinator, wondered if there was an interest in bridging technology gaps that residents might have through an external scholarship or educational grant. There was a discussion about how residents or students might need technology for working from home or doing online schooling and whether or not that would fall under the hardship grants proposed. Councilmember Phipps felt it would fall into the proposed hardship grant category.

There was a discussion about whether or not there should be marketing efforts for technology expenses as a hardship grant opportunity. Councilmember Bush suggested if an applicant applied for internet or technology assistance it could be reviewed but felt it should not be advertised. The Council agreed. Mr. Knapp asked if any grants funds used to help with technology would come from the proposed funds designated for hardship grants. Mayor Shepherd answered yes.

Mr. Knapp questioned if the Council was comfortable with how the grants were written. Mayor Shepherd responded there were no concerns with the breakdown or eligibility requirements and marketing could begin for the business grants and family hardship grants.

Mr. Knapp asked if there were any questions about the internal expenses list that was provided with the staff report. The Council expressed no concerns but appreciated being able to review the list. Councilmember Bush wondered if the Council would need to approve the expenditures through a formal meeting. Mayor Shepherd responded no it had been approved with the budget amendments. Mr. Allen explained any funds distributed would be applied to the contingency fund set up for COVID expenses. He reported there would also be an appendix in the monthly report provided to the Council that showed what the funding had been used for. He noted if there were some larger expenses not previously identified then those would be presented as an option for the Council's consideration before purchases were made. Ms. Palmer explained the process for reviewing internal expense requests and how each proposed expenditure had to meet the standards before it was approved.

Councilmember Peterson felt there needed to be further Council oversight with future tranches. Mr. Allen agreed. He stated tranches two and three distribution amounts might change based upon the needs.

Councilmember Phipps recalled Office 365 was listed as a possible internal COVID expense and wondered if it included moving forward with Microsoft Teams. Ms. Palmer indicated yes having it would aid the City as employees continued to work remotely.



Mr. Allen commented the City had reserved CARES Act funding to help with personnel payroll costs related to COVID with the majority set aside in the first tranche being used for police. He pointed out public safety was an allowable use for the funding and wondered if there was any interest in providing assistance to the North Davis Fire District (NDFD). He mentioned the City received a letter from Chief Becraft requesting assistance from CARES Act funding. He pointed out NDFD had \$37,000 of COVID related expenses so far and wages were estimated at \$140,000. He noted the same letter seeking assistance had been sent to each City represented by the District. There was a discussion about whether or not to use CARES Act funding to aid the NDFD. The consensus of the Council was to consider providing assistance to the NDFD for payroll expenses out of tranche two as a coordinated effort with the other involved cities; as well as using the City's CARES Act funds towards 25 percent of the District's COVID related expenses which were about \$10,000 that would not be covered by FEMA for hardships.

Councilmember Thompson asked if there would be any consideration for providing hazard pay to either fire or police personnel. There was a discussion about hazard pay and decisions which would be challenging because many if not all of the City's employees were working directly with the public and at risk for the virus.

Ms. Palmer indicated if the Council was comfortable with the document and set forth parameters then staff could move forward with the grant programs as outlined.

Councilmember Peterson wondered if the timing had been settled for providing assistance for the homeless shelter. Mayor Shepherd answered it was scheduled for tranche two. Ms. Palmer wondered if a check could be provided with tranche one funds for the homeless shelter project if grant monies were not diminishing quickly enough so the City could receive its second tranche of funding. The Council was favorable with that action as long as notification of such actions were provided in advance.

**Councilmember Roper moved to adjourn at 8:05 p.m., seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

**APPROVED AND ADOPTED**

**This 11<sup>th</sup> 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 7, 2020.

/s/Nancy R. Dean, City Recorder