

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
June 2, 2020

City Building
55 South State Street
Executive Conference Room
Third Floor
Clearfield City, Utah

The meeting was held electronically via Zoom Meeting address:

Zoom Meeting
<https://us02web.zoom.us/j/85401141006>
Meeting ID: 854 0114 1006

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

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 Coordinator

Jenn Wiggins

Digital Media Specialist

Kelli Bybee

Communications Assistant

Nancy Dean

City Recorder

VISITORS: Beth Holbrook – UTA, Hal Johnson – UTA, Caleson Sexson

Mayor Shepherd called the meeting to order at 6:03 p.m.

DISCUSSION ON THE INTERLOCAL AGREEMENT WITH UTAH TRANSIT AUTHORITY (UTA) FOR THE CONSTRUCTION OF A PEDESTRIAN AND BIKE TRAIL CONNECTING CLEARFIELD STATION LOCATED AT 1250 SOUTH STATE STREET TO THE SURROUNDING COMMUNITY

Hal Johnson, Utah Transit Authority (UTA), explained the proposed project to build a pedestrian and bike trail at Clearfield Station was planned to improve the connection from the commuter rail center to the Freeport Center and the Denver and Rio Grande Western (D&RGW) Rail Trail. He explained originally application was made for funding from the Wasatch Front Regional Council (WFRC) to build a pedestrian bridge to the Freeport Center but there was not quite enough funding to allow for the project and there were some changes to the Freeport side so access was limited. He pointed out that UTA was able to obtain \$1.6 million from WFRC to do the project and there was a seven percent match required. Mr. Johnson mentioned the Interlocal Agreement outlined the City would provide the match and UTA would do all of the design and construction work for implementation of the project. He noted the agreement also specified UTA would maintain all the portions of the trail on UTA property and the City would maintain those portions that were on City property.

Mr. Johnson stated the process for the Interlocal Agreement would be to obtain approval from both the City and UTA. He indicated the City planned to consider its approval on June 9, 2020 and then it would go to the UTA Board of Trustees on June 17, 2020.

Councilmember Bush asked how the connection would be made on the south side because of the steep embankment plus the Freeport Center had a fence along the D&RGW Trail. Mr. Johnson answered some conceptual design had been done but the final design had not yet started. He acknowledged the south side would be the most expensive and complex side. He indicated there had been discussions with Freeport about the desire to add more gates and formal connections along the trail to improve the flow.

Councilmember Bush questioned what was planned for the holding pond on the south end of the project and its surrounding trails. Spencer Brimley, Community Development Director, responded the project was not in the final design yet but the City was aware it needed to protect the pond and secure the area, so some of those things would still need to be addressed. He explained the Interlocal Agreement was to secure the City's allocation for the match on the project and funds would need to be reprogrammed for it.

Councilmember Peterson wondered if there had been any talk about it being a consolidated maintenance effort rather than splitting it. Mr. Brimley explained there had not been concrete talks about the maintenance other than to negotiate each taking care of its own properties. However, there had been some innovative talks on the Clearfield Station site which could spur additional follow-up discussions about the maintenance and perhaps it might need more flushing out. Councilmember Peterson asked if the maintenance changed would that require an amendment to the agreement or would it be handled administratively. Beth Holbrook, UTA, responded it would likely require an amendment to the Interlocal Agreement.

Councilmember Peterson questioned who would be added on the blank lines found in the draft Interlocal Agreement for the document administrators. Mr. Brimley indicated the appointed individuals would need to be inserted for the City and UTA but he did not have that information yet. Stuart Williams, City Attorney, explained often the administrator for the City was the Recorder's office so it could be handled by the office rather than any particular individual in case there were changes in personnel.

DISCUSSION ON THE MARQ FINAL SUBDIVISION PLAT LOCATED AT APPROXIMATELY 442 AND 448 SOUTH STATE STREET (TINS 12-003-0108 AND 12-003-0109)

Brad McIlrath, Senior Planner, stated Lotus was requesting approval of the Marq Final Subdivision Plat located at approximately 442 and 448 South State Street. He indicated the site plan was approved on April 1, 2020 and included two apartment buildings with 210 units and 33 townhomes. He reviewed the plat which proposed a three lot subdivision that would also include roadway dedication for future streets and parcels for a City park (Parcel B) and storm water retention (Parcel A).

