



CLEARFIELD CITY COUNCIL
AGENDA AND SUMMARY REPORT
March 26, 2024 - POLICY SESSION

Meetings of the City Council of Clearfield City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207 as amended. In such circumstances, contact will be established and maintained via electronic means and the meetings will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

55 South State Street
Third Floor
Clearfield, Utah

7:00 P.M. POLICY SESSION

CALL TO ORDER:

Mayor Shepherd

OPENING CEREMONY:

Pledge of Allegiance

Solemn Moment of Reflection

Council Member Wurth

APPROVAL OF MINUTES:

February 13, 2024 – work session

February 13, 2024 – policy session

February 27, 2024 – work session

February 27, 2024 – policy session

PUBLIC HEARINGS:

1. **PUBLIC HEARING ON AN AMENDMENT TO THE MASTER DEVELOPMENT PLAN OF THE CLEARFIELD STATION MASTER DEVELOPMENT AGREEMENT (MDA) WITH CLEARFIELD CITY, UTAH TRANSIT AUTHORITY (UTA), AND CLEARFIELD STATION PARTNERS, LLC FOR THE CLEARFIELD STATION PROJECT LOCATED AT APPROXIMATELY 1250 SOUTH STATE STREET (TINS: 12-066-0138, 12-882-0001, 12-882-0004, and 12-882-0005)**

BACKGROUND: The Clearfield Station Master Development Agreement was executed between Clearfield City, Utah Transit Authority (UTA), and Clearfield Station Partners, LLC in August 2021. As part of the Master Development Agreement (MDA) there is a Master Development Plan (MDP) that functions as the zoning and development regulations for the Clearfield Station site owned by UTA. The first project within the Clearfield Station site is for future properties identified in the MDP as Mixed-Use Residential (MUR) C & D. The development team has submitted a site plan application that is scheduled to be reviewed by the Planning Commission on April 3rd, 2024, following the final

decision of this amendment by the City Council on March 26th, 2024.

As part of the planned development for this project the development team, their architects, and City Staff were able to identify necessary amendments to provide more clarity and flexibility for the Clearfield Station site. The amendments are regarding the following: Ground level & Icon Signage, Increase in sizing for Temporary Signage, Project Pylon & Monument Signage, Prohibited Signage, Front Setbacks and Street Level Permitted Uses.

RECOMMENDATION: Receive public comment.

2. **PUBLIC HEARING TO REVIEW THE 2024-2025 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ONE-YEAR ACTION PLAN**

BACKGROUND: As an entitlement Grantee of Housing and Urban Development’s (HUD) Community Development Block Grant (CDBG), Clearfield City is required to develop an Annual Action Plan (Plan). The Plan outlines how the City will allocate its allotment of CDBG funds during the upcoming Program Year, July 1, 2024, to June 30, 2025. Clearfield City expects to receive approximately \$200,000 in Community Development Block Grant (CDBG) funds for July 1, 2024, to June 30, 2025, funding cycle. HUD regulations require two public hearings during the preparation of the Plan. As required, a notice was posted on May 6, 2024, that the required 30-day comment period will begin on March 26, 2024 and conclude with the second public hearing on May 14, 2024. This public hearing is being held to gather information from the public concerning the needs within Clearfield City. Community organizations may present requests for assistance with their operational costs. The finalized Plan will be presented to the Council May 14, 2024.

RECOMMENDATION: Receive public comment.

SCHEDULED ITEMS:

3. **OPEN COMMENT PERIOD**

The Open Comment Period provides an opportunity to address the Mayor and City Council regarding concerns or ideas on any topic. To be considerate of everyone at this meeting, public comment will be limited to three minutes per person. Participants are to state their names for the record. Comments, which cannot be made within these limits, should be submitted in writing to the City Recorder at nancy.dean@clearfieldcity.org.

The Mayor and City Council encourage civil discourse for everyone who participates in the meeting.

4. **CONSIDER APPROVAL OF THE DeMOLAY PROCLAMATION DECLARING THE MONTH OF MARCH 2024. DeMOLAY MONTH IN CLEARFIELD CITY**

BACKGROUND: DeMolay is a character-building organization consisting of young men between the ages of 12 to 21 who are seeking to prepare to become better leaders within the community. The organization has carried out civic services for over eighty years.

RECOMMENDATION: Approve the DeMolay Proclamation declaring the month of March 2024, DeMolay month in Clearfield City and authorize the Mayor’s signature to any necessary documents.

5. CONSIDER APPROVAL OF ORDINANCE 2024-04 APPROVING AN AMENDMENT TO THE MASTER DEVELOPMENT PLAN OF THE CLEARFIELD STATION MASTER DEVELOPMENT AGREEMENT (MDA) WITH CLEARFIELD CITY, UTAH TRANSIT AUTHORITY (UTA), AND CLEARFIELD STATION PARTNERS, LLC FOR THE CLEARFIELD STATION PROJECT LOCATED AT APPROXIMATELY 1250 SOUTH STATE STREET (TINs: 12-066-0138, 12-882-0001, 12-882-0004, and 12-882-0005)

RECOMMENDATION: After careful consideration of the information presented, the Clearfield City Council moves to:

1. Approve Ordinance 2024-04 approving the amendments to the Master Development Plan of the Clearfield Station Master Development Agreement with Clearfield City, UTA, and Clearfield Station Partners, LLC for the Clearfield Station project located at approximately 1250 South State Street, and authorize the mayor's signature to any necessary documents;
2. Deny Ordinance 2024-04 approving the amendments to the Master Development Plan of the Clearfield Station Master Development Agreement with Clearfield City, UTA, and Clearfield Station Partners, LLC for the Clearfield Station project located at approximately 1250 South State Street; or
3. Table consideration of Ordinance 2024-04 approving the amendments to the Master Development Plan of the Clearfield Station Master Development Agreement for the Clearfield Station project located at approximately 1250 South State Street and request additional time to consider the proposal.

COMMUNICATION ITEMS:

- A. Mayor's Report
- B. City Council's Reports
- C. City Manager's Report
- D. Staffs' Reports

****ADJOURN AS THE CITY COUNCIL****

Dated March 20, 2024.

/s/Chersty Titensor, Deputy City Recorder

The City of Clearfield, in accordance with the 'Americans with Disabilities Act' provides accommodations and auxiliary communicative aids and services for all those citizens needing assistance. Persons requesting these accommodations for City sponsored public meetings, service programs or events should call Nancy Dean at 801-525-2714, giving her 48-hour notice.

The complete public notice is posted on the Utah Public Notice Website - www.utah.gov/pmn/, the Clearfield City Website - clearfield.city, and at Clearfield City Hall, 55 South State Street, Clearfield, UT 84015. To request a copy of the public notice or for additional inquiries please contact Nancy Dean at Clearfield City, Nancy.dean@clearfieldcity.org & 801-525-2700.

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 PM WORK SESSION
February 13, 2024

City Building
55 South State Street
Clearfield City, Utah

PRESIDING: Mayor Mark Shepherd

PRESENT: Councilmember Karece Thompson, Councilmember Tim Roper, Councilmember Megan Ratchford, Mayor Mark Shepherd, Councilmember Dakota Wurth

ABSENT: Councilmember Nike Peterson

STAFF PRESENT: City Manager JJ Allen, Assistant City Manager Summer Palmer, Community Development Director Spencer Brimley, Community Services Director Eric Howes, City Attorney Stuart Williams, Police Chief Kelly Bennett, Community Relations Director Shaundra Rushton, Finance Manager Rich Knapp, City Recorder Nancy Dean, Deputy City Recorder Chersty Titensor, Public Works Deputy Director Braden Felix, Finance Department Lee Naylor, Assistant Police Chief Devin Rogers, Streets/Fleet Supervisor Brad Wheeler

VISITORS: Jenna Nelson, Cole Ross, Kathryn Murray

DISCUSSION ON THE FISHER PARK SKATE PARK CONCEPT PLAN

Eric Howes, Community Services Director, presented the concept plans for the planned upgrades to the skate park that was discussed as part of the PARAT Tax project and had been allocated \$200,000. He thought the upgrades could be accomplished by late Spring/early Summer. He explained some corrective feedback received from the public. He said they would be working with Omega Ramps out of Washington, Utah, which was the company that built the ramps. He had received positive feedback from the public; many had requested murals in the bowls. He will follow up with a mural artist to get an idea of the cost.

DISCUSSION ON PROPOSED CHANGES TO THE BICENTENNIAL PARK AMPHITHEATER AND PROJECT FUNDING.

Eric Howes, Community Services Director, informed the Council of the proposed changes to the Bicentennial Park Amphitheater utilizing the funds from the sale of the old library at 562 South 1000 East. He said the goals were to upgrade and update the amphitheater, address ADA issues for spectators, increase seating capacity, and repair or replace the stage. He said he had received a recommendation to install overhead shade – he will look into that possibility. He showed pictures of the current state of the stage and amphitheater seating. He pointed out the sides of the amphitheater that they would like to terrace to make grassy areas where spectators could sit. He pointed out the areas where they had created places to accommodate wheelchairs. He said the goal was to reduce the height of the stage to near ground level to help with staging and to reduce

access to the building windows where vandalism had taken place. He said they would be installing solar lights next year. The Council was supportive of making the upgrades. JJ Allen, City Manager, said next time budget amendments were reviewed there would need to be a transfer of the money for the project from fund 20 to fund 45.

DISCUSSION ON THE 800 NORTH RECONSTRUCTION BUDGET AMENDMENT

Braden Felix, Deputy Public Works Director, gave an update to the Council on the project to rebuild 800 North where the 75-year-old waterline would be updated. He showed pictures of 800 North street showing the poor condition. He said most of the roadwork would be funded by 3rd quarter sales tax from Davis County. He explained there was a shortage in the budgeted amount at the bid opening. He said the cost of the road needed an additional \$147,000 to cover the City's portion of the replacement. Mr. Allen asked if there had been any change in the scope or was its quantities that were estimated poorly. Mr. Felix thought the items themselves were more than anticipated.

