

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
October 27, 2020

City Building
55 South State Street
Clearfield City, Utah

No physical meeting location was available for the public due to the statewide public health emergency which might present a substantial risk to the health and safety of others. The meeting was held for the public electronically via Zoom Meeting address:

Zoom Meeting
<https://us02web.zoom.us/j/81919016024>
Meeting ID: 819 1901 6024

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush	Councilmember
	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
	Tim Roper	Councilmember
PRESENT VIA ZOOM:	Karece Thompson	Councilmember
STAFF PRESENT:	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
	Trevor Cahoon	Communications Coordinator
	Nancy Dean	City Recorder
	Wendy Page	Deputy Recorder

VISITORS: Rachel Storm

VISITORS VIA ZOOM: Timothy Merrill – Utah Transit Authority (UTA), Bruce Bingham – Hamilton Partners, Ken Shields – Hamilton Partners, Cheryl Phipps, Trent, Sharon Bolos, Mrs. Brimhall, Doug Thimm – Arch Nexus, Ryan Hales – UTA, Brittani

Mayor Shepherd called the meeting to order at 7:00 p.m.

Councilmember Peterson invited Rachel Storm to lead the opening ceremonies.

Mayor Shepherd informed those present via the Zoom Meeting if they wanted to comment during the 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.

CONSIDER APPROVAL OF THE FINAL SUBDIVISION PLAT FOR THE ALVEY SUBDIVISION LOCATED AT APPROXIMATELY 2305 SOUTH MAIN STREET (TIN: 12-075-0081)

Brad McIlrath, Senior Planner, stated the applicant proposed to subdivide the property into two flag lots and one regular lot subject to the development standards of the R-1-8 (Residential) zone. He noted the Alvey Subdivision was located at approximately 2305 South Main Street.

He reviewed the subdivision plat. Mr. McIlrath pointed out those lots complied with all City standards, plus the cross hatch included enough space for a firetruck turnaround if necessary. He explained the turnaround had been required by the fire district and was wide enough to meet distance regulations.

Mayor Shepherd asked if there was a restriction on parking in that spot. Mr. McIlrath responded there would be restrictions and no parking was allowed in any firetruck turnaround. He indicated the police would not be enforcing it because it was a private access, but the North Davis Fire District had authority to enforce any issues if necessary.

Mr. McIlrath indicated the Planning Commission had reviewed the plat at its meeting on October 7, 2020 and recommended approval based on the following five conditions:

- 1) The setbacks and buildable area for lot 3 shall be revised to have the west property line (shared property line with lot 2) as the front lot line and front yard. The north and south property lines are to be the side yards, and the rear yard the east property line.
- 2) A geotechnical report shall be submitted for review and approval by Clearfield City Engineering staff.
- 3) Plans shall be revised to address Clearfield City Engineering requirements prior to obtaining final signatures on the plat and recording of the plat.
- 4) An Escrow agreement or bond for the public improvements shall be approved by the City Engineer and posted prior to the recordation of the plat as outlined in Section 12-9-2 of the subdivision ordinance.
- 5) 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, sidewalks, landscaping park strip improvements, driveways, etc.

Councilmember Peterson questioned what the proposed orientation of the homes would be for the various lots. Mr. McIlrath answered the City Code indicated the front yard shall be considered that flag portion that adjoins the staff. He reviewed the proposed orientation for each lot and explained all three parcels and all three homes were oriented according to City Code so that all back sides were facing each other.

Councilmember Peterson commented the flag lots and access had been well designed; however, to orient lot 3 towards Main Street even though it was compliant with City Code seemed unusual and would not be cohesive. Mr. McIlrath agreed. He pointed out there could be some flexibility to determine the adjoining of staff was along the south edge of the property. He stated the Council as the land use authority could make that interpretation. Mayor Shepherd agreed the south property edge was the portion that adjoined the staff.

Councilmember Peterson recognized the need for growth particularly with single-family homes, but she worried the plat as proposed might be an eye sore. She mentioned the aesthetic impact would be minimal; however, worried about any additional impacts on existing homes in the area. She expressed her opinion the orientation of lots 2 and 3 should be similar and the adjoining staff portion should be considered as the south end of the property. She suggested that interpretation should be clarified in any motion for approval. Mr. McIlrath stated the engineer had designed the footprints for lots 2 and 3 to face to south. He indicated staff would also be supportive of that recommended orientation. He pointed out that condition number one from the Planning Commission could be stricken and conditions two through five left. Councilmember Peterson recommended the Council proceed by striking condition number one.