Councilmember Bush asked if the City would maintain the required park. Mr. McIlrath answered yes, that was part of the development agreement.

Councilmember Bush wondered if the City would be maintaining the open space between the streets. Mr. McIlrath responded yes, it was part of the right-of-way; so, the intent would be to get the development to a level that Community Services would feel comfortable taking over the maintenance.

Mr. McIlrath continued the plat review with the Council noting the street dedications would provide a connection to Depot Street to the south and State Street to the east. He mentioned the street within the development connecting to Depot Street was desired by the developer to be called Carter Lane. He pointed out that the future connection of Depot Street to the north would be provided with the second phase of the development and with a second plat to dedicate that right-of-way.

Mr. McIlrath explained City Planning, Engineering, and Public Works staff had reviewed the final subdivision plat as part of the site plan review process. Mr. McIlrath indicated the City Engineer had addressed comments in a letter on May 8, 2020. He noted the comments included the requirements to continue the ten foot public utility easement (PUE) around the perimeter of the lots, provide street names, and building footprints with addresses on the plat. The North Davis Fire District also reviewed the development plans and provided comments dated February 18, 2020.

Mr. McIlrath stated the Planning Commission reviewed the request on May 20, 2020 and forwarded a recommendation for its approval with the following conditions:

- 1) The plat and development plans shall be revised to address Clearfield City Engineering requirements prior to obtaining final approval and signatures on the subdivision plat for recording.

- 2) The subdivision design shall incorporate the comments and requirements of the North Davis Fire District.
- 3) 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, sidewalk, landscaping park strip improvements, driveways, etc.
- 4) Future development of these properties shall comply with the development standards outlined in the Downtown Form Based Code.
- 5) An Escrow agreement will be subject to approval by the City Engineer and City Attorney and an escrow account shall be established prior to obtaining any permits being issued for the properties or plat being recorded. Installation of required improvements or an escrow account shall be established prior to recordation of the Final Plat as outlined in Clearfield City Code 12-4-6.

Councilmember Bush questioned if the property discrepancy on the west side with Utah Transit Authority (UTA) had been worked out. Mr. McIlrath indicated it had. JJ Allen, City Manager, stated Carter Lane crossed over UTA property and the City would need to get a license agreement for maintenance of that area. Mayor Shepherd commented UTA was aware of it and was okay with it.

Councilmember Bush asked if it would be fenced along the west side so no one could get onto UTA or railroad property. Mr. Allen answered fencing would be part of that license agreement just mentioned; however, there was some conflict which needed to be resolved since UTA required a chain link fence but the City's Code did not allow chain link.

Councilmember Bush wondered if the streets would be left with names or if numbers would be added too. Mr. McIlrath responded the applicant would like to have street names, but the City would continue its grid number sequence already in place as well.

Councilmember Bush questioned what the line was for on the plat at the east end of apartment 1A which appeared to be a separate building. Mr. McIlrath explained the line was used to show a connection on the first floor of one building to the second floor of the rest of the building because there would be a change in grade where the buildings shifted from three stories to four stories.

Councilmember Bush recognized Parcel A was for storm water and asked if it would be developed with the current phase. Mr. McIlrath responded Parcel A would be developed in Phase 2, so the developer planned to handle storm water on the site with open spaces and perhaps underground storage in the parking areas. Councilmember Bush questioned if the open space would be a grass holding pond. Mr. McIlrath answered a grass pond area was what the conceptual plan showed so far.

DISCUSSION ON THE DRAFT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FIVE-YEAR CONSOLIDATED PLAN AND ONE-YEAR ACTION PLAN

Brad McIlrath, Senior Planner, stated the City received federal funds to assist low to moderate income households or neighborhoods through the Community Development Block Grant (CDBG) Program. He noted one of the requirements of that funding was for the City to develop a Five-Year Consolidated Plan to outline the goals and direction of the CDBG program and it was time to provide a plan for the next five year period. He pointed out that each fiscal year, a One-Year Action Plan also had to be created to indicate the goals and direction of funding and programs for the upcoming program year. Mr. McIlrath explained the yearly action plans needed to be consistent with the Consolidated Plan.