He pointed out as part of this project, there was a property that was in the unincorporated area of Davis County. The property owners had fenced their property off, so the City sidewalk ended at the property line. He pointed out that section of the area was designated as a safe route for school children, but due to the fencing, there was not a sidewalk for children to walk on. He informed them that the property was on a septic system and did not have a sewer connection. Staff had completed preliminary estimates to determine how much it would take to hook them onto the sewer with the bigger project. Staff had hoped to approach them about hooking them up to the sewer so the roadside improvements could be installed. He said as more information was obtained; the alignments came back costing an estimated \$43k just to hook up sewer. Then the bid came in at \$75,700 just to hook up the sewer and then roadside improvements at the front of their property came to \$136k for a property which, based on the County Assessor's office, was worth approximately \$13k. In discussions with the owners, they indicated they would like to subdivide their parcel. Davis County said that based on zoning it was not possible until the property was annexed into the City. If they intended to subdivide, another requirement would be for the roadside improvements to be made and sewer provided. He stated nothing had been signed with the owners but those were the initial discussions. Due to the high cost of the improvements associated with hooking the unincorporated property to the City's sewer system, Staff felt, and wanted Council's input, that hooking the property up and annexing it did not provide the value that was worth the cost. Staff would speak with the property owners again about contributing to the improvements.

Mr. Felix explained some additional costs identified when staff found out they could not take a waterline over or around the Denver/Rio Grand Trail crossing. He indicated the waterline was going to need to be bored under the trail, which was costly. Staff was asking for an additional \$271,500 which included a 5% contingency.

Mayor Shepherd asked where the additional funds would come from. Mr. Felix said they would have to delay a project to fund the project. He said a couple of utility projects such as the G street sewer would be pushed off to next year. He regrettably thought it would be either a Freeport project or another residential waterline project. Mayor Shepherd thought shifting other

projects was unfortunate, but it was crucial to get this project done the right way. Mr. Felix said they would be making roadside improvements in front of the unincorporated property and would install curb, gutter and sidewalks in lieu of purchasing the portion of the property. Mr. Allen said instead of paying them the \$13k the City would install roadside improvements but not the sewer line unless they wanted to pay for that part. Councilmember Wurth thought being annexed into the City would benefit the owner but not the City because of the potential to subdivide. Mr. Allen stated other taxpayers would not benefit.

DISCUSSION ON THE FINAL LOGO DESIGN

Shaundra Rushton, Communications Manager, showed edits made to the proposed updated logo. The members of the Council expressed their preferences for color and style. The Council asked her to send the logo designs to the Youth Commission for its feedback.

DEPARTMENT UPDATES

Snow Removal

Brad Wheeler, Streets/Fleet Supervisor, showed the Snow Removal Priority Map used when undertaking snow removal in the City. He explained that Staff were sent out in teams of two in three different sections, east, west, and south, of the City. He acknowledged that he needed to update the map with the extension of 500 West, the TOD and Depot Street extension, and new single family developments. He reviewed the City's inventory of plows and salters. He reported they had used over 873 tons of road salt, or 1,746,000 pounds used. He said they had driven over 6300 miles for snow removal.

Mr. Wheeler reviewed some of the common complaints from residents and explained the thought process behind the City's processes. Summer Palmer, Assistant City Manager, made clear that City Policy was that if a truck knocked over a mailbox it would be replaced, but the City could not be held responsible for snow knocking over mailboxes. Councilmember Ratchford asked what type of salt product was thrown by the trucks. Mr. Wheeler explained it was a combination of salts: white salt, Redmond salt and blue salt with an added dye and chemicals to melt the snow at lower temperatures. Councilmember Ratchford asked if the product hurt the roads. Mr. Wheeler said it damages concrete which is why the salting process was isolated to the roadways and not near concrete.

Accident Review

Police Chief Kelly Bennett gave a report on the number of accidents for FY24 compared to FY23. He informed them of the Safety Committee that reviewed all accidents as well as the City's policy to drug test the employee in the case of accidents which resulted in the employee not driving until the results came back.

- FY23 – 19 citywide vehicle accidents
- FY24 – 15 citywide vehicle accidents (through 2/13/24)

Police Department Actions

Mr. Bennett said that most of the accidents in the police department were due to distractions in the cars caused by a lot of equipment. He said none of the accidents occurred while responding

to calls. He informed the Council that the employees either get a step 1 warning or a verbal warning. If the Safety Committee determined so many points were assessed, then the employee was required to complete an online defensive driving course. There is the possibility of completing an Emergency Vehicle Operations Training course, which had not been done in over 10 years because of employee turnover. He said they were scheduled to participate in the EVO training in March. He reported that when the police were involved in accidents, they had another agency come into the jurisdiction to investigate whether charges should be filed. Mr. Allen stated if a councilmember were to get a citation an officer from another jurisdiction would be called to respond.

Metro Narcotics Strike Force

Mr. Bennett gave an update on the Clearfield Police Department's participation in the Davis Metro Narcotics Strike Force. He said the police department provided one full-time officer to the strike force; the City paid the officer's wages and Davis Metro paid for any overtime, training, and a vehicle for the officer. He said the strike force did not get the recognition they deserved. He informed the Council that in 2023 the Davis Metro Narcotics Strike Force were recognized as the Outstanding Drug Task Force of the Year for the Rocky Mountain High Intensity Drug Trafficking Area. He presented the statistics for 2023.

CAFC and CCAC Purchases

Eric Howes, Community Services Director, reported that his department had received a \$3k grant from Rocky Mountain Power. He asked the Council if they would approve them using that money to add mirrors to the dance studio since it was not in the budget. The consensus of the Council was to proceed with the mirrors.

He reported that the Wibit at the Aquatic Center was purchased five years ago and would not hold air anymore. He said the total cost to replace it was \$15,150. He said if they bought it in pieces over several years the cost would be \$24k. There would be significant savings if it was purchased at once. Mr. Howes said there was \$46k remaining in the department's Miscellaneous Supplies account but because the purchase was over \$10k he needed to present it for approval by Council. The consensus of the Council was the equipment could be purchased.

Mr. Allen asked if Council would like to change the \$10k limit on purchases without Council's review. Mayor Shepherd thought the \$10k limit was appropriate.

Plane Program

Shaundra Rushton, Communications Manager, said the planes had been ordered and should arrive by the end of May. She had created a sponsorship flyer for the Council if they wanted to hand them out to people.

Councilmember Wurth moved to adjourn at 7:01 p.m., seconded by Councilmember Thompson.

RESULT: Passed [4 TO 0]

YES: Councilmember Thompson, Councilmember Roper, Councilmember Ratchford, Councilmember Wurth

NO: None

ABSENT: Councilmember Peterson

**APPROVED AND ADOPTED
This day of 2023**

/s/ Mark R. Shepherd, Mayor

ATTEST:

/s/ Nancy R. Dean, City Recorder

I hereby certify that the forgoing represents a true, accurate, and complete record of the Clearfield City Council meeting held Tuesday, February 13, 2024.

/s/ Nancy R. Dean, City Recorder

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 PM POLICY SESSION
February 13, 2024

City Building
55 South State Street
Clearfield City, Utah

PRESIDING: Mark Shepherd Mayor

PRESENT: Mayor Mark Shepherd, Councilmember Tim Roper, Councilmember Karece Thompson, Councilmember Megan Ratchford, Councilmember Dakota Wurth

ABSENT: Councilmember Nike Peterson

STAFF PRESENT: City Clerk Nancy Dean, Deputy City Recorder Chersty Titensor, City Manager JJ Allen, Assistant City Manager Summer Palmer, City Attorney Stuart Williams, Police Chief Kelly Bennett, Assistant Police Chief Devin Rogers, Community Services Director Eric Howes, Community Development Director Spencer Brimley, Communications Manager Shaundra Rushton

VISITORS: Jenna Nelson, Cole Ross, Danielle Sikes, Riley Wheeler, Jacob Wall – Wall Brothers Construction, Patrick King, Sloane Love, Lisa Love, David Love, Brian Swan, Kathryn Murray

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

Councilmember Roper led the opening ceremonies.

APPROVAL OF MINUTES

November 28, 2023 – policy session
January 9, 2024 – work session
January 9, 2024 – policy session
January 12, 2024 – work retreat minutes
January 16, 2024 – work session

Councilmember Roper moved to approve the minutes, seconded by Councilmember Ratchford.

RESULT: Passed [4 TO 0]

YES: Councilmember Roper, Councilmember Thompson, Councilmember Ratchford, Councilmember Wurth

NO: None

ABSENT: Councilmember Peterson

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE VACATION OF AN ABANDONED EASEMENT IN THE VICINITY OF STATE ROAD 193 AND NORTH HILLS DRIVE IN LAYTON (TIN: 09-050-0097)

Braden Felix, Deputy Public Works Director, explained the reason for the request to vacate the abandoned easement in Layton City.

Mayor Shepherd declared the public hearing open at 7:08 p.m.

There were no public comments.

Councilmember Thompson moved to close the public hearing at 7:08 p.m., seconded by Councilmember Roper.

RESULT: Passed [4 TO 0]

YES: Councilmember Roper, Councilmember Thompson, Councilmember Ratchford, Councilmember Wurth

NO: None

ABSENT: Councilmember Peterson

APPROVAL OF ORDINANCE 2024-03 VACATING A WATERLINE EASEMENT FOR THE PROPERTY LOCATED IN LAYTON CITY IN THE VICINITY OF STATE ROAD 193 AND NORTH HILLS DRIVE (TIN: 09-050-0097)

Councilmember Wurth moved to approve Ordinance 2024-03 vacating a waterline easement for the property located in Layton City in the vicinity of State Road 193 and North Hills Drive (TIN: 09-050-0097) and authorize the mayor's signature to any necessary documents, seconded by Councilmember Ratchford.

RESULT: Passed [4 TO 0]

YES: Councilmember Roper, Councilmember Thompson, Councilmember Ratchford, Councilmember Wurth

NO: None

ABSENT: Councilmember Peterson

OPEN COMMENT PERIOD

There were no public comments.

APPROVAL OF AND CONSENT TO THE MAYOR'S PROPOSED APPOINTMENT OF INDIVIDUALS TO THE PLANNING COMMISSION

Mayor Mark Shepherd announced his recommendations of individuals to the Planning Commission.

