

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
June 9, 2020

City Building
55 South State Street
Clearfield City, Utah

The meeting was held electronically via Zoom Meeting address:

Zoom Meeting
<https://zoom.us/j/88442158462>
Meeting ID: 884 4215 8462

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

Curtis Dickson

Community Services Deputy Dir.

Spencer Brimley

Community Development Director

Brad McIlrath

Senior Planner

Rich Knapp

Finance Manager

Kelli Bybee

Communications Assistant

Nancy Dean

City Recorder

VISITORS: Hal Johnson – UTA, Beth Holbrook – UTA

Mayor Shepherd called the meeting to order at 7:02 p.m.

Councilmember Bush presented an inspirational thought.

APPROVAL OF THE MINUTES FROM THE FEBRUARY 7, 2020 WORK SESSION, APRIL 28, 2020 WORK SESSION, APRIL 28, 2020 POLICY SESSION, MAY 5, 2020 WORK SESSION, MAY 12, 2020 POLICY SESSION, MAY 19, 2020 JOINT WORK SESSION, AND THE MAY 19, 2020 WORK SESSION

Councilmember Phipps moved to approve the minutes from the February 7, 2020 work session, April 28, 2020 work session, April 28, 2020 policy session, May 5, 2020 work session, May 12, 2020 policy session, May 19, 2020 joint work session, and the May 19, 2020 work session, as written, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Roper. Voting NO – None. Councilmember Thompson was not present for the vote.

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 from 7:00 p.m. until 7:15 p.m. He explained all comments would be shared during the meeting once the public had been allowed sufficient time to participate.

Councilmember Thompson joined the meeting at 7:06 p.m.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT REGARDING THE PREPARATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2021-2025 CONSOLIDATED PLAN AND 2020/2021 ONE YEAR ACTION PLAN

Brad McIlrath, Senior Planner, stated the Consolidated Plan was necessary for Clearfield City to qualify for Community Development Block Grant (CDBG) funds through the Department of Housing and Urban Development (HUD). He explained the public hearing allowed for information and comments by citizens, public agencies, and other interested parties, regarding the amount of federal assistance the City expected to receive from HUD, and the range of activities that might be undertaken, including the estimated amount that would benefit persons of low and moderate income.

He pointed out that the Consolidated Plan included the One-Year Action Plan for the program year July 1, 2020 to June 30, 2021. Mr. McIlrath noted citizens would be given the opportunity to review the One-Year Action Plan at the Customer Service Center from June 10, 2020 to July 14, 2020. He reported the final copy would be presented to the Council for consideration on July 14, 2020 at which time a second public hearing would be held.

Mr. McIlrath stated the Consolidated Plan had been reviewed with the Council during work session on June 2, 2020 and the feedback received would be passed along to the consultants for incorporation into the final plan.

Mayor Shepherd opened the public hearing at 7:10 p.m.

After time had been provided for public comment, Mayor Shepherd asked if any comments had been submitted. Nancy Dean, City Recorder, replied there had been no comments received.

Councilmember Phipps moved to close the public hearings at 7:20 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.

APPROVAL OF RESOLUTION 2020R-08 APPROVING THE INTERLOCAL AGREEMENT BETWEEN CLEARFIELD CITY AND THE UTAH TRANSIT AUTHORITY FOR THE CONSTRUCTION OF A PEDESTRIAN/BIKE TRAIL

Beth Holbrook, Utah Transit Authority (UTA) Trustee, pointed out that UTA had been working with the City in preparation of an Interlocal Cooperative Agreement to construct a pedestrian/bike trail in Clearfield. She stated UTA understood that access to transit was optimum, especially as growth increased along the Wasatch Front.

Hal Johnson, UTA Planner, reviewed a map and gave an overview of the proposed project. He mentioned the purpose would be to improve the bicycle pedestrian access to the Clearfield FrontRunner Station, its platform, the Freeport Center, and the existing Denver and Rio Grande Western (D&RGW) Rail Trail. He highlighted the following terms of the Interlocal Agreement:

- UTA would utilize Congestion Mitigation and Air Quality (CMAQ) grant funds from Wasatch Front Regional Council (WFRC) in the amount of \$1,650,000 to construct the trail.
- Clearfield would provide the seven percent match of \$120,000 and allow the trail to be on City property.
- UTA would be the project manager and receive support from the City.
- The project would include coordination with the UTA Transit Oriented Development (TOD) team and the development of Clearfield Station.
- The City would lead the effort in acquiring the right of way needed to extend Depot Street to the existing UTA property.
- UTA would coordinate with the Utah Department of Transportation (UDOT).
- UTA would maintain portions on the trail that were on UTA property and the City would maintain the other portions of the trail.

