

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 PM WORK SESSION
March 26, 2024

City Building
55 South State Street
Clearfield City, Utah

PRESIDING: Mayor Pro Tem Karece Thompson

PRESENT: Mayor Pro Tem Karece Thompson, Councilmember Nike Peterson, Councilmember Tim Roper, Councilmember Dakota Wurth

ABSENT: Councilmember Megan Ratchford, Mayor Mark Shepherd

STAFF PRESENT: Community Development Director Spencer Brimley, Community Services Director Eric Howes, City Attorney Stuart Williams, Community Relations Director Shaundra Rushton, Assistant City Manager Summer Palmer, Senior Planner Brad McIlrath, Public Works Director Adam Favero, Finance Manager Rich Knapp, City Recorder Nancy Dean, Deputy City Recorder Chersty Titensor, Public Works Deputy Director Braden Felix, Finance Department Lee Naylor

VISITORS: Cole Ross, Kathryn Murray, Nathan Rich – Executive Director, Wasatch Integrated Waste Management District, Preston Lee – Operations Manager, Wasatch Integrated Waste Management District, Juli McIntosh – Executive Assistant/Special Waste Coordinator, Wasatch Integrated Waste Management District, Collette West – Sustainability Specialist, Wasatch Integrated Waste Management District

DISCUSSION ON A ZONING TEXT AMENDMENT REQUEST BY CLEARFIELD CITY TO AMEND THE TRANSITION SETBACK IN THE DOWNTOWN FORM BASED CODE

Brad McIlrath, Senior Planner, reviewed the proposed amendments to the transition setbacks. He reminded Council of the area included in the Form Based Code Area. He reviewed the change to the zoning text which would provide a 20-foot buffer between any building type in any district adjacent to a single-family home. He outlined the height restrictions for buildings adjacent to lower density neighborhoods.

DISCUSSION REGARDING THE NORTH DAVIS FIRE DISTRICT (NDFD) REQUEST FOR A REFUND OF BUILDING PERMIT FEES FOR THE NEW FIRE STATION

Spencer Brimley, Community & Economic Development Director, presented information for Council to consider the NDFD's request for a refund/donation of building permit fees for the new fire station. He said that originally the plans called for three meters, but due to some changes over the construction process, they would only need two; one new and one existing. He said there was no Impact Fee for the existing connection, but there would be an Impact Fee and Meter Charge for the new connection. Mr. Brimley brought attention to the outstanding balance of \$18,597.93 of which \$12,055.63 was non-refundable to cover costs for the plan review by WC3. He directed Council to the spreadsheet which showed the breakdown of fees and pointed out that the anticipated full refund would be approximately \$48,354.15. Alternatively, the refund

amount could be based on a percentage of cost, based on numbers representative of those that utilized the Fire District services. He said he had reached out to NDFD for assistance in allocating the costs; he asked for a percentage of calls, but Chief Becraft said he would get back with him.

Councilmember Peterson recognized that 90% of the calls were from Clearfield City. Mr. Brimley asked for Council's input to know which methodology to implement for the refund so a public hearing could be scheduled. Councilmember Peterson thought it might be worth splitting costs between the cities. She said she had asked Chief Becraft to pull history from when the station was built in West Point. He told her that West Point City had waived all fees and it was not proportionate between the cities. Her inclination was to refund across the board, to follow the precedent that West Point City had used. Councilmember Roper, Mayor Pro Tem Thompson and Councilmember Wurth agreed. Councilmember Peterson recommended a refund of anything that were not hard costs. She thought the attempt to use a different percentage would be difficult to determine. She looked at the building as a part of the City campus and part of the community, even though it was a separate entity. She said she leaned toward the full donation. Mr. Brimley believed the number would be approximately \$48k but he would confirm.