Councilmember Thompson moved to approve and consent to the Mayor Shepherd’s reappointment of Kathryn Murray as a regular member with a term expiring February 2029, the appointment of Chad Mortensen as a regular member of the Planning Commission filling the vacancy of Chris Uccardi with a term expiring February 2029, Riley Wheeler as a regular member of the Planning Commission filling the vacancy of Megan Ratchford with a term expiring February 2025, Brian Swan as an alternate member, filling the vacancy of Chad Mortensen with a term expiring February 2027, and Danielle Sikes as an alternate member filling the vacancy of Zachary Gaines with a term expiring February 2026., seconded by Councilmember Wurth.

RESULT: Passed [4 TO 0]

YES: Councilmember Roper, Councilmember Thompson, Councilmember Ratchford, Councilmember Wurth

NO: None

ABSENT: Councilmember Peterson

After the approval and consent, Nancy Dean, City Recorder, swore in the newly appointed Commissioners.

APPROVAL OF RESOLUTION 2024R-06 APPROVING A TELECOMMUNICATIONS FRANCHISE AGREEMENT BETWEEN CLEARFIELD CITY AND QWEST CORPORATION, DBA CENTURYLINK (ALSO KNOWN AS LUMEN TECHNOLOGIES)

Stuart Williams, City Attorney, explained that the document was an update of the previous franchise agreement which had expired. He said franchise agreements gave the ability to corporations to use public rights-of-way and the City was limited to what the City could or could not do based on federal law. He said there was no impact on the City and that it was for a 15 year term.

Councilmember Roper moved to approve Resolution 2024R-06 authorizing the execution by the mayor of a Franchise Agreement between Clearfield City and Qwest Corporation, seconded by Councilmember Ratchford.

RESULT: Passed [4 TO 0]

YES: Councilmember Roper, Councilmember Thompson, Councilmember Ratchford, Councilmember Wurth

NO: None

ABSENT: Councilmember Peterson

COMMUNICATION ITEMS

MAYOR'S REPORT

Mayor Mark Shepherd

- He had met with the Bjornsens who were affiliated with the LDS church Community Relations department who had asked to restart the Interfaith Council on a city-wide basis. They wanted to make it a broader Davis County coalition. Mayor Shepherd suggested they include the religious

communities and Communities That Care.

- He spent the day with the military at Hill Air Force Base.
- He reported that the City closed on the Vasquez property and that there was one remaining property purchase to finalize Clearfield Station acquisitions.
- He had spent an evening at the 419th Fighter Wing's Airman of the Year Awards Banquet.
- He attended the Chamber of Commerce's Economic Forecast.
- He would be attending Lunch with the Mayor, tomorrow, February 14, 2024.
- He would be attending a celebration on Thursday, February 15th for Dugway Proving Grounds.
- He would be attending the Lunch with Student Body Officers at Clearfield High School with Jennie Taylor on Friday, February 16, 2024.
- He announced that Dutch Bros was almost ready to open and the gas station across the street at 650 North had been demolished.

CITY COUNCIL'S REPORTS

Councilmember Thompson

- He reported on the Biosolid Movement discussed at the recent North Davis Sewer District meeting.
- He expressed his opinion that the legislature homelessness initiative was disjointed. He reported on a couple of Bills he was tracking and ultimately was not sure if new governance was the answer when people were starving and needed assistance.

Councilmember Ratchford

- She reported that she had spent time with Chief Bennett to tour the Police Station and Dispatch Center.
- She had attended an Owner, Architect and Contractor (OAC) meeting for the new fire station next to City Hall where they projected the building would be completed by May 9, 2024. She said the next meeting was Thursday, February 15, 2024.

Councilmember Wurth

- Expressed his appreciation to the mayor for the time he spent with the Youth Commission at the capital with Steve Hiatt who had set up a meeting with legislators, a tour of the house and senate chambers, and the Lieutenant Governor's office. He said the Youth Commission had the opportunity to see how deliberation in the House worked in real time.
- He reported that he had petitioned to become a key leader for the Community that Cares Board to have additional influence on issues that impact youth mental health and to coordinate ways the community could come together.
- He spoke on Bills going through the Legislature for homelessness and the common theme was that there were not enough funds to combat the issue. He said the legislature had laid out unfunded mandates that required counties and cities to provide a response due to the growing homelessness problem. He thought if cities were going to make an impact it would have to be a state-wide approach. He hoped all would take a compassionate approach.

Councilmember Roper

- He reported that he had been asked to help on the Budget Committee on the North Davis Fire District Board.

CITY MANAGER'S REPORT

JJ Allen, City Manager

- He announced that the building would be closed on Monday, February 19, 2024, for Presidents

Day

- He announced that the Chief of Police Kelly Bennett had been awarded the Mid-sized Department Chief of the Year Award for 2023 by the Utah Chiefs of Police Association. He said the award would be presented at a banquet in St. George on March 26, 2024.

STAFF REPORTS

Nancy Dean, City Recorder

- February 20, 2024 – No meetings
- February 27, 2024 – work and policy sessions
- March 5, 2024 – No meetings to allow all to attend their caucus night
- Budget Meetings were upcoming

Councilmember Thompson moved to adjourn at 7:29 p.m., seconded by Councilmember Wurth.

RESULT: Passed [4 TO 0]

YES: Councilmember Roper, Councilmember Thompson, Councilmember Ratchford, Councilmember Wurth

NO: None

ABSENT: Councilmember Peterson

**APPROVED AND ADOPTED
This day of 2023**

/s/Mark R. Shepherd, Mayor

ATTEST:

/s/ Nancy R. Dean, City Recorder

I hereby certify that the forgoing represents a true, accurate, and complete record of the Clearfield City Council meeting held Tuesday, February 13, 2024.

/s/ Nancy R. Dean, City Recorder

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 PM WORK SESSION
February 27, 2024

City Building
55 South State Street
Clearfield City, Utah

PRESIDING: Mayor Mark Shepherd

PRESENT: Councilmember Karece Thompson, Councilmember Nike Peterson, Councilmember Tim Roper, Councilmember Megan Ratchford, Mayor Mark Shepherd, Councilmember Dakota Wurth

STAFF PRESENT: City Manager JJ Allen, Assistant City Manager Summer Palmer, Community & Economic Development Director Spencer Brimley, Community Services Director Eric Howes, City Attorney Stuart Williams, Senior Planner Brad McIlrath, Public Works Director Adam Favero, Recreation Manager Kristine Conley, Police Chief Kelly Bennett, City Recorder Nancy Dean, Deputy City Recorder Chersty Titensor

VISITORS: Madison Merrill – Landmark Design, Kathryn Murray, Cole Ross

DISCUSSION ON CLEARFIELD CONNECTED 2023, THE STATION AREA PLAN
UPDATE FOR THE CLEARFIELD FRONTRUNNER STATION

Brad McIlrath, Senior Planner, introduced Madison Merrill from Landmark Design, who had discussed concerns expressed previously from councilmembers and forwarded those suggestions to Landmark Design, who then crafted an updated draft, which was presented and reviewed with the Council. Mr. McIlrath welcomed Council's feedback during the discussion.

Councilmember Thompson arrived at 6:08 p.m.

Mr. McIlrath called attention to the Future Land Use map and mentioned that the portion on the east side of State Street had been an area of concern at the last meeting and questioned whether the boundary of the Clearfield Station District needed to be revised. Councilmember Peterson specified her biggest concern had been the designation of Mixed Use for the neighborhood around 1150 South. Spencer Brimley, Community & Economic Development Director, asked if she would be okay with allowing the designation if it followed the line of commercial properties on State Street. Councilmember Peterson clarified her concern by stating she did not want the single-family residents to be concerned that there would be an imminent threat of redevelopment. Mr. McIlrath asked whether she thought the area designated as Medium-Density Mixed-Use would be more appropriate as Low-Density Mixed Use or Highway Commercial. Councilmember Peterson thought Highway Commercial would be a more appropriate designation because it recognized commercial viability and was consistent with the established use. She was hesitant to agree with Mixed Use.

Mayor Shepherd said it was difficult to designate future land-use due to the difficulties of attempting to foresee the potential needs or purposes for the area; though the natural aging of the area might require changes in the future, Mayor Shepherd questioned whether the message

should be sent at the present time. He was concerned about the message that would be sent to the residents and potential developers. Ms. Merrill asked whether the Council was concerned about the designation for the commercial properties on the east side of State Street between 1150 South and 1000 East. Councilmember Peterson said she was comfortable with a Highway Commercial designation without a residential component. She said if in the future someone wanted to change the designation, the process could be followed to make any changes.

Mr. McIlrath verified Council's recommendations. Councilmember Peterson stated her preference was that the Clearfield Station District outline follow State Street and not cross to the east side. There was a brief discussion on the need to preserve affordable housing by protecting the areas with older single-family homes. Councilmember Thompson said the Council had made a promise to the residents to leave the neighborhoods alone that they needed to honor. He wanted to keep older business development to encourage accessibility for new small businesses. He was concerned about driving out older smaller businesses by encouraging new development.

Mr. McIlrath pointed Council to the section of the plan that defined the primary and secondary facade designation. Mr. Brimley stated that in a separate conversation with Councilmembers Peterson and Roper they had communicated that if the building faced a primary road, then that side of the building should be the primary facade. Councilmember Peterson said she did not think there needed to be primary or secondary facade designation especially if the building faced streets on two sides; the building should reflect two primary facade treatments. In regard to the parking structures, Councilmember Peterson wanted those "facades" to be thoughtful because it was the gateway to the community and the face of Clearfield City as the train came through.

Mr. McIlrath brought attention to the Traffic Analysis section of the plan where it had been suggested that it was outdated. He said the traffic engineer said the conditions had not changed from the existing analysis but was willing to ask the traffic engineering sub-consultant to look into it more. Mr. McIlrath reviewed various small changes to verbiage in the Strategic Recommendations section.

Councilmember Peterson was concerned about Appendix A – Existing Conditions Report for Land Use and wanted to see the changes so it did not imply that Clearfield City would make changes to policy to match the plan. She wanted the wording to reflect that the plan was an "advisory" document and was not policy. Mr. McIlrath said he would take those recommendations back to the consultant and would present updates at an upcoming work session before it was scheduled for a policy session.