Councilmember Bush questioned if lots 2 and 3 would have separate sewer connections. Mr. McIlrath answered yes. He noted those would be on the individual properties and not running through the access.

Councilmember Peterson wondered what would be recorded on the properties for that shared drive access related to ongoing maintenance or responsibility between lots 2 and 3. She recognized the maintenance might be a burden long term and wanted to prevent complications or disputes in the future between property owners. Mr. McIlrath suggested lot 1 should not bear the cost for it in the future because use of the cross-easement access was not needed for that property. He indicated the most appropriate way to address it would be to record a note on the subdivision plat that identified lot 2 and lot 3 had shared cost and responsibility for maintenance of the shared cross-easement access. There was a discussion about whether it would be best to consider requiring covenants, conditions, and restrictions (CC&Rs) recorded with the plat to address maintenance and responsibility associated with the cross-easement access in order to avoid future issues between current or future property owners.

The consensus of the Council was to require an agreement be executed and recorded with the plat establishing cost and maintenance responsibilities for the cross-easement access.

Councilmember Peterson moved to approve the Final Subdivision Plat for the Alvey Subdivision located at approximately 2305 South Main Street with the conditions recommended by the Planning Commission to be amended as follows: condition number one stricken as it currently reads; current conditions two, three, four, and five remaining unchanged; and include an additional condition to require CC&Rs be recorded with the plat that address the ongoing maintenance and cost for the shared access drive for lots 2 and 3 only; 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.

OPEN COMMENT PERIOD

Mayor Shepherd acknowledged time had been provided for the open comment period and asked if any comments had been submitted. Trevor Cahoon, Communications Coordinator, replied there had been no comments received on Zoom or Facebook.

There were no public comments.

APPROVAL OF THE MINUTES FROM SEPTEMBER 8, 2020, JOINT WORK SESSION; SEPTEMBER 15, 2020, WORK SESSION; SEPTEMBER 22, 2020, WORK SESSION; OCTOBER 6, 2020, WORK SESSION; OCTOBER 13, 2020, WORK SESSION AND OCTOBER 13, POLICY SESSION

Mayor Shepherd pointed out there had been some minor revisions which had been sent for the Council's review. He asked if there were any additional corrections necessary. Councilmember Peterson requested the minutes from the September 15, 2020 work session be tabled and reconsidered during the next policy session.

Councilmember Peterson moved to remove and table consideration of the minutes from the September 15, 2020 work session; and, approve the minutes from the September 8, 2020 joint work session, September 22, 2020 work session, October 6, 2020 work session, October 13, 2020 work session, and October 13, 2020 policy session; as written, seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.

COMMUNICATION ITEMS

Mayor Shepherd

1. Met with the trustee of the Gus Kallas property. He pointed out the land use designation in the General Plan for the property was Commercial. He mentioned several ideas were discussed about how it could be marketed and could tie in well with the Clearfield Station project.
2. Reported some of the upcoming planned legislation for the next session would greatly affect the City and be something to closely follow. He reviewed some of the proposed legislation regarding building aesthetics, manufactured housing, and accessory dwelling units.
4. Announced there might be a need to hold a work session on Friday, October 30, 2020 and more information would be forthcoming if that would be necessary.
5. Planned to participate with Spencer Brimley, Community Development Director, in the Wasatch Choice Workshop virtual meeting on Thursday, October 29, 2020 from 4:00 to 6:00 p.m. He reported being asked, along with Mr. Brimley, to present briefly on the City's downtown redevelopment projects.

Councilmember Bush – nothing to report.

Councilmember Peterson announced Hill Air Force Base (HAFB) was holding a virtual open house regarding a Compatible Use Plan and residents were encouraged to take a survey. She explained the purpose of the survey was to obtain feedback on how the HAFB affected individuals and families of neighboring communities surrounding it. She requested staff have a link available on the City's social media websites so residents could easily access the survey and attend the virtual open house.

Councilmember Phipps reported he would not be able to attend next week's meeting.

Councilmember Roper – nothing to report.

Councilmember Thompson reported the State's Division of Unclaimed Property would be sending notices to Clearfield residents regarding the claiming of property by its owners currently in the care of the division.

STAFF REPORTS

JJ Allen, City Manager – nothing to report.

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

- Work session on November 3, 2020.
- Policy session on November 10, 2020.

Trevor Cahoon, Communication Coordinator – announced a quick link had been added to the City's website so residents could easily access the Hill AFB Compatible Use Plan open house and survey referenced by Councilmember Peterson.

Councilmember Bush moved to adjourn the policy session and reconvene in work session at 7:32 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 10th day of November, 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, October 27, 2020.

/s/Nancy R. Dean, City Recorder