Councilmember Phipps asked if there was a preliminary engineer's estimate to align the solution with the available funds. Mr. Johnson answered yes for the past year UTA had been working with an engineer on the project to make sure there were adequate funds to build the project and allow contingency with the amount of money available.

Ms. Holbrook noted there were a lot of people that wanted walking and bike access to the public transportation system. She pointed out bike use had skyrocketed. She explained UTA felt the project would be a great addition to the Transit Oriented Development (TOD) project currently being planned for the site.

Spencer Brimley, Community Development Director, noted the City was currently leading an effort with five northern cities in preparing an active transportation plan to connect the five communities together. He explained the project would be a great opportunity to provide additional connectivity.

Councilmember Phipps commented the project appeared to increase connectivity from the Rail Trail to the Freeport Center as a side effect. Mr. Johnson indicated that was something UTA wanted to do because it was a regional job center.

Mayor Shepherd pointed out that some employees of the Freeport Center had told him walking along the trails from the FrontRunner Station to work was not very realistic because of the distance; however, bicycling would be a viable option. He expressed his opinion that the trail was a great project.

Councilmember Roper moved to approve Resolution 2020R-08 approving the Interlocal Agreement between Clearfield City and the Utah Transit Authority for the construction of a pedestrian/bike trail 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 THE FINAL SUBDIVISION PLAT FOR THE LOTUS MARQ SUBDIVISION LOCATED AT APPROXIMATELY 442 SOUTH AND 448 SOUTH STATE STREET (TINS: 12-003-0108 AND 12-003-0109)

Brad McIlrath, Senior Planner, stated the Planning Commission reviewed the preliminary subdivision plat for the Lotus Marq Subdivision at its meeting on May 20, 2020 and approved it. He pointed out the Planning Commission was forwarding a recommendation of approval to the City Council for the final subdivision plat with the five conditions included in the staff report. He reviewed the final subdivision plat which included a proposed 3-lot subdivision with roadway dedication for future streets and parcels for a City park and storm water retention. He pointed out that the plat was reviewed in detail with the Council at its meeting on June 2, 2020.

Mr. McIlrath also reviewed the site plan with the Council. He asked if there were any questions.

Councilmember Bush asked if there were any easements for Lot 1 or if those would be added later in the process. Mr. McIlrath explained there were ten foot public utility easements along the frontages of the new streets and a ten foot storm drain easement that crossed through Lots 2 and 3. He pointed out utility easements could be added with a future subdivision plat for Lot 1.

Councilmember Peterson moved to approve the Final Subdivision Plat with the conditions recommended by the Planning Commission for the Lotus Marq Subdivision located at approximately 442 South and 448 South State Street 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 ORDINANCE 2020-12 AMENDING THE CITY’S CONSOLIDATED FEE SCHEDULE TO ADJUST THE FEES FOR DAILY ADMISSION FEES AND MEMBERSHIPS AT THE CLEARFIELD AQUATIC AND FITNESS CENTER; THE NEIGHBORHOOD DUMPSTER PROGRAM; AND THE ADDITIONAL TRASH CONTAINER

Rich Knapp, Finance Manager, stated the fee increases for the neighborhood dumpster program and the additional trash container were discussed with the Council during work session on June 2, 2020. He explained the City’s subsidy for both services had grown over the years due to increased costs from the City’s waste collection company. He indicated the current fee residents paid to utilize a dumpster was \$50 and it was proposed to be increased to \$100 to help reduce the amount of the City’s subsidy.

Mr. Knapp mentioned the second change to the fees was for any additional trash containers. He commented the City’s waste collection company had increased its fees over the years and the City had been losing money on the fee for each additional can since July of 2017. He stated the fee, if increased as proposed from \$9.50 to \$10.00 per can, would help narrow the gap between the cost of each additional can and its associated fee; plus the City should not need to adjust that fee for a couple more years.

Curtis Dickson, Community Services Deputy Director, stated the fees for services at the Clearfield Aquatic and Fitness Center (CAFC) had minimal adjustment over the course of fifteen years it had been in operation. He reported the City had recently contracted to complete a business plan and fee study. He indicated the results of the study were presented to the City Council on May 19, 2020. Mr. Dickson acknowledged the consolidated fee schedule was proposed to be updated in an effort to implement the findings of the study and recover the total direct costs associated with the operation of the center. He reviewed the proposed fee changes to CAFC memberships which were broken out as daily and monthly rates. He noted when the fees were discussed with the Council it was suggested to implement the increases over a three year period to reduce the impact on members.