He mentioned the City had contracted with Resource Consultants to complete the Consolidated Plan as well as the Analysis of Impediments to Fair Housing Report. Mr. McIlrath explained the draft was included with the agenda packet; but some sections would not be completed until the conclusion of the 30-day comment period. He asked if there were any concerns or suggestions that should be included with the content of the plan.

Councilmember Bush questioned if money should be allocated during the coming year to meet objective #1 for special needs housing. He pointed out that Phoenix Services had wanted to build along State Street and wondered if funding could help with that project. Mr. McIlrath responded the problem was the City could only give a certain amount of funding to those types of sub recipients. He stated Phoenix Services had applied in years past but had been unable to use the amount of funding allotted towards its project. Spencer Brimley, Community Development Director, indicated staff had just received word last week the developer might be ready to move forward. He reported staff was waiting to hear more about a timeframe and if funding would be requested.

Councilmember Bush asked what the plan meant by non-family households. Mr. Brimley answered a non-family household would refer to an individual living alone.

Councilmember Peterson stated her concerns were the same that she had every year. She voiced her disapproval of the wording of the summary of citizen participation process on page three of the document. She felt the City's outreach did not reach the groups it needed to and only the minimum legal requirement was being met by posting at the library and post offices. She expressed concern with the lack of public input over the past several years and attributed it to lack of outreach efforts. She thought the outreach efforts should include agencies such as Open Doors, Safe Harbor, and the County Health Department so the City could obtain feedback from those organizations because they had interface with residents. She expressed her frustration that the process was not user friendly. Mayor Shepherd pointed out that the agencies she mentioned were recipients of the funding and had been involved with the program. He mentioned as mayor he was on the board for several of the organizations which was how the City received its input from those organizations. Mayor Shepherd explained the boiler plate language included in the document was in place because many cities distributed funds to individuals directly, but the City was funding service organizations that had great outreach efforts in place and were trusted to distribute the allotted funds to recipients as needed. There was a discussion about how to

incorporate language into the Consolidated Plan which called out the efforts being made towards outreach. Nancy Dean, City Recorder, noted the City's outreach included notices printed in English and Spanish languages.

Councilmember Phipps indicated he had some questions or editorial comments but he would send a list for staff to review to save time since the document was a work in progress.

Councilmember Bush wondered if the money was being used that had been set aside for housing rehabilitation and down payment assistance programs. Mr. McIlrath said yes it was being utilized. Councilmember Bush asked if funding could only be used for single-family homes. Mr. McIlrath responded the City's policy allowed use of funds on single-family detached dwellings which were owner occupied.

DISCUSSION ON AMENDMENTS TO THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CITIZEN PARTICIPATION PLAN FOR NOTICING REQUIREMENTS

Brad McIlrath, Senior Planner, explained the U.S. Department of Housing and Urban Development had provided a waiver for a reduced public comment timeline for consolidated plans and supporting reports to address challenges associated with the COVID-19 pandemic. He noted the intent was to allow communities to quickly respond to local needs during emergency situations while not being limited in their action by traditional public comment timeframes if amendments to consolidated plans were needed. Mr. McIlrath stated the CDBG program had received additional funding through the CARES Act and he was working with Open Doors and Safe Harbor to find ways to provide funding to those that had been impacted by COVID-19.

He pointed out that the standard notice public comment time period was a minimum of 30-days but the public comment period could be reduced to a minimum of five days with the use of a waiver. Mr. McIlrath stated staff had notified HUD of the intent to use the waiver to have a five day comment period; however, in order to do so the citizen participation plan must also be amended to allow for a shorter comment period.

Mr. McIlrath stated the City's citizen participation plan outlined public outreach, noticing, and public comment time periods. He reviewed the proposed amendments for the citizen participation plan which would allow for a shorter comment period in the case of declared disasters – man-made, natural disaster, terrorism, infectious disease or pandemic, national emergency. He pointed out that if the citizen participation plan was amended to include the proposed language, the shorter five day public comment period could be used for the City's Analysis of Impediments to Fair Housing Choice (AI) report as well.

DISCUSSION ON AMENDMENTS TO THE CITY'S CONSOLIDATED FEE SCHEDULE

Eric Howes, Community Services Director, presented amendments to the City's Consolidated Fee Schedule for Clearfield Aquatic and Fitness Center daily admission fee and memberships which were based on the discussion during the joint work session on May 19, 2020. He indicated

the proposed fees along with any adjustments necessary were planned for consideration by the Council on June 9, 2020.