DISCUSSION ON CLEARFIELD CITY RESOLUTION 2024R-07 REGARDING THE WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT RECYCLING MANDATE

Stuart Williams, City Attorney, asked Council to provide feedback on the draft Resolution 2024R-07 responding to Resolution 23-15 created by the Wasatch Integrated Waste Management District (WIWMD). The resolution addressed the punishment phase included in Resolution 23-15 as well as addressing the costs of implementing the program that were not addressed in the Resolution. Additionally, Councilmember Peterson recommended to include language which addressed GRAMA requests made by the District's Board related to existing contracts with third-party vendors and conversations between the District and the third-party vendors outside the presence of City representatives. He said staff was looking for guidance to determine the language of the resolution and whether the Council wanted to move forward with it.

Councilmember Roper said he stood by his decision to support the resolution passed by the District's Board. He indicated that representatives from the District were present at the meeting and could explain the reasoning behind the resolution. He said, as a previous Board member, he expressed his opinion that there were other ways to move forward without a resolution by the District to get the various city councils on Board. He understood the City's response did not oppose the recycling, but there were serious issues at the landfill that needed to be addressed. In his opinion, he did not think there was any way the District could take care of things when every city had different procedures. He thought the District needed to rectify issues in the district that impacted the entire County.

Councilmember Wurth said the City and County needed to be stronger participants in the recycling program but had concerns about the hard costs of the roll out of the program. He was uncertain whether a resolution was an appropriate approach to respond to the District's resolution.

Councilmember Peterson said the resolution helped the Council understand its lane regarding interaction with the Board. She said she respected that the recycling decision was for the District's Board to make and didn't feel it was the Council's place to question their decision. She thought the concerns that were brought to light by Layton City were well articulated and outlined the mechanism that would be used as things moved forward. She said a person could have an opinion on recycling and be supportive of recognizing the significant impacts if recycling was not addressed and still be concerned about how the program was rolled out. She reached out to the District to inform them of the discussion Council was having and wanted to be careful and recognized that it was not a discussion about recycling because the Council did not have the authority to decide on what the District should be doing. The resolution was very prescriptive in what it said: the Council's concern about penalty, the request that it would be a collaborative effort in negotiations of contracts with third parties, and a discussion regarding the hard costs each city would need to incur – understanding the financial impact of how these would be implemented. She did not object if it was known this was not a recycling question but was focused on the tenets discussed.

Mayor Pro Tem Thompson gave Nathan Rich from Wasatch Integrated Waste Management District time to speak. He said the action was taken by the Board after a three year process and it was understood that the system was changing, and that the life of the landfill was coming to an end. He said they had spent time to decide how to transition into the next phase. He said about 1/3 of the waste was transported 100 miles away to extend the life of the landfill to provide operational flexibility. He said that the landfill was going to close in roughly a 15-year time period, the District would continue to provide customer service at the landfill. In terms of the resolution, the decision to move forward when they did was not taken lightly by the Board. There was discussion at the board meeting whether they wanted to postpone. Mr. Rich said he had wanted to get a commitment from the Board prior to making some staffing decisions, such as hiring Collette, their Sustainability Specialist, as part of the transition to a full recycling program, but considered that he might have done it out of order and that he understood part of their role was to provide an educational component. He understood that the mandatory program seemed heavy-handed, but there were two reasons for the bundled strategy: 1) the more people who participate, the lower the unit cost, 2) higher participation also increased level of performance. He recognized that this was a process, and the District Board was comprised of real people and any action taken could be modified. He pointed out that part of what they did was modify District code as it related to rates, and the code was changed all the time. If through discussion a better way was discovered, the Board would consider it. He would like to come back to give a more in-depth presentation about the program and why the District was doing what it was doing. He said they were finalizing a first draft of educational materials they wanted to share with the City. He pointed out that Layton had already passed a resolution and encouraged the City's participation with the Board through its Board member. He said the next Board meeting was in May and June.