Mr. Dickson acknowledged there were also proposed changes for the daily admission rates which included increased rates and the elimination of the senior rates to simplify the rate options. He reviewed the proposed rates.

Mr. Dickson explained if the new rates were approved, beginning July 1, 2020 the new membership rates would take effect and as memberships renewed the fee increases would be applied to the membership renewal.

Councilmember Peterson questioned how the family pass would work for those with a family larger than six persons and if additional family members could be added. Mr. Dickson responded those families with more than six members would be able to include any additional family

members for an additional annual price. He recalled the amount was \$25 per year per person but would need to research to confirm that number was accurate. Councilmember Peterson requested that pricing be called out as a specific line item in the fee schedule so it was clear for those persons who would be interested in that option. Mr. Dickson indicated the rate could be added as a line item in the fee schedule once it was confirmed.

There was a discussion about the difficulty of raising fees. Councilmember Phipps noted even though the membership rates for the next three years were embedded in the Consolidated Fee Schedule, it was the intent of the Council to revisit those fees each year and evaluate if the fee adjustments were covering the direct costs of the services as planned by the implementation schedule.

Councilmember Peterson moved to approve Ordinance 2020-12 amending the City's Consolidated Fee Schedule to amend fees with the changes noted and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

APPROVAL OF AMENDMENTS TO THE CITY'S CITIZEN PARTICIPATION PLAN

Brad McIlrath, Senior Planner, stated the Citizen Participation Plan was necessary for Clearfield City to qualify for Community Development Block Grant (CDBG) funds through the Department of Housing and Urban Development (HUD). He mentioned in order to address challenges of the COVID-19 pandemic HUD had provided a waiver for a reduced public comment timeline for consolidated plans and supporting reports in the event of certain types of disasters. He remarked the intent was to allow communities to more quickly respond to the local needs during times of disaster and or emergency declaration. Mr. McIlrath indicated the current noticing required a 30 day comment period but with the waiver it could be reduced to 5 days.

Mr. McIlrath noted the City had notified HUD of its intent to use the waiver to have a 5 day comment period; however, the City's Citizen Participation Plan would need to be amended to allow for a shorter comment period. He reviewed the proposed changes to the Citizen Participation Plan. He indicated if the amendments were approved, the City would be able to utilize the reduced public comment period as it prepared for consideration of the Analysis of Impediments report that was currently being prepared by a consultant.

Councilmember Phipps commented the Citizen Participation Plan included a date of October 2017 on the first page and suggested it should be adjusted. Mr. McIlrath reported the date would be updated based upon the date it was adopted.

Councilmember Thompson stated there were aspects of Low-Income Housing Tax Credit (LIHTC) addressed in the City's Consolidated Plan and other reporting done for CDBG funding. He expressed his concern that the numbers used towards LIHTC for a downtown development project were derived from the median income based on statistics of the County rather than the City. He felt that created a gap and should be considered an impediment because it was not a true representation of the City's median income. Mr. McIlrath responded it was something the

consultants were reviewing as they worked on the 5-Year Consolidated Plan and Analysis of Impediments report. He responded staff would pass along Councilmember Thompson's concern to the consultants in an upcoming meeting and see if it was a HUD regulation to use the metropolitan area statistics or if it was just a practiced standard.

Councilmember Roper moved to approve amendments to the City's Citizen Participation Plan and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

APPROVE THE AWARD OF BID FOR THE 10-INCH WATERLINE IMPROVEMENT PROJECT ON 1000 EAST STREET

Adam Favero, Public Works Director, stated staff solicited bids to make improvements to the waterline on 1000 East Street just north of 700 South to 450 South. He reviewed the project which included replacing a section of an old 4-inch waterline with 10-inch PVC pipe and adding waterline to complete a water loop on 1000 East. He pointed out the project would increase the waterline size so the City would be in compliance with the State's standard of 8-inch lines.

Mr. Favero reported eleven companies provided bids and the lowest responsible bidder was Kapp Construction and Development Company with a bid of \$161,560.25. He noted staff recommended awarding the bid amount and allowing contingency of \$32,400 for a total project cost of \$193,960.25.