REVIEW OF THE ATHLETIC FIELD USE POLICY AND PRIVATE CONCESSION SALES

Eric Howes, Community Services Director, presented information about the Athletic Field Use Policy and specifically the topic of Private Concession Sales and requested feedback from Council. He admitted that there was not a lot of policy regarding Private Concession Sales and read from the Athletic Field Use Policy, paragraph M, which specified that concessions sales were the sole privilege of Clearfield City. He thought there were three reasons why the City did not have concessions:

1. The philosophy that private enterprise shouldn't generate profit on public resources.

2. The City had been selling concessions for a number of years which had generated a small revenue for the City. He thought inviting a private group to sell concessions on the City property would create competition on City property. He said the goal for Recreation & Arts programming was 100% cost recovery of direct costs. He said currently the Recreation & Arts programming was at about 55% cost recovery. He said it was a position they did not want to be in long-term.
3. Additional workload to manage and verify compliance of outside vendors. He outlined the five areas that would require review by staff:
 1. Manage compliance with existing contracts – he gave an example of the contract with Pepsi. The City could not allow competitor products to be sold or advertised if concession vendors sold products that went against current contracts.
 2. Health Department – if an outside vendor only sold commercially pre-packaged goods, there would be no further requirements, but if the items were not prepackaged then Staff would have to verify the vendor was in compliance with the Health Department’s regulations.
 3. Temporary Business licenses
 4. Verify vendor was collecting sales tax
 5. Appropriate Insurance
 6. Verify Mass Gathering Permit needs – over 500 on a consistent basis – not common.

He said he had checked with surrounding cities and found that Syracuse City had a policy identical to Clearfield’s policy. He continued Clinton, Layton, and West Point all did some form of contracting – they did not provide concessions themselves. Those cities utilized the formal Request for Proposal (RFP) process to choose a single vendor for concessions for the year. He said West Point City allowed the use of the city trailer. West Point City also allowed groups using the athletic fields to sell concession with a caveat that it was sold only to those at the event.

Mayor Shepherd asked if there would be a cost benefit in allowing an outside vendor and the City taking a percentage of the sales. Mr. Howes said it was possible, but had never been done. Mr. Howes said the City was generating revenue but not a lot. Summer Palmer, Assistant City Manager, thought there was benefit since the concessions’ areas were already built out. Mr. Howes thought that would be a reason to justify the City taking a cut of the sales. Mayor Shepherd said he thought it was worth looking into contracting concessions out but thought it was ultimately a staff decision whether the City ran the concessions or asked an outside vendor through an RFP process.

Councilmember Peterson related what she had seen regarding concession sales at various athletic events. She pointed out that in Clearfield, if the City could not staff concession stands, no one else could. Mr. Howes confirmed around Labor Day weekend there were staffing issues. She wanted to find a way to avoid the unintentional situation where the City said concessions would not be provided and no one else could because it was the norm that food was available at sporting events everywhere else. She offered some different scenarios she had seen around the State that allowed the option for food at events. Councilmember Peterson thought if the City could not staff concession stands then she thought it was important to allow an alternative

because it was an expectation at athletic events throughout the region. Additionally, she said team merchandise sales were always allowed but not on Clearfield City fields. She wanted to make sure the City could allow concessions in some form and selling of team merchandise when renting a field. She pointed out that the teams used proceeds from sales to pay their field fees.

Mayor Shepherd agreed with allowing team merchandise sales. He thought the RFP process would ensure there would always be concessions at the field. Councilmember Thompson expressed his opinion that if the City did not have people that were skilled to provide good food then it should be contracted out. Councilmember Wurth suggested getting out of concessions and expanding the special event permitting to give the option for the applicant to take concessions upon themselves. Councilmember Peterson said in the examples she had provided, concessions had all been done by the teams and it was how they paid for their fields. Mayor Shepherd said the teams could be part of the RFP process. Councilmember Peterson said if the applicant was allowed to sell food/merchandise then a portion should be paid to the City for the use of the facility. Mayor Shepherd said they would leave the decision to the staff and there was no direction to change the policy at the current time. Staff would look into the matter further.

DISCUSSION ON RESOLUTION 23-15 OF THE WASATCH INTEGRATED WASTE MANAGEMENT SPECIAL SERVICE DISTRICT

Mayor Shepherd introduced the topic of whether Wasatch Integrated Waste Management had the authority to issue an ordinance which mandated recycling in participating cities. He opened it up to the Council for discussion. He explained that Layton City had issued a Resolution of disapproval of the action. Councilmember Peterson explained the explanation of the votes for the initial resolution. She noted that even if the municipality did not agree with the actions of Wasatch Integrated Waste Management it did not mean the City could openly challenge what the board did because the City had a representative on the board. She said Layton City was saying that they disagreed that Wasatch Integrated had taxation power to take that action and asked the District to review their decision.

Councilmember Thompson did not look at it as a taxation situation but where in State Code was it written that one body could force another body into such action. Mayor Shepherd said there was a question of whether it was even a subdivision – he said it was a quasi-governmental agency. He said it was not correct for them to compel a City to do something without taxing authority, but essentially, they were enforcing a tax. Councilmember Peterson said there were additional financial implications – the hard costs of the roll-out was born by the cities. She recommended to Wasatch Integrated Waste Management that the hard costs needed to be built into the cost-model, but the Board did not know what those costs would be. Councilmember Peterson asked if the Council thought they needed to issue a resolution like the one issued by Layton City.

Councilmember Roper and Councilmember Wurth did not agree that a resolution should be issued. Councilmember Roper said Nathan Rich was willing to work with cities individually to resolve any issues. He explained his original vote was for the resolution while on the Wasatch Integrated Board.

Councilmember Wurth pointed out that a flat fee increase of this nature impacted the residents in a lower income population such as Clearfield disproportionately. He thought the proper way to address the situation at this stage was to work with Wasatch Integrated directly, but did not oppose a resolution later after attempts were made to resolve the issue.

Councilmember Thompson asked the City Attorney if there was any legal precedence where a District compelled a municipality to act. Councilmember Thompson did not want to concede any municipal power to a quasi-governmental agency. Stuart Williams, City Attorney, was not willing to give a legal analysis without further research of this particular situation.

Councilmember Roper explained that the issue had been discussed over the last several years and thought there had been miscommunication. Mayor Shepherd said it was not sending a message to the company or to Nathan Rich but to the Board of Directors that the municipalities disagreed with the way it was handled. Councilmember Ratchford thought if there was no legal standing there was an issue; recycling was needed – but how it was rolled out and how the public was educated was important. Councilmember Roper said that was why the District put a hardship clause in the resolution so cities could control what was paid by their residents.

Councilmember Peterson thought a resolution was necessary to drive the direction of the Board and to initiate communication. Councilmember Ratchford wanted the resolution to be amicable. Councilmember Wurth did not want to bear the hard costs – he wondered if a resolution was the mechanism to revisit the discussion. Councilmember Peterson said it was a message to ask the Wasatch Board to reexamine its decision. Mr. Allen said a letter might serve the same purpose. Councilmember Roper asked if it was worth asking Wasatch Integrated to present the information to the City first. Councilmember Peterson had already invited Collette to come out to educate. Councilmember Peterson said the decision was made in November and the only thing the City had been asked was whether it was legal and would they voluntarily walk it back. Council agreed to have the item put on agenda for a vote March 26, 2024.

Councilmember Peterson moved to adjourn at 7:09 p.m., seconded by Councilmember Wurth.

RESULT: Passed [5 TO 0]

YES: Councilmember Thompson, Councilmember Peterson, Councilmember Roper, Councilmember Ratchford, Councilmember Wurth

NO: None

**APPROVED AND ADOPTED
This day of 2024**

/s/ Mark R. Shepherd, Mayor

ATTEST:

/s/ Nancy R. Dean, City Recorder

I hereby certify that the forgoing represents a true, accurate, and complete record of the Clearfield City Council meeting held Tuesday, February 27, 2024.

/s/ Nancy R. Dean, City Recorder

DRAFT

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 PM POLICY SESSION
February 27, 2024

City Building
55 South State Street
Clearfield City, Utah

PRESIDING: Mayor Mark Shepherd

PRESENT: Mayor Mark Shepherd, Councilmember Nike Peterson, Councilmember Tim Roper, Councilmember Karece Thompson, Councilmember Megan Ratchford, Councilmember Dakota Wurth

STAFF PRESENT: City Manager JJ Allen, Assistant City Manager Summer Palmer, City Clerk Nancy Dean, Deputy City Recorder Chersty Titensor, Public Works Director Adam Favero, City Attorney Stuart Williams, Police Chief Kelly Bennett, Community Services Director Eric Howes, Community & Economic Development Director Spencer Brimley, Senior Planner Brad McIlrath, Finance Manager Rich Knapp, Communications Manager Shaundra Rushton

VISITORS: Chris Uccardi, Kathryn Murray, Cole Ross

Mayor Shepherd called the meeting to order at 7:11 p.m.

Councilmember Thompson led the opening ceremonies.

APPROVAL OF MINUTES

January 23, 2024 – work session minutes
January 23, 2024 – policy session minutes
January 30, 2024 – work session minutes
February 6, 2024 – work session minutes

Councilmember Peterson moved to approve the January 23, 2024 work session minutes, January 23, 2024 policy session minutes, January 30, 2024 work session minutes and February 6, 2024 work session minutes, seconded by Councilmember Thompson.

RESULT: **Passed [5 TO 0]**

YES: Councilmember Peterson, Councilmember Roper, Councilmember Thompson, Councilmember Ratchford, Councilmember Wurth

NO: None

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON REQUESTED AMENDMENTS TO THE BRAVADA 193 DEVELOPMENT AGREEMENT FOR THE PROPERTY LOCATED AT 1902 EAST 700 SOUTH (TIN: 09-447-0201)

Mayor Shepherd said the developer was unable to attend the meeting. There was no objection

from the Council to continue with the public hearing.

