

CLEARFIELD CITY COUNCIL MEETING MINUTES  
7:00 P.M. POLICY SESSION  
September 8, 2020

City Building  
55 South State Street  
Clearfield City, Utah

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush	Councilmember
	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
	Tim Roper	Councilmember
	Karece Thompson	Councilmember
STAFF PRESENT:	JJ Allen	City Manager
	Summer Palmer	Assistant City Manager
	Stuart Williams	City Attorney
	Brie Brass	Assistant City Attorney
	Kelly Bennett	Police Chief
	Devin Rogers	Police Assistant Chief
	Scott Manookin	Police Lieutenant
	Lee Potts	Police Detective Sergeant
	Josh Carlson	Police Detective
	Adam Favero	Public Works Director
	Eric Howes	Community Services Director
	Spencer Brimley	Community Development Director
	Trevor Cahoon	Communications Coordinator
	Nancy Dean	City Recorder

VISITORS: Val Shupe – Utah Chiefs of Police Association, Paige Carlson, Steven Carlson

Mayor Shepherd called the meeting to order at 7:04 p.m.

Councilmember Bush led the opening ceremonies.

APPROVAL OF THE MINUTES FROM AUGUST 4, 2020, WORK SESSION; AUGUST 11, 2020, WORK SESSION; AUGUST 11, 2020, POLICY SESSION; AUGUST 18, 2020, WORK SESSION; AUGUST 20, 2020, WORK SESSION; AND AUGUST 25, 2020, POLICY SESSION

**Councilmember Peterson moved to approve the minutes from the August 4, 2020 work session; August 11, 2020 work session; August 11, 2020 policy session; August 18, 2020 work session; August 20, 2020 work session; and August 25, 2020 policy session; as written, seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.**

PRESENTATION OF OFFICER OF THE YEAR AWARD TO DETECTIVE JOSH CARLSON  
BY THE UTAH CHIEFS OF POLICE ASSOCIATION

Val Shupe, Director of Utah Chiefs of Police Association, highlighted the following details contributing to the Detective Carlson's receiving recognition as the Utah Chiefs of Police Association Officer of the Year: Detective Josh Carlson was nominated by Chief Bennett for his outstanding dedication relevant to the Clearfield Cold Case investigation. The investigation involved numerous City police officers as well as officers and detectives from multiple law enforcement agencies. In 2018, Detective Carlson was assigned to the investigation as the lead investigator. He worked closely with a genetic genealogist and was able to identify a suspect. After several months of reviewing hundreds of documents, conducting interviews, reviewing evidence, and following up on investigative leads, a suspect was arrested for multiple rapes in Clearfield City. Subsequently, the suspect entered a guilty plea and would serve the remainder of his life in prison. The suspect also confessed to other alleged rapes and homicides in the western United States.

Director Shupe presented Detective Josh Carlson with an award recognizing him as Officer of the Year in 2020 for a medium city. Mayor Shepherd and the City Council recognized Detective Carlson's accomplishments.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON AMENDMENTS TO THE  
2020/2021 COMMUNITY DEVELOPMENT BLOCK GRANT ONE-YEAR ACTION PLAN  
RELATED TO COVID-19 EFFORTS AND NEEDS

Spencer Brimley, Community Development Director, explained the U.S. Department of Housing and Urban Development (HUD) had allocated Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funding to distribute to entitlement communities through the Community Development Block Grant (CDBG) program. As an entitlement community Clearfield City had been allocated \$129,178 of the funding to distribute. Open Doors and Safe Harbor submitted funding request letters outlining their needs to assist Clearfield residents impacted by the COVID-19 pandemic. He noted Open Doors was proposed to receive approximately \$65,000 and Safe Harbor approximately \$64,000.

Mayor Shepherd opened the public hearing at 7:16 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

**Councilmember Bush moved to close the public hearing at 7:17 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.**

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON AMENDMENTS TO THE FORM BASED CODE'S DEVELOPMENT STANDARDS BY USE WITH THE ENACTMENT OF PROVISIONS RELATED TO ALLOWING SELF STORAGE FACILITIES IN THE GATEWAY CORRIDOR COMMERCE (CC) ZONE

Spencer Brimley, Community Development Director, stated the City received an application to add "Indoor Temperature Controlled Storage Facilities" as a permitted use in the Gateway Corridor Commerce (CC) zone in the Form Based Code (FBC). He pointed out the request included specific development standards to encourage high quality design and development. He reviewed a map of the downtown corridor and explained the Gateway Corridor Commerce zone was intended to invite and welcome visitors to the City.

Mr. Brimley acknowledged after a review of the application and proposal, staff recommended the Planning Commission deny the application because it was not consistent with the Form Based Code nor with the policies or objectives outlined in the General Plan. He continued the Planning Commission held a public hearing on the request on August 19, 2020 and reviewed and vetted the request. He noted the Planning Commission recommended approval with some modifications from the original request. Mr. Brimley mentioned the City Council had a healthy discussion during work session on August 25, 2020 about ideas, objectives, and policies and how to proceed. He stated the Council could either approve, deny, or table consideration of the zoning text amendment request until a future specified date.

Mayor Shepherd opened the public hearing at 7:22 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

**Councilmember Thompson moved to close the public hearing at 7:23 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.**

OPEN COMMENT PERIOD

There were no public comments.