Councilmember Bush wondered why the City was converting to a 10-inch line rather than an 8-inch line already in place at 450 South. Mr. Favero explained the reason for the increased size was to allow for better flow as it tied into all the other streets included in the project area. He pointed out the project was under budget and would be a great improvement for the City's water system.

Councilmember Bush pointed out the plans showed a 4-inch waterline at 500 South or Hilltop. He questioned if the plans were correct and if the waterlines along that street would be upgraded soon. Mr. Favero answered yes the plan was correct so the waterlines would need to be updated to the 8-inch size because 4-inch lines were too small for the fire hydrants. He was not sure how soon it was planned for improvements.

Councilmember Bush asked if there was a connection from 1000 East to 600 South or if it tied into the lines on 800 East. Mr. Favero indicated there was not a waterline connection at 600 South to the project on 1000 East. He reported the waterline in front of the Maverik located at 1011 East 700 South had been updated to a 10-inch line during development of that parcel.

Councilmember Phipps moved to approve the award of bid for the 10-Inch Waterline Improvement Project on 1000 East Street to Kapp Construction and Development Company for the bid amount of \$161,560.25 with contingency and engineering costs of \$32,400.00 for a total project cost of \$193,960.25 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

1. Participated in a meeting with Utah Department of Transportation to review options for the entrance from State Street to Clearfield Station. He pointed out that there was still work to do there and it could delay the project a little but it would be important to get the entrance done right.
2. Held “Tuesday Morning with the Mayor” at Chris’ Café. He stated it was the second COVID-19 report given at a local business. He encouraged residents to support local businesses.
3. Updated the Council on statistics related to COVID-19 indicating things were as positive as they could be for the circumstances.
4. Reported the National League of Cities (NLC) had requested his participation on a panel with three other mayors from across the country for a congressional briefing to be held on Thursday, June 11, 2020. He felt grateful for the opportunity to participate and felt it would be good to have recognition for Clearfield.

Councilmember Bush – reported meeting with the Kiwanis Club of North Davis at Kiwanis Park. He said it had been a while since they had been able to meet together and there were some new members. He mentioned meeting at the park allowed for an opportunity to review and discuss the City’s plans for improvements there this year.

Councilmember Peterson

1. Wished a happy birthday to Mayor Shepherd.
2. Mentioned it was the first time back in Council Chambers for a meeting in three months. She shared well wishes to those staff and community members that had been experiencing life-events such as births, graduations, surgeries, or others during the pandemic.
3. Thanked staff for carrying on for the past few months and making things happen despite the crazy time period of a pandemic, earthquakes, or perhaps things yet to come in 2020.

Councilmember Phipps – updated the Council on Wasatch Integrated. He stated the Materials Recovery Facility would begin operations very soon. He shared a drawing of the facility and reported on the many improvements that would be possible at the facility for waste disposal and recycling. He mentioned the state of the art facility was possible because of the dollar increase per can. He indicated when it was fully operational all waste would come through the facility for sorting and some of the contractors that had recycling would bring it there for cleaning and processing. He reviewed the layout of the facility. He acknowledged household paper waste currently being recycled would not be usable because it would be too contaminated through the processes of the facility, but the it would be able to pull many of the other recyclables currently put into the waste stream. He pointed out that the facility would reduce the waste which would increase the life of the landfill for many years. He indicated preference for facility use would be given to those that hauled waste for Davis County. He stated he would attempt to get a tour of the facility arranged for the Council.

Councilmember Roper

1. Congratulated high school seniors that graduated.
2. Announced there were several Youth Commissioners that graduated, so recruitment was underway to find others interested in serving. He noted the Youth Commission was working to plan fun and educational things for the coming year.
3. Reported the North Davis Fire District was currently working on its budget.