Mr. Howes highlighted the proposed amendments for the daily admission fees:

- Child 3 and under - \$2 (increase of \$1)
- Youth 4 – 17 - \$4 (increase of \$1)
- Adults 18-59 - \$7 (increase to adult rates of \$1.50 and senior rates of \$3.50)

Mr. Howes indicated the price to cover a portion of direct costs was rounded down on the youth admission rate from \$4.41 to \$4.00 but it could be rounded up to \$4.50 if desired.

Councilmember Peterson voiced her recollection of the previous discussion was for the price to be increased to \$5. Mr. Howes indicated it could be adjusted and increased to \$5. He also pointed out that the adult daily admission rate was discussed to be raised to \$8, but the CAFC manager had recommended it be adjusted to \$7 since the senior rates were being eliminated and were now included with the adult rates. Councilmember Peterson suggested the adult age be updated to 18 plus rather than 18-59 since it now included seniors. Mr. Howes noted he would make the correction.

Mr. Howes reviewed the proposed annual membership fees based on the discussions to initiate increases over a three year period. He noted the change in language for resident discounted rates and market rates. He acknowledged the price of the youth annual membership was rounded down from \$203 to \$200. Councilmember Peterson voiced her hesitation to round down instead of up especially since the City was trying to recuperate from losses to its General Fund for past subsidies. The consensus of the Council was to use the data to calculate the rate and then round up to the nearest five dollar increment.

JJ Allen, City Manager, asked if the Council would like to include the three years of proposed rates for implementation of the fee study in the Consolidated Fee Schedule. There was a discussion about including the three year increases in the Consolidated Fee Schedule. The consensus of the Council was to include the proposed fees for the three years and review the set fees annually to see if the increases planned were appropriately bringing the fees in line with the direct cost of services.

Councilmember Peterson stated during the previous discussion there was an interest in providing a monthly rate in addition to the annual rates to match what was happening in the region. She wondered how the City would reflect those prices and if it would be included in the Consolidated Fee Schedule. Mr. Howes answered the monthly rates were planned for use in marketing; therefore, if the Council wanted to include those rates in the fee schedule it would be a simple adjustment. The consensus of the Council was to have the monthly rates listed in the fee schedule.

Mr. Howes explained staff was recommending the fifteen punch pass prices be adjusted from a discounted rate to a rate based on the daily admission rates. He pointed out the intent for the change would be to encourage annual membership purchases, but allow those not interested to have the convenience of a purchasing a group pass rather than buying multiple daily passes over time.

Councilmember Thompson asked if the annual rate would be equally divided by twelve to determine the monthly rate or if monthly rates would be slightly higher to incentivize the annual passes. Mr. Howes explained the annual fee could be paid upfront or paid for monthly at a prorated fee which totaled the annual price. He added there would be a cancellation fee if the pass was terminated early. There was a discussion on passes along with the cancellation fees, flexibility, and payment options.

Mr. Howes indicated the discussed changes would be incorporated into the proposed amendments for the Consolidated Fee Schedule to be considered by the Council next week.

Councilmember Bush wondered if there had been any adjustments to the daycare service rates or if the fee study had reviewed those rates. Mr. Howes responded the rates were reviewed and fees would be evaluated based on the same cost recovery formula as the recreation programs. He mentioned staff was working towards implementation of the study but with COVID-19 and reopening the center there had not been sufficient time to evaluate each program. Councilmember Bush asked if other rates could change. Mr. Howes answered many of the recreation and program fees would likely change once there was time to evaluate each program individually.

Rich Knapp, Finance Manager, also reviewed the City's neighborhood dumpster program and its intent to incentivize the cleanup of the neighborhoods. He explained the fee was proposed to change from \$50 to \$75 to help offset increased annual contracted service fees and reduce some of the City's subsidy. He noted the actual cost to the City ranged from about \$150 to \$215 per disposal. Mr. Knapp pointed out the City contracted for its waste disposal and the average annual increase had been four percent each year. There was a discussion on whether or not the proposed fee for the program was equitable or should be increased. The consensus of the Council was to continue with the neighborhood dumpster program and increase the fee to \$100.