Brad McIlrath, Senior Planner, offered background information for the request from the developer to make amendments to the Development Agreement. He explained that the original site plan indicated that four garage buildings were planned to be built on the site, but after developer had issues with the placement of utility lines and issues with the retaining wall for the adjacent gas station, they built carports instead of the garage buildings. Mr. McIlrath said the developer was able to add more spaces than originally planned due to the change. He pointed out some key information clarified from the tour of the project. For instance, in the original plans there was no covered parking besides the four garages, but the developer added covered parking throughout the project. The Planning Commission recommended approval.

Mayor Shepherd declared the public hearing open at 7:21 p.m.

There were no public comments.

Councilmember Thompson moved to close the public hearing at 7:21 p.m., seconded by Councilmember Wurth.

RESULT: Passed [5 TO 0]

YES: Councilmember Peterson, Councilmember Roper, Councilmember Thompson, Councilmember Ratchford, Councilmember Wurth

NO: None

OPEN COMMENT PERIOD

There were no public comments.

APPROVAL OF ORDINANCE 2024-02 APPROVING AMENDMENTS TO THE BRAVADA 193 DEVELOPMENT AGREEMENT FOR THE PROPERTY LOCATED AT 1902 EAST 700 SOUTH (TIN: 09-447-0201)

Mayor Shepherd expressed his frustration with the timing of the requested changes and lack of communication from the developer, but pointed out two facts that he leaned on to determine his support: 1) that the garages were never a requirement from the City; and 2) the developer added a greater number of carports than they would have provided in garage spaces. Ultimately, he believed the developer had provided a more valuable property.

Councilmember Roper thought the developer knew their product much better than the Council and he felt the developer ought to have the ability to make the choice.

Councilmember Wurth said he was hesitant about amending a development agreement after the fact because he did not want to set a precedence for this type of change but was impressed with the amenities and improvements the developer had made and was more comfortable with approval.

Councilmember Ratchford took pause initially when the enforcement of the use of the garages for parking and not for storage items was discussed as reasoning behind the change and explained that the enforcement of the use of the garages was not a responsibility of the City, but the responsibility of the property management. She thought the product itself was great for the residents, despite the fact that the communication might have been after the fact.

Councilmember Wurth moved to approve Ordinance 2024-02 approving amendments to the Bravada 193 Development Agreement for the property located at 1902 East 700 South and authorize the mayor’s signature to any necessary documents, seconded by Councilmember Roper.

RESULT: Passed [5 TO 0]

YES: Councilmember Peterson, Councilmember Roper, Councilmember Thompson, Councilmember Ratchford, Councilmember Wurth

NO: None

FISCAL YEAR 2024 MID-YEAR FINANCIAL UPDATE

Rich Knapp, Finance Manager, presented the mid-year financial status which included revenues and expenditures from July 1, 2023 to December 31, 2023. He reviewed the General Fund revenues and expenditures to date. He explained the potential impact of the current state of the General Fund on the forecasted unrestricted balance, which looked to be higher than anticipated due to the unpredictable nature of revenues.

Mr. Knapp reviewed the General Fund revenues by type which showed how the numbers were trending compared to previous years as well as compared to budgeted amounts. He reported that everything was trending as expected. He reviewed the revenue categories that were projected to be higher than budgeted and those that were lower than budgeted. He provided information about key revenues and explanations for their variation from what had been budgeted. He called attention to expenditures by type which indicated they were trending lower than 50% of budget at the mid-point of the year. He reported that he looked for any out of the ordinary expenditures but the only ones to report on were the dispatch expenses that had recently converted to a contracted amount with Layton City that would level out and that the Police and Public Works departments had higher overtime expenditures.

He identified potential future budget amendments due to two projects the Council had recently been notified of: 1) the reconstruction project on 800 North; 2) the projected changes to the Bicentennial Park Amphitheater. In addition to those projects, he informed Council that the health insurance provider had asked that payment be made in advance in June instead of the usual start of the plan year in July and the potential to expedite the new meter project which would be discussed further during budget meetings.

Mr. Knapp spoke on the National Economy where he reported that the labor market had maintained a 3.7% unemployment rate and annual wage growth had accelerated to 4.5%, which raised concerns about whether inflation was under control. He also reviewed the Utah Quarterly Point of Sale (POS) which was showing a leveling out despite the inflation rate. He wondered

whether it was a sign that sales were tapering off. He reported that 70% of sales tax comes from the State POS. He showed Clearfield Quarterly Point of Sale graphs which was trending upward.

COMMUNICATION ITEMS

MAYOR'S REPORT

Mayor Mark Shepherd

- He met with the student body officers at Clearfield High School where Jennie Taylor was the speaker. He said she would be invited back to the High School for a much larger presentation.
- He reported that there were housing bills through legislature that were supported by the Utah League of Cities and Towns, Wasatch Integrated, Realtors, and developers, but Mayor Shepherd did not know if the bills would have any impact. He was grateful the legislation did not impose requirements on the cities but was wary of the motivation behind the legislation and wondered whether there would be sterner repercussions if the cities did not increase the supply of housing and fix the housing problem in the State.
- He mentioned that he had attended the 388th Fighter Wing Awards luncheon last week.
- He and Spencer Brimley, Community Service & Economic Development Director, had met with Chanel Flores with Davis County Economic Development where they had discussed Clearfield City's projects so the County had information to give to those that come to them for information. She said the County would be attending the International Council of Shopping Centers (ICSC) convention in Las Vegas this year. Mayor Shepherd and Mr. Brimley would attend the convention to be available to pitch Clearfield City to any interested attendees. Ms. Flores mentioned different entities looking for office space that might be a good fit for various projects in the City.
- He met with Lockheed Martin to know their needs and discussed a potential plane sponsorship.
- He informed all that in order to participate in the republican caucus, voters needed to be registered to attend. He said participants could register on their phone at the meeting.

CITY COUNCIL'S REPORTS

Councilmember Peterson

- She acknowledged the Clearfield Aquatic Center Swim Team for their wins over the weekend at the State Swim Meet. She recognized Sawyer Portillo won first place in the 6A 50M freestyle and 100M butterfly. She also recognized Sam Williams who won first place in the 5A 50M freestyle.
- She offered her congratulations to Chief Bennett for the award he had been chosen for and expressed her gratitude for his work.

Councilmember Thompson

- He had been invited to be the Weber Basin Job Corps' graduation commencement speaker. He discovered that Weber Basin Job Corps had an E911 Trade for Dispatchers.
- He reported that North Davis Sewer District would be laying approximately 13k feet of new pipe along the manholes on Hill Field Road.
- He said there was a Water Conference coming up in April. He said the crash course at the sewer board was very cool. He thought the Sewer District was interested in providing institutional knowledge to new employees and members.

Councilmember Ratchford

- She said she had met with the City Manager and Finance Manager to answer her questions.
- She reported that she had attended an Owner, Architect and Contractor (OAC) meeting regarding

the North Davis Fire Station where they discussed budgets, expectations for contingency monies. She said they had audited all that had been spent and it went well. The new building was set to be open by the middle to end of May 2024.

Councilmember Wurth

- He said he would be joining the Youth Commission as they travel to Washington, District of Columbia in a couple of weeks. He was looking forward to report on what was learned.
- He lauded the gym at the Clearfield Aquatics Center. He thought it was a great gym and encouraged resident membership.

Councilmember Roper

- Expressed his condolences to the family of Clearfield Officer Porter whose family had a recent tragedy.

CITY MANAGER'S REPORT

JJ Allen, City Manager

- He reported that staff had been working on budgeting.
- Legislature was in session a few more days.

STAFFS' REPORTS

Nancy Dean, City Recorder

- No meetings March 5, 2024 and encouraged all to attend their caucuses.
- No meetings March 12, 2024
- Work session on March 19, 2024 to review budget items.
- Work & Policy sessions on March 26, 2024

Councilmember Peterson moved to adjourn at 7:49 p.m., seconded by Councilmember Thompson.

RESULT: Passed [5 TO 0]

YES: Councilmember Peterson, Councilmember Roper, Councilmember Thompson, Councilmember Ratchford, Councilmember Wurth

NO: None

**APPROVED AND ADOPTED
This day of 2023**

/s/ Mark R. Shepherd, Mayor

ATTEST:

/s/ Nancy R. Dean, City Recorder

I hereby certify that the forgoing represents a true, accurate, and complete record of the Clearfield City Council meeting held Tuesday, February 27, 2024.

/s/ Nancy R. Dean, City Recorder

DRAFT



STAFF REPORT

TO: Mayor Shepherd and City Council Members

FROM: Brad McIlrath, Senior Planner

MEETING DATE: Tuesday, March 19th, 2024

SUBJECT: Public Hearing, Discussion, and Possible Action on **MDA 2024-0204**, an amendment to the Master Development Plan of the Clearfield Station Master Development Agreement by David Abraham with Architectural Nexus on behalf of Utah Transit Authority and Clearfield Station Partners, LLC. **Location:** Approx. 1250 South State Street (TINs: 12-066-0138, 12-882-0001, 12-882-0004, and 12-882-0005). **Project Area:** Approx. 56 Acres.

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council review the proposed amendments to the Master Development Plan of the Clearfield Station Master Development Agreement as forwarded by the Planning Commission.

PLANNING COMMISSION RECOMMENDATION

On March 6th, 2024, the Planning Commission forwarded a recommendation of approval for the proposed amendments, including additional language to further clarify the measurement of the setback standard addressed on page 54 of the MDP.

PROJECT SUMMARY

Project Information	
Project Name	Clearfield Station Master Development Plan Amendments
Site Location	1250 S. State (SWC of State Street and 1000 East)
Tax ID Number	12-066-0138, 12-882-0001, 12-882-0004, 12-882-0005
Applicant	David Abraham, Architectural Nexus on behalf of Clearfield Station Partners, LLC
Owner	Utah Transit Authority (UTA)
Proposed Actions	Approval for amendments to the MDP of Clearfield Station MDA
Current Zoning	M-U (Mixed-Use)
Land Use Classification	Mixed-Use
Gross Site Area	Approx. 56 acres (all remaining UTA owned property)



BACKGROUND & ANALYSIS

The M-U (Mixed-Use) Zone requires the execution of a master development agreement and plan which function as the development regulations for the area identified in the agreement. The M-U Zone was written specifically for the purposes of guiding mixed-use transit-oriented development for the properties adjacent to the Clearfield Frontrunner Station. The Clearfield Station Master Development Agreement was executed between Clearfield City, Utah Transit Authority (UTA), and Clearfield Station Partners, LLC in August 2021. As part of the Master Development Agreement (MDA) there is a Master Development Plan (MDP) that functions as the zoning and development regulations for the Clearfield Station site owned by UTA. Therefore, any amendments to the MDP as an exhibit of the MDA, require a public approval process with a public hearing and recommendation by the Planning Commission to the City Council.