APPROVAL OF AMENDMENTS TO THE 2020/2021 COMMUNITY DEVELOPMENT BLOCK GRANT ONE-YEAR ACTION PLAN RELATED TO COVID-19 EFFORTS AND NEEDS

**Councilmember Roper moved to approve amendments to the 2020/2021 Community Development Block Grant (CDBG) One-Year Action Plan related to COVID-19 efforts and needs 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.**

DENIAL OF ORDINANCE 2020-13 AUTHORIZING AMENDMENTS TO THE FORM BASED CODE'S DEVELOPMENT STANDARDS BY USE WITH THE ENACTMENT OF PROVISIONS RELATED TO ALLOWING SELF STORAGE FACILITIES IN THE GATEWAY CORRIDOR COMMERCE (CC) ZONE

Mayor Shepherd expressed not being in favor of the amendment. He felt it would be spot zoning because it would be for one business and consequently open the use up to the entire CC Zone which was also concerning to him.

Councilmember Roper commented there were additional issues presented by the request which should be addressed first.

Councilmember Phipps expressed his opinion this was not a desirable use for the City's gateway.

Councilmember Peterson remarked she understood the intent to address the storage use and work with the business community; however, felt the request stepped outside what the Form Based Code (FBC) was designed to do. She explained the request gave the appearance of wrapping an ordinance around a project; rather, then allowing the ordinances to govern the project's development.

Councilmember Roper explained a lot of time had been invested into the creation of the FBC and there needed to be some time given to see if the desired outcomes would come from that effort.

Councilmember Thompson voiced his dissent from other opinions expressed because there was a lot of density coming to the City and storage would be needed. He mentioned being in support of business. He understood the concern that the first impression of the City should not be fast food and storage space, but also did not want to limit businesses in the corridor.

**Councilmember Peterson moved to deny Ordinance 2020-13 authorizing amendments to the Form Based Code's Development Standards by Use with the enactment of provisions related to allowing self-storage facilities in the Gateway Corridor Commerce (CC) zone, seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Roper. Voting No – Councilmember Thompson.**

Councilmember Bush suggested it might be time to study the possibility of addressing storage use in the City. Councilmember Thompson agreed. Mayor Shepherd indicated it could be scheduled for a future work session discussion.

COMMUNICATION ITEMS

*Mayor Shepherd*

1. Reported his trip to Alaska was great and he now had a lot of fish.
2. Planned to participate in committee meetings that would resume again soon for the National League of Cities, Utah League of Cities and Towns, and the Police Chiefs leadership.
3. Announced 'Tuesday Morning with the Mayor' would start back up again on September 15, 2020.

4. Reported the City currently had 28 active COVID-19 cases.

***Councilmember Bush***

1. Thanked staff for efforts during the current wind storm.
2. Participated in the ribbon cutting for Pop's Sinclair on August 28, 2020.

***Councilmember Peterson*** – thanked staff for efforts on the challenges created by the current wind storm.

***Councilmember Phipps***

1. Reported Wasatch Integrated had sustained damage to the scale house from the current windstorm; consequently, was requesting people wait a day to bring waste to the facility. He recognized there would be a high demand for services from damage sustained by the wind so there could be delays. Mayor Shepherd asked if there would be any allowances made for those bringing green waste from the wind storm. Councilmember Phipps indicated he could ask especially if there was an interest from the City to help offset costs for residents. He mentioned in the past with similar circumstances, municipalities had agreed to cover the costs associated with green waste disposal because it could be a problem to maintain the access at no cost to users.
2. Participated on the committee dealing with the City's CARES Act grant funding. He indicated the committee felt Phase 2 funding allocations were in harmony with the prior decision of the Council, so unless members of the Council felt otherwise no further discussions were currently necessary.
3. Met with Councilmember Bush and the City's hedgehog committee. He stated the meeting was effective and additional meetings were scheduled for the next couple of months.

***Councilmember Roper***

1. Recruiting youth to participate in the Youth Commission.
2. Appointed by the Utah League of Cities and Towns to be on the Private Activity Review Board for the Governor and was awaiting approval by the Senate.

***Councilmember Thompson***

1. Reported on the Mosquito Abatement efforts. He noted the Ogden Airport was doing improvements that were costing the Mosquito Abatement \$13,000; however, the associated costs were being reviewed and still under negotiation. Mayor Shepherd wondered why the District was using an airport in Weber County rather than Davis County. Councilmember Thompson stated he would ask the District.
2. Attended the Governor's Gala. He expressed his appreciation for Governor Herbert and his leadership.

**STAFF REPORTS**

***JJ Allen, City Manager***

1. Commented Centerville City asked for assistance from the City with the wind storm cleanup efforts. He reported Adam Favero, Public Works Director, would be coordinating that assistance.
2. Reported the Public Works department would be conducting damage assessments from the wind for the City in the next few days.
3. Announced the monthly report would be coming soon.

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

- Work Session on September 15, 2020.
- Policy session on September 22, 2020.

**Councilmember Thompson moved to adjourn and reconvene with Planning Commission in joint work session at 7:43 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.**

**APPROVED AND ADOPTED  
This 13<sup>th</sup> day of October, 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, September 8, 2020.

/s/Nancy R. Dean, City Recorder