Mr. Knapp reported the City's fee for residential solid waste additional trash containers was discussed during budget discussions. He indicated based on the increases for contracted services the City had been losing money for the additional trash can since 2017. He noted the fee in the City's Consolidated Fee Schedule for the additional can was proposed to be raised from \$9.50 to \$10 which would help cover the loss and keep up with annual increases for the next couple of years. The consensus of the Council was to increase the fee for the additional can to \$10.

QUARTERLY COMMUNICATIONS UPDATE

Trevor Cahoon, Communications Coordinator, mentioned the communications team would introduce the plans for the Fourth of July messaging. Kelli Bybee, Communications Assistant, stated the current year's theme was Light the Fire. Jenn Wiggins, Digital Media Specialist, mentioned staff recently began reaching out to businesses for sponsorships and posted on social media about the most patriotic neighborhood contest. She indicated residents were encouraged to contact Mayor Shepherd or a member of the Council if they wanted to be on the parade route as the most patriotic neighborhood. Mayor Shepherd reported he had already received two requests. Councilmember Peterson requested staff inform the Council before details were shared on social media or in the newsletter so it was updated on any new information. Ms. Wiggins wondered

when the deadline for requests to be on the parade route should end. Mayor Shepherd suggested two weeks before the Fourth of July should allow enough time to determine the final parade route.

Ms. Wiggins reviewed the communications timeline for messaging of the planned events until the Fourth of July. Ms. Bybee mentioned a schedule of events would be included in the utility bill, an all-city newsletter, and a postcard would be sent out later in the month. She explained the communications team would be working with staff from parks, recreation, and aquatics to coordinate efforts moving forward. There was a discussion on how the parade route was planned to be selected.

Mr. Cahoon reviewed the metrics and data on the City's communication efforts with the community through its website, social media, and email for the past year. He pointed out that there had been a rise with the recreation and aquatics page for outreach and engagement. He mentioned the reach was growing on Facebook and compared data from 2017 with 2020. Mr. Cahoon indicated the email metrics showed an increase in the open rate spiking when the first COVID-19 update was sent in March 2020, but it has remained consistently higher since that time. He noted the email list totaled about 17,000 and reviewed the data for open rates, click rates, and industry average open rates.

Mr. Cahoon shared a map of comparative data that displayed the location of residents that had participated in the recent search the city events. He explained the data showed there was participation from each major neighborhood within the City. He expressed gratitude with the departments for working with the communications team towards messaging efforts.

Councilmember Bush asked how much interaction there was with the housing at Hill Air Force Base. Mr. Cahoon responded an individual could request to be added to the email list to receive the newsletter, but generally the email list was generated from program registrations.

Mr. Cahoon reviewed the following upcoming projects the communications team would be working on:

- Fourth of July celebrations
- Pickleball court grand opening/ribbon cutting
- Property tax and budget
- Development projects
 - Lotus
 - Davis County Library/Clearfield Branch
 - Clearfield Station
 - Lifetime
- Public works projects – the communications team was treading lightly on sharing information so residents were not overloaded on social media.

Councilmember Peterson reiterated a request to have information on events and projects provided to the Council because she had been receiving a lot of questions about projects going on in the City. She acknowledged her understanding of the desire of the communications team in not wanting to overload residents on social media and being more selective about posting about

project updates; however, she hoped to be more prepared and educated when responding to residents if questions arose. Councilmember Roper agreed having the information on big projects going on in the City would be helpful. There was a discussion about the communication efforts outside and inside the organization related to projects taking place in the City.

Mr. Cahoon continued his review of communication items on the horizon.

- Aquatic and fitness center memberships and pricing
- Recreation programming and pricing
- Police outreach
- Begin planning General Plan update outreach and messaging

Councilmember Bush suggested there could be updates provided to the public about Utility Trailer relocating its trailers in conjunction with messaging efforts about the Lifetime Products development plans. Mr. Cahoon acknowledged it could be included with the messaging efforts.

Mr. Cahoon stated one of the goals for communications was to create a central messaging and theming. He mentioned during the retreat in February, the focus was on creating a place where people want to be. He pointed out that all messages would point to that purpose and the communications team would be working with departments and the Council to continually craft that message as things progressed through the year related to communications.

Councilmember Peterson moved to adjourn at 8:12 p.m., seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

**APPROVED AND ADOPTED
This 14th day of July, 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, June 2, 2020.

/s/Nancy R. Dean, City Recorder