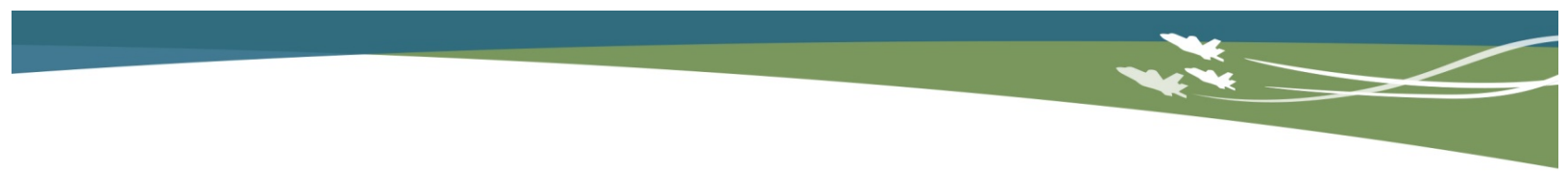
Since approval of the MDA and MDP the City, along with the development partners, have been working to finalize plans, and complete land use approvals. The first project within the Clearfield Station site is for future properties identified in the MDP as Mixed-Use Residential (MUR) C & D. The development team has submitted a site plan application that is scheduled to be reviewed by the Planning Commission on April 3rd, 2024, following the final decision of this amendment by the City Council on March 26th, 2024. As part of the planned development for this project the development team, their architects, and City Staff were able to identify necessary amendments to provide more clarity and flexibility for the Clearfield Station site. An analysis of the proposed amendments is provided in the following sections below.

Ground Level & Icon Signage

As staff reviewed the signage for the proposed MUR C & D buildings, it was discovered that the MDP only addressed wall signage that would be located on the ground level. No standards for building identification or development signage higher on the building were provided. As such the applicant is proposing that the wall sign regulations be amended to specifically be ground level wall sign regulations and that additional standards for icon signage be added to allow for signage above the ground level of the buildings. The icon signage is identified as signage that is at highly visible locations including but not limited to building corners, parapets, or roofs and is limited to one per façade. Icon signage is most commonly used for building identification on residential and mixed-use developments or can be used for office buildings, commercial buildings, or key tenants within an office building. Examples of icon signage and wall signage are included in the MDP draft amendments.

Temporary Signage

Under temporary signage, pre-construction (real estate) signage was not contemplated and the sizing of the allowed temporary signage was not consistent with Clearfield City Sign Code standards. The development team would like to be able to market future development as well as provide construction signage at the site that is visible from State Street. Upon reviewing sign code



standards for similar signage, the applicant is requesting an increase in the allowed construction sign from twelve square feet (12') to thirty-two square feet (32'). Additionally, the applicant is proposing standards that any office & commercial marketing signs may be placed along State Street frontage that does not exceed ninety-six square feet (96').

Title 11 sign code standards permit a maximum sign area of sixty-four square feet (64'). Due to the size of this development, a sign up to ninety-six square feet (96') may be appropriate, however; staff recommends that only one sign of such size be permitted instead of allowing multiple signs of that size. This will help provide the necessary marketing while also discouraging the visual clutter that comes with multiple signs of this size. This recommendation was not included with the Planning Commission recommendation but could be considered and added by the City Council. Currently the proposed amendment would not have a limitation to the number of pre-construction or construction signs along State Street.

Project Pylon & Monument Signage

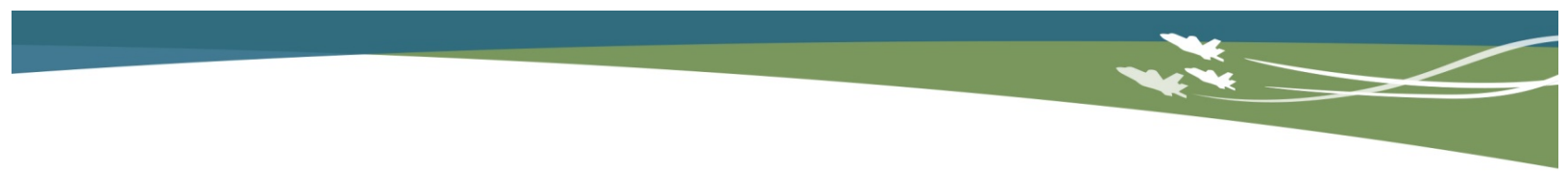
Similar to the temporary signs, no standards in the MDP were provided to address project pylon & monument signage that is typically used for large multi-tenant development projects such as office parks, power centers, TODs, or other commercial centers. The applicant reviewed the standards provided in the Title 11 and is proposing language in the MDP that these types of signs follow standards outlined in Title 11. Those standards permit an on-premise freestanding sign for commercial or manufacturing parcels or centers that are ten (10) acres in size or greater.

Prohibited Signage

The current language in this section is vague and does not properly address the needs of the development. To accommodate signs not addressed in the MDP, the applicant proposes that this section state that any signage not addressed by the MDP will follow the standards of Title 11 Chapter 15 of Clearfield City Code for sign regulations. With the title of this section addressing prohibited signage, and upon further consideration of the request, Staff recommends that this language be modified to state that any signage not addressed in the MDP is prohibited unless otherwise addressed in Clearfield City Code. This proposed staff change is reflected on the attachments and was part of the Planning Commission recommendation.

Front Setbacks

The MDP has a front setback standard of zero to ten feet (0'-10') as measured from the right-of-way line or in other words the front property line. Due to the curvature of Station Boulevard the location of MUR Building C exceeds the maximum setback of ten feet (10'). The issues are also problematic when designing the building to align with the road curvature, as it significantly impedes the interior design and layout of the building. To encourage active use of outdoor space in these areas where the setback may exceed the maximum ten foot (10') standard, the applicant is proposing language to measure the setback from the street-side edge of the outdoor hardscape area. Additionally, to address situations where public utilities and a public utility easement exists



behind the street right-of-way, the setback would be measured from the easement when present. After further internal staff review and discussion with the Planning Commission, new language has been added to the attachments to most clearly articulate where the setback is to be measured when an active outdoor hardscape area is present. Because an active outdoor hardscape area is generally an extension of the adjacent use (such as outdoor dining for a cafe, outdoor seating for a lobby, or other activities), the added language indicates that the setback would be measured from the right-of-way line or public-utility easement line to the street side edge of the active outdoor hardscape area.

Street Level Permitted Uses

Under the permitted uses for the Mixed-Use Residential area, “residential amenity spaces” are allowed at the street level of a building but not residential uses alone. Comparing this language to other sections of the MDP, the terms “residential” and “amenity spaces” need to be separated by a comma indicating that residential uses are allowed on the street level as well as amenity space. It was always the intent of the MDP to allow for street level residential units within the MUR buildings. The applicant is proposing the addition of the comma as shown on the attachments.

CORRESPONDING POLICY PRIORTIES

- ***Providing Quality Municipal Services***
With these amendments, Clearfield City Planning Staff and the development team have sought continuous improvement in the use of the MDP with innovative solutions that meet city and development needs.
- ***Improving Clearfield’s Image, Livability, and Economy***
The proposed amendments encourage high quality economic development and addresses the physical and local context of the Clearfield Station site. Continued redevelopment and investment into Clearfield Station by the city and the development team supports this policy priority.

FISCAL IMPACT

None.

ALTERNATIVES

The City Council may deny the requested amendments or make additional changes prior to approval of the amendments.

SCHEDULE/TIME CONSTRAINTS

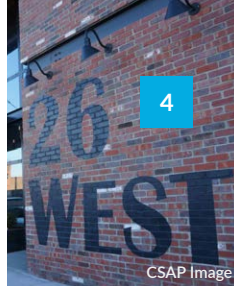
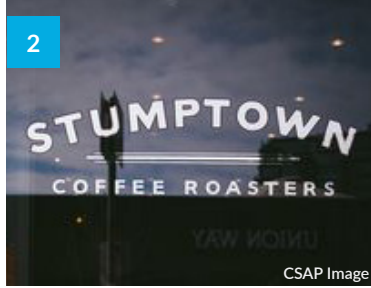
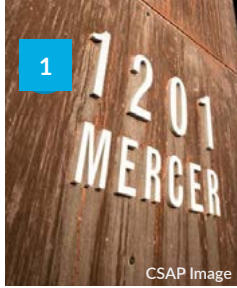
If the City Council chooses to table this item, it will need to be tabled to a specific future date and time. Proceeding forward with the site plan review application with the Planning Commission is dependent on the action on this request.



LIST OF ATTACHEMENTS

- Master Development Plan Amendments

4.11 SIGNAGE



BUILDING SIGNAGE

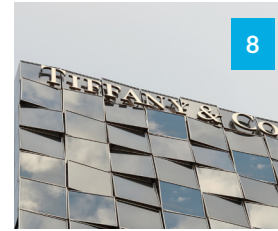
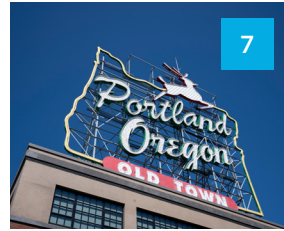
INTENT

Buildings will utilize various types of signage to indicate the commercial or non-commercial use of the spaces. Signs will also be utilized to promote easy wayfinding, add an extra layer of interest to the building, and enhance the pedestrian experience.

Signs shall be appropriately scaled to the building and oriented to the public realm. These signs are to be made of durable high-quality materials.

GENERAL GUIDELINES

- Signs shall not obscure architectural elements or impair public safety.
- Sign typeface should be clearly legible.
- Signs shall be designed of high quality materials consistent with the overall building architecture and character.
- Three dimensional lettering is encouraged.
- Signs should be artful, creative, and expressive.



RESIDENTIAL SIGNAGE

COMMON ENTRANCE SIGNAGE

Sign area at the main public entrance shall not exceed 20 sq. ft. Secondary public entrances are permitted one sign to a max of 5 sq. ft.

GROUND LEVEL WALL SIGNS

- The height shall not be placed higher than the second floor window sill.
- Signs shall be wall mounted.

PROJECTING SIGNS

- Height shall not exceed 20 feet or project past an above windowsill.
- 4 foot maximum projection and a minimum 9 foot clearance above the sidewalk shall be maintained.

AWNING SIGNS

- The area shall not exceed 50% of the vertical face area of the awning.
- Maximum letter height is 12 inches.

ICON SIGNAGE

Signage at high visibility locations including but not limited to building corners, parapets, or roofs. Limited to one per facade.

INDIVIDUAL ENTRANCE SIGNAGE

Sign area for a individual unit at grade shall not exceed two square feet.

NAMEPLATE

One Nameplate sign is permitted per unit.

PRECEDENTS

1. Wall Sign
2. Window Sign
3. Awning Sign
4. Mural Sign
5. Projecting Sign
6. Hanging Sign

7. Icon Sign (Roof)
8. Icon Sign (Parapet)

CSAP Image

NON-RESIDENTIAL SIGNAGE

LOCATION

All non-residential buildings including mixed-use, office, and commercial land uses.

WINDOW SIGNS

- Permanent or temporary window signs shall not exceed 1/2 the area of the window to a maximum of 20 sq. ft.
- Signs shall be made of durable material and fixed to the window.

WALL SIGNS

- The area of wall signs shall not exceed 1 sq. ft. per foot of street frontage occupied by the business measured along the wall to which the signs are attached, or 20 sq. ft. for retail spaces under 30,000 sq feet.
- The height of any wall sign shall not exceed 10 feet.

PROJECTING SIGNS

- The area of projecting signs shall not exceed 24 sq. ft.
- Projecting signs shall be located no closer than 20 ft. apart.
- The height of a projecting sign shall not exceed 30 ft. or the height of the wall that is attached or the windowsill above.
- A minimum 9 foot clearance above the sidewalk shall be maintained.
- Projecting signs shall not extend more than 6 foot 6 inches into the ROW.

SIGNS ON AWNINGS

- The area of awning shall not exceed the lesser of: 50% of the area of the vertical face of the awning, or 200 sq. ft.
- Maximum letter height is 12 inches.
- Sign may be non-illuminated or indirectly illuminated.

CABINET & BACKLIT SIGNS

- Cabinet and backlit signs shall require a building permit from Clearfield City.

NAMEPLATE

- One nameplate sign is permitted per business.
- The area shall not exceed 2 sq. ft.

MURAL SIGNS

- Murals are considered public art, not billboards or signs. Murals containing logos, slogans, or advertising messages of any kind are considered signs and must comply with Wall Sign guidelines. Design proposals are to be reviewed and approved by Clearfield City at Staff level.

GUIDELINES

- Signs should creatively use two and three dimensional form to express the character of the use.
- To minimize irreversible damage, all mounting and supports should be inserted into mortar joints and not into the masonry face.
- Lighted signs shall conceal any junction boxes, lamps, tubing, conduits, and raceways.

TEMPORARY SIGNAGE

PRE-CONSTRUCTION & CONSTRUCTION

One sign per business under construction is permitted. Signs shall not exceed 12 32 sq. ft. in size. Sign must be removed within seven days following the completion of the contract. For office & commercial marketing - signs may also be placed along State Street frontage and may not exceed 96 sq. ft. in size. A Construction Leasing Banner may be used as follows:

- 12' x 30' hung from building

FOR SALE/LEASE

One sign is allowed for each street frontage of the subject property. The sign shall not be greater than 10 ft. tall, and may not extend above the roof line of the building. Sign area shall be a maximum of 16 sq. ft. for parcels less than 50,000 sq. ft. and no larger than 32 sq. ft. for parcels greater than 50,000 sq. ft. A Construction Leasing Banner may be used as follows:

- 12' x 30' hung from building

PUBLIC EVENTS

Signs noticing public events must be promptly removed after the event has occurred.

CROWN SIGNAGE

Dimensions to be as follows:

- Up to 72" Tall
- LED illumination (front- or back-lit, or halo-lit)
- Color

PROJECT PYLON & MONUMENT SIGNAGE

Follow the guidelines of Clearfield City Code Title 11 Chapter 15 regarding sign regulations.

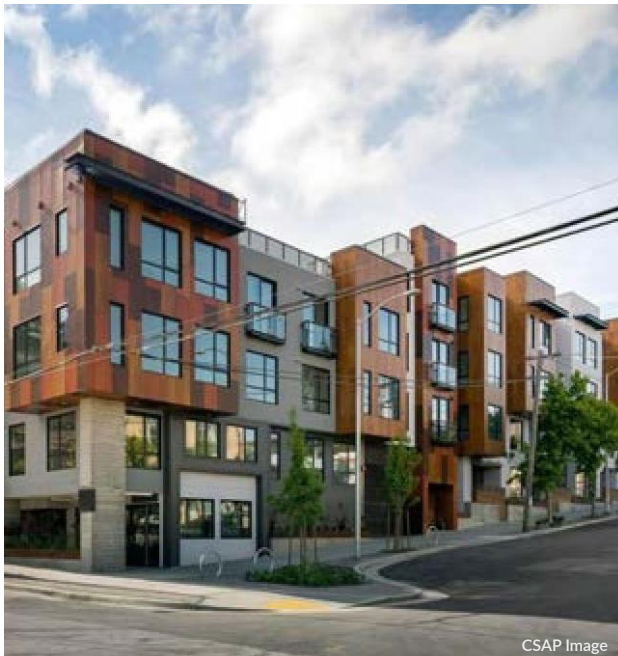
PROHIBITED SIGNAGE

Any signage not described in this section is subject to will follow Clearfield City Code Title 11 Chapter 15 Approval regarding sign regulations.

5.1 MIXED USE RESIDENTIAL LAND USE REGULATIONS

GENERAL CHARACTER

The Mixed Use Residential (MUR) Land Use area blends a mix of activating uses into one space that provides for the opportunity to have businesses occupy the ground floor and residential uses occupy the upper floors. This promotes activated ground floors, enhanced amenities, and the diversification of land use functions. Utilization of this land use regulation promotes a more unique urban character, enhanced building entrances and more articulated building facades. Buildings shall be placed adjacent to the sidewalk with pedestrian entrances oriented to the street. See Chapter 4 for design guidelines and streetscape standards.



BUILDING PLACEMENT & HEIGHT

Front setbacks: 0 foot minimum and a 10 foot maximum as measured from the right-of-way or PUE line where occurs. All portions of the yard not occupied by building, driveways, walkways or other similar features must be landscaped or include an active outdoor use, such as outdoor dining, plazas, courtyards or other similar outdoor use. Where space between building and right-of-way line is used as an active outdoor use, the building setback is determined from the street-side edge of the outdoor use hardscape area.

Side setbacks: None

Orientation: Buildings must be oriented with an entrance or entrances facing toward the street.

Building Height: Buildings in mixed-use areas must be a minimum of 2 stories in height and are limited to a maximum of 8 stories.

BUILDING CHARACTER

PRIMARY BUILDING FACADE DESIGN

Articulation: A vertical facade division of 12" or more must be provided at 42' intervals measured horizontally along street face facade offset shall be included at the street level floor.

Doors: A street level door shall be provided no more than an average of 50' on center.

Human Scale Elements: Balconies, terraces, canopies, articulated roofs or the like shall be provided at an elevation of 9' to 14' above the sidewalk to provide human scaled elements. These shall occur at the minimum rate of 15% of the facade length and may encroach over the public walk and shall include awnings, canopies, balconies and the like. These elements shall be placed along building facade adjacent to the public street and be consistent with architectural materials on the building.

Corner Expression: Buildings at block corners along Primary Streets shall comply with the standards set forth in Chapter 4: Building Corners.

Building Stepback: A building stepback of 8' minimum shall be provided at the primary facade of buildings exceeding 3 stories and shall occur at level 2, 3 or 4, and may be used as balconies, terraces, or articulated roofs. In lieu of this, balconies, terraces, canopies, articulated roofs or the like shall be provided at an elevation of 9' to

Where space between building and right-of-way line is used as an active outdoor use, the building setback is shall be determined measured from the right-of-way or PUE line to the street-side edge of the outdoor use hardscape area.

on the building.

Exterior Materials: In order to establish character, quality, and sustainable durability; the ground level exterior finishes are to be Premium Finishes as defined below. The Premium Finishes will cover at the ground level a minimum of forty (40%) percent of the vertical surface area (excluding doors, windows, and store front) inclusive of the exterior walls, columns, etc. This will occur at all such surfaces other than minor building elements (soffits, fascia treatments, etc.). Premium Finishes include:

- Brick Veneer
- Decorative Masonry
- Cast-in-Place Concrete (Architectural Grade)
- Precast Concrete (Architectural Grade)
- Metal Panel

Glazing: Where Retail, Service Related Office, Entertainment, Restaurant, General Commercial, or Residential Amenity Spaces occur adjacent to public street or plaza, a minimum of 60% of the ground floor of the affected building facade shall consist of transparent surfaces, such as windows or doorways, to promote visual interest.

* See Chapter 4 for more information on Primary Building Facade Design.

REQUIRED PARKING

Residential: 1.2 stalls minimum per dwelling unit - off street parking (1.5 minimum per townhome unit).

Professional Service Office: A minimum of 4 stalls per 1000 square foot usable square feet.

Street Parking: On-street parking is required as indicated by the typical street sections.

Access: Parking structure entrances shall not be located along Station Boulevard.

Other Commercial Uses (Including Leasing Offices): Minimum of 4 stalls per 1000 usable square feet.

Alternative: Parking ratios for MUR may be adjusted based on shared parking standards and a parking analysis prepared by a qualified Traffic/Parking Consultant.