Councilmember Thompson

1. Reported on the efforts of the Mosquito Abatement District – Davis to ensure policies were in place to social distance and keep sanitization as a priority within the district.
2. Attended an event on May 29, 2020 sponsored by the University of Utah’s School of Business related to businesses and navigating COVID-19. He stated it was a good experience to be educated on ways businesses in Clearfield could be benefited from federal and state governments.
3. Provided a history and details surrounding the Juneteenth celebration. He noted June 19th was a day celebrated by African Americans to commemorate when on June 19, 1865 the last slaves received the message they had been emancipated and were free. He attended an event at the State Capital on June 1, 2020 to kick off the events for Utah and there were many other events scheduled throughout the month so anyone interested could contact him for details. Mayor Shepherd asked if the Juneteenth flyer with events could be provided to Nancy Dean and distributed to the Council. Councilmember Thompson responded the flyer would be sent for distribution.
4. Planned to attend the inaugural meeting for the Davis County Multi-Cultural Commission on June 10, 2020. Thanked Davis County for its support and creation of the commission.
5. Provided a speech promoting unification on June 5, 2020 at a press conference where Jeanetta Williams the president of the National Association for the Advancement of Colored People (NAACP) Salt Lake Branch spoke at the Capitol in Salt Lake City about the need for police reform. Councilmember Thompson noted State Senator Daniel Thatcher and Representative Sandra Hollins would be working with other government leaders and the NAACP on a bill to address police reform.
6. Attended the last Ogden Branch NAACP monthly meeting and heard from a Davis County school official that the Davis County School District was planning to resume in the fall. He learned students would return to the classroom, masks would be provided and worn by faculty and students, and efforts for sanitization would be in place. He pointed out online curriculum would be available for those not ready to return to the classroom. He expressed appreciation for the efforts of many while things were in flux.

STAFF REPORTS

JJ Allen, City Manager

1. Congratulated Trevor and Paige Cahoon on the arrival of their new baby.
2. Reported the monthly report had been sent out earlier.
3. Announced the City just received news it would be receiving CARES Act funding. He indicated the federal funding provided to the states and cities was to aid in pandemic relief. He stated Clearfield would receive 2.8 million dollars that needed to be spent by the end of the year. He explained the first of three scheduled payments would come very soon and be about \$1,000,000. He stated fund distribution to the cities had been based on population. He noted the funds were required to be spent on expenses related to COVID-19. He welcomed ideas for how to spend the funds in support of the community or local businesses. Mayor Shepherd added eligible uses for the funding were related to expenditures of programs, grants, or economic support. Councilmember Phipps wondered if money could go towards avoiding future pandemic situations. Mayor Shepherd responded it could not. He explained the funding needed to be tied to the current pandemic and spent by the end of 2020 or be returned. Mr. Allen stated it was exciting news and a lot of money which could provide help.
4. Updated the Council on the City’s operations status due to the pandemic. He indicated all business operations had resumed with furloughed staff returning to work on June 1, 2020. He noted the fiscal results were still uncertain and it would be a bit longer before the sales tax revenues were known. He continued the Clearfield Aquatic and Fitness Center and recreation programs were ramping up. He applauded staff for adapting to ever changing situations during the current pandemic.
5. Reported an email would be sent out shortly with updates and information about the Wasatch Front Football League and the City’s direction for 2020.

Curtis Dickson, Community Services Deputy Director, – reviewed the City’s plans for its 2020 Fourth of July celebration:

- June 26, 2020 at 7:00 p.m. – Paint the Parks Patriotic: Fox Hollow, Barlow and Steed Parks would have stencils spaced along the walking trails for community members to decorate. Any remaining stencils would be decorated by staff on June 29th and 30th.
- July 2, 2020 at 7:00 p.m. – Virtual Patriotic Concert: The Clearfield Community Band concert would be recorded and broadcast over the City’s social media outlets.
- July 3, 2020 at 9:00 p.m. – Drive-In Movie held at Fisher Park: no charge to attend but a reservation would be necessary to make sure there were adequate spaces for participants.
- July 4, 2020 at 9:00 a.m. – Most Patriotic House Contest: for local businesses and residents.
- July 4, 2020 at 9:00 a.m. – City Council parade through Clearfield: details still underway and the route had not yet been determined.
- July 4, 2020 at 10:00 p.m. – Broadcast of the National Anthem and encouraging residents to hold their own firework shows within the neighborhoods.
- July 4, 2020 – Mini air parade arranged by the cities in Davis County.

Mayor Shepherd announced most cities in Davis County were joining together in support of an airplane parade. He explained on July 4, 2020 there would be a fly over parade for those cities in Davis County which supported the event. The City contributed \$1,000 to be included on the flight route. He explained there would be various aircrafts and skydivers were expected to participate but the landing location was not yet known. He thanked Mayor Wilkinson of Centerville City for arranging the air parade.

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

- Joint Work Session with Planning Commission on June 16, 2020
- Policy Session June 23, 2020
- No items planned yet for a meeting on June 30, 2020

She wished Happy Birthday to Mayor Shepherd and invited those in attendance to enjoy a cupcake.

There being no further business to come before the Council, **Councilmember Peterson moved to adjourn at 8:19 p.m., seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

**APPROVED AND ADOPTED
This 23rd day of June, 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 9, 2020.

/s/Nancy R. Dean, City Recorder