Councilmember Thompson asked how much was involved with federal grants. Mr. Rich said there was no federal grant money, but they were working with a non-profit called, "The Recycling Partnership" and the District received money from people interested in expanding the circular economy. There was a grant up to \$15/bin for programs that met certain requirements. If

it was not a bundled program but was an opt-out program it would be \$10/bin and subscription program \$5/bin. Any additional bin placed on the ground the District was the clearinghouse on the bins, which might be problematic with the third-party if bins were not owned. The Recycling Partnership wanted the cities to own their bins at the end of the contract period, branded with the City logo. Councilmember Thompson asked if any of the efforts revolved around the reduction of emissions. Mr. Rich stated absolutely.

Councilmember Thompson questioned what information the Board was looking for when they submitted a GRAMA request. Mr. Rich said the information asked for was to know who was recycling and what programs were in place. The District thought it was important to have uniform programs. He thought one of the most important things was how many garbage cans were set out and how many recycling cans were set out. He said the information from the hauler contracts was the cost/unit of cans. He said all the information was gathered in a report that was available on the District's website for all the cities. Councilmember Thompson expressed his concern that the residents were being compelled into a program that was tied to an emission reduction goal that might have a federal link. He thought mandates did not usually accomplish what was intended and that the residents needed to be asked if they wanted to participate. Councilmember Thompson was okay with the resolution at this point, but wanted to sit down and discuss sustainability further to see if it was worth the City buying into it.

Councilmember Roper said there was a hardship portion in the resolution. Councilmember Peterson refocused the discussion on the resolution and not the subject of recycling. Councilmember Roper said the Council had the ability to talk with the District to resolve questions. Councilmember Peterson said the proposed resolution was not a referendum of what was done in November, she said the discussion was to talk about the mechanics of the roll-out of the decision.

Councilmember Peterson reviewed the items outlined in the draft Resolution 2024R-07 and gave further comment as to the intention and desired results. Councilmember Peterson wanted further clarification on the GRAMA request submitted by the District. Mr. Rich said they had completed a similar study approximately 5 years ago and had submitted GRAMA requests to know what all cities were doing with their hauling contracts and what the costs were. Based on that experience, they thought it more efficient to go to each city with a GRAMA request due to the process that was in place to get records. He said at no point had they had contract negotiations with the City's hauler. The Board had a conversation earlier in the process to see if there would be savings by having the District franchise the hauling contracts. They held a series of stakeholder meetings and one of those meetings was with the contractors to get their perspective as they tried to decide which path to take. The haulers made it clear they did not want the District to get involved in the contracts. Davis County had three very competitive haulers and pricing, and the Board found that no one was being taken advantage of. The Board found without argument that regionalizing would not save any substantial amount of money.

Councilmember Peterson addressed those that opposed drafting a resolution by saying in her opinion, resolutions were how the cities spoke formally. She thought the language of the proposed resolution was more collaborative and asked for clarity and understanding where the City would be bearing costs which might exceed what the Council had authorized. She asked for

pause to clarify language, identify costs, and through the Board, formalize some sort of process to collaborate. She thought a resolution did not represent a single person but the consideration of the body. Mr. Rich acknowledged it was an open process and that Councilmember Peterson was a member of the Board, and whether the City passed the resolution or not, the Board was interested in working through the issues. Councilmember Peterson stated her support of the language in the resolution and recommended it be moved forward to the next policy session. Councilmember Thompson agreed. Councilmember Wurth said the resolution was amenable to him because it was not as aggressive as Layton's resolution. He agreed that the resolution kept issues grounded, addressed costs be clarified for the City. He had no recommendation for changes to the language.

DISCUSSION ON A PROPOSED PROCLAMATION DECLARING APRIL 2024 FINANCIAL LITERACY AWARENESS MONTH

The Council moved to the discussion on the proposed Proclamation on Financial Literacy Awareness month.

Mayor Pro Tem Karece Thompson said in the State of Utah, Financial Literacy was being reformed. He said the Utah State Treasurer, Marlin Oaks, was coming to South Clearfield Elementary for a presentation. Councilmember Thompson gave his thoughts related to the importance of encouraging financial literacy. Councilmember Wurth supported the Proclamation.

Councilmember Peterson moved to adjourn the work session and reconvene in a policy session at 6:54 p.m., seconded by Councilmember Wurth. All voting AYE.