SPECIAL REQUIREMENTS

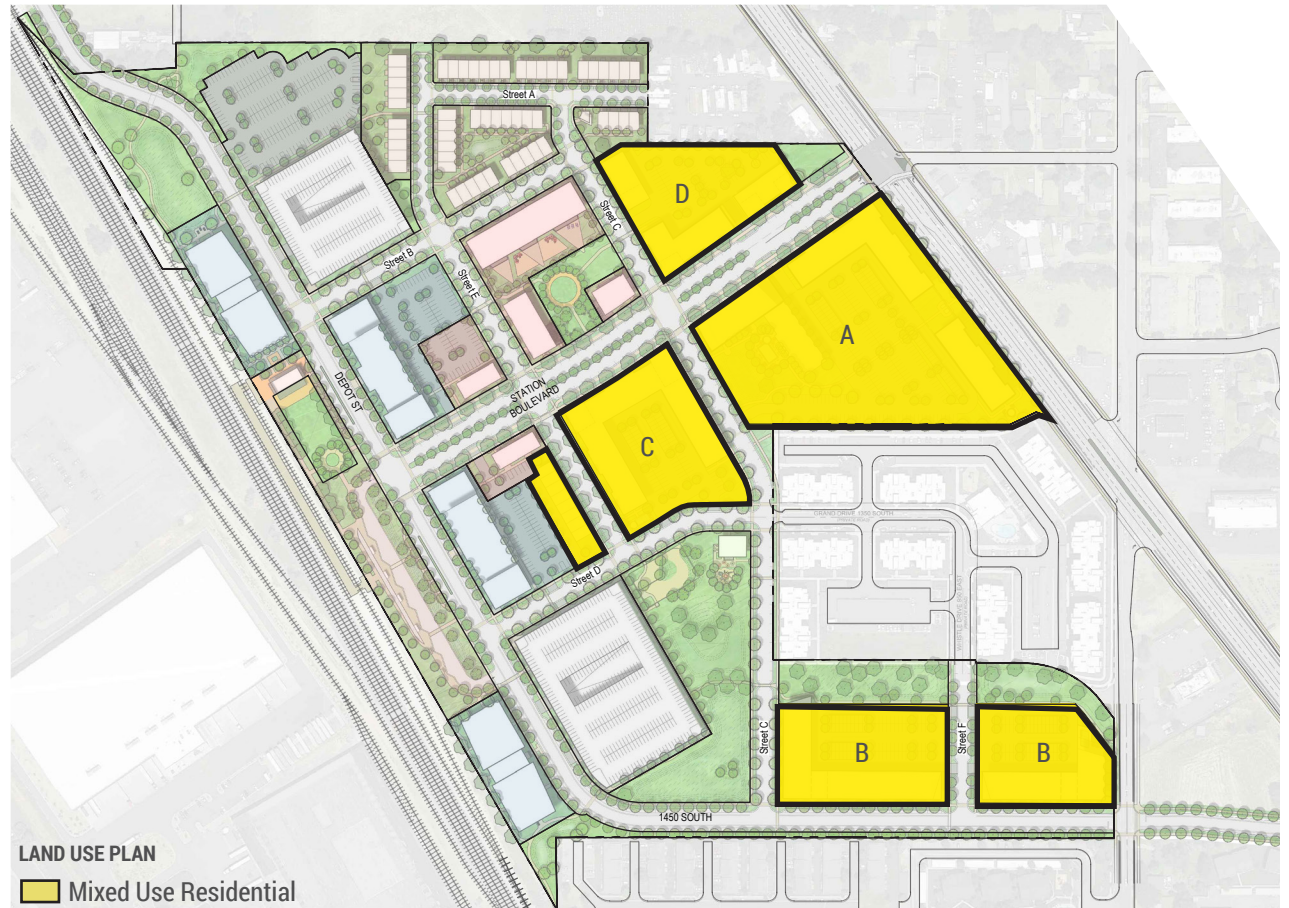
Mid-Block Break: Attached buildings shall form a continuous street wall of no greater than 300 lineal feet maximum, with a vehicular or pedestrian pass through required for street walls exceeding 300 lineal feet.

Service Areas: Delivery docks shall be located at the backs or sides of buildings. Service areas shall be a minimum of 70% screened from pedestrian views.

Waste Collection: Waste collection areas shall be located away from pedestrian areas and access to buildings. Trash and recycling receptacles shall be enclosed on all sides with a gate for access. Solid waste dumpsters shall be enclosed or inside the buildings.

Blank Walls: Blank walls at street level at Primary Facades that face public streets shall not exceed 12 linear feet without entries or windows.

Insertion of comma

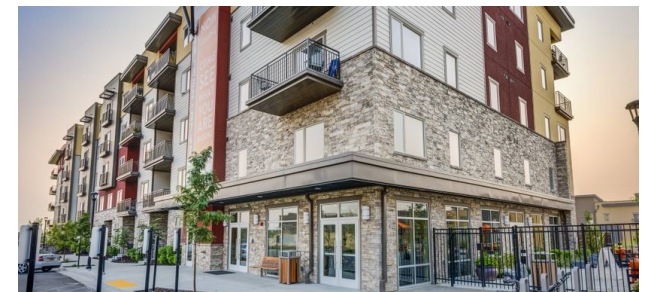


LAND USE REQUIREMENTS

PERMITTED USES

Street Level: Retail, Service Related Office, Entertainment, Restaurant, General Commercial, Residential, Amenity Spaces, and Hotel. A minimum building depth of 30 feet is required.

Upper stories: Residential, Amenity Spaces, and Service Related Office.



Mixed-Use/Residential Development



STAFF REPORT

TO: Mayor Shepherd and City Council Members

FROM: Allison Barnes, CDBG Coordinator

MEETING DATE: March 26, 2024

SUBJECT: Discussion on 2024-2025 CDBG One-Year Action Plan and Open 30-Day Public Comment Period

RECOMMENDED ACTION

Open 30-Day Public Comment Period

DESCRIPTION / BACKGROUND

As an entitlement Grantee of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG), Clearfield City is required to develop an Annual Action Plan (Plan). The Plan outlines how the City will allocate its allotment of CDBG funds during the upcoming Program Year, July 1, 2024, to June 30, 2025. HUD regulations require two public hearings during the preparation of the Plan.

This is the first public hearing which is being held to gather information from the public concerning the needs within Clearfield City. Community organizations may present requests for assistance with their operational costs. There is no action required on this item. The finalized Plan will be presented to the Council May 14, 2024.

Clearfield City expects to receive approximately \$200,000 in Community Development Block Grant (CDBG) funds for July 1, 2024, to June 30, 2025, funding cycle.

CORRESPONDING POLICY PRIORITIES

- Improving Clearfield's Image, Livability, and Economy

HEDGEHOG SCORE



FISCAL IMPACT

Funding is granted by the United States Department of Housing and Urban Development.

ALTERNATIVES

No alternatives are being presented at this time.

SCHEDULE / TIME CONSTRAINTS

The Annual Action Plan is required to be submitted to HUD by May 28, 2024. A notice was posted on March 6, 2024, that the required 30-day comment will begin on March 26, 2024. Following that comment period, the City Council will be able to act on the plan at the policy session held on May 14, 2024.

LIST OF ATTACHMENTS

- None



PROCLAMATION

WHEREAS, DeMolay is a character-building organization of young men from ages 12-21; and

WHEREAS, these young men are seeking to prepare themselves to become better citizens and leaders; and

WHEREAS, DeMolay helps develop those traits of character which have strengthened good men in all ages; and

WHEREAS, the organization has carried out the aforementioned goals for over eighty years through programs of athletic competition, social activity, civic services and charitable projects; and

NOW, THEREFORE, I, Karece Thompson, Mayor Pro Tem of Clearfield City do hereby proclaim the month of March 2024, as DeMolay month in Clearfield City and call upon the citizens of Clearfield to express appreciation to the young men of DeMolay for their civic and charitable contributions to the community.

Dated the 26th day of March, 2024.

CLEARFIELD CITY CORPORATION

Karece Thompson, Mayor Pro Tem

ATTEST:

Nancy R. Dean, City Recorder

CLEARFIELD CITY ORDINANCE 2024-04

AN ORDINANCE AMENDING THE MASTER DEVELOPMENT PLAN FOR THE CLEARFIELD STATION PROJECT

PREAMBLE: This ordinance amends the Clearfield Station Project’s Master Development Plan by modifying its signage requirements, front setback requirements, and street level permitted uses to provide more clarity and flexibility for the site.

WHEREAS, on March 11, 2014, the Clearfield City Council approved and adopted by ordinance the Master Development Plan (the “MDP”) for the Clearfield Station Project (the “Project”) located at approximately 1250 South State Street in Clearfield; and

WHEREAS, pursuant to § 11-11F-9 of the City’s land use ordinance, modifications to an approved MDP can be adopted by the City Council after review by and recommendation from the City’s Planning Commission, thereby amending the MDP; and

WHEREAS, following a public hearing on March 6, 2024, the Clearfield City Planning Commission reviewed the proposed modifications to the MDP set forth in MDP Amendment 2024-0204 and recommended approval to the City Council; and

WHEREAS, following proper notice, as set forth by State Law and the City’s Land Use Ordinance, the City Council held a public hearing on the proposed modifications to the MDP; and

WHEREAS, after a public hearing, the City Council carefully considered any comments made during the public hearing, the applicant’s position, as well as the Planning Commission’s recommendations regarding the proposed modifications to the MDP; and

WHEREAS, following its public deliberation, the City Council has determined the proposed modifications to the MDP in Exhibit “A” is in the best interest of Clearfield City and the development of the Clearfield Station Project;

NOW THEREFORE BE IT ORDAINED by the Clearfield City Council that:

The proposed modifications to the MDP as set forth in Exhibit “A” attached hereto are hereby approved, adopted and the MDP is accordingly amended.

Effective Date: This Ordinance shall become effective immediately upon its passage and posting in three public places within Clearfield City.

Dated this 26th day of March, 2024, at the regularly scheduled meeting of the Clearfield City Council.

CLEARFIELD CITY CORPORATION

Mark R. Shepherd, Mayor

ATTEST

Nancy R. Dean, City Recorder

VOTE OF THE COUNCIL

AYE:

NAY:

EXHIBIT “A”