DISCUSSION ON FISCAL YEAR 2025 PROPOSED BUDGET

The Council reconvened in work session at 7:55 p.m.

Rich Knapp, Finance Director, started the budget presentation by reviewing the schedule of upcoming meetings. He explained the preliminary nature of the budget and that there would be ongoing changes.

He reviewed the Governmental Historic Capital Project Funding. The proposed budget for Capital Projects was at \$3.1M. He reviewed the revenue sources and the proposed expenses. He showed how much the General Fund was subsidizing the projects with the current projections. He said in the future, staff was looking to recommend a transportation/utility fee that would be charged on the utility bill to go into a Street Fund. The Capital Projects were discussed in more detail.

Braden Felix, Deputy Public Works Director, reviewed the following proposed Public Works projects:

1. 350 South, Birch to 750 East
2. University, SR 193 to 1000 S, mill & fill
3. 300 North, 1000 West to Pacific Street

4. 1st Street (500 West Extension) – not in the projected budget numbers.

5.

Mr. Felix reviewed the Capital Projects that were for Utilities only:

Water

- Freeport 13th Street, C to E – 10” line \$1.1M
- PRV Updates – Depot Street – \$154k

Sewer

- SR-193, 200 South to Railroad – \$1M

Storm

- H Street, 3rd to 5th Street – \$1.3M additional \$1.8M total

Eric Howes, Community Director reviewed Capital Projects for Parks. Some of the projects had been delayed from FY24 due to the required roof repair at the Aquatic Center.

Parks

- Fisher Skate Park – Lighting to LED – \$165k
- Bicentennial Park – Add Parking & Security Lighting – \$150k
- Fisher Park Sidewalk Replace/Repair – \$20k
- Fox Hollow Arboretum Upgrade – \$185k
- Fox Hollow Playground – \$130k. Mr. Howes explained their department tried to replace one playground each year so that each playground is less than 18 years old.
- Open Space Landscaping – \$26k
- Central Park New Signage – \$10k
- North Steed & Barlow Large BBQ Grills – \$7k each
- Replace Scoreboards Steed & Fischer – 5 at \$15k each = \$75k

Clearfield Aquatic & Fitness Center

- Replace pool slide stairs – \$150k
- Turnstiles – \$60k
- Hot water boiler & flue – \$40k
- Tile & laminate for lap & Leisure pool – \$400k
- Wading pool circulation pump – \$5k
- Becks System 5 Controller – \$8k
- Re-plaster outdoor wading pool – \$25k

Arts Center and City Hall

- City Hall – VAV Box replace/repair – \$200k
- Arts Center – Plumbing – \$50k
- City Hall – 2nd half replace fire dampers & louvers – \$50k
- Arts Center – Elevator – \$200k
- City Hall – Police Area Renovation – \$2.6 – 3.2M (Not included in proposed budget)

Park Facilities

- Parks – Electronic Locks Outbuildings phase 2 – \$185k

- Steed Tower – Replace fire escape staircase – \$35k
- Steed Tower – Fall protection for roof – \$5k

PARAT – FY24 projects

- Bike Park & Trails – Chelmes Park – \$30k
- Skate Park Improvements – \$200k
- Bicentennial Playground – \$200k
- Park Pavilion Replacement – \$300k

Vehicles

- Police – 2 Explorers @\$64k each = \$128k – not in budget because officers hadn't been added yet
- Police – Explorer unmarked – \$50k
- Parks – F150 – \$55k
- Parks – (2) F150 – \$61k each = \$122k
- Parks – F350 – \$55k
- Parks – F350 w/ utility bed – \$68k
- Rec – Toyota Sienna – \$51k
- Motor Pool – Sienna – \$51k
- Motor Pool – F150 – \$55k
- Motor Pool – Maverick – \$32k

Vehicles – Enterprise Funds:

- Water – (3) F250 at \$60k each = \$180k
- Storm – F250 – \$60k
- Streets – Bobtail Dump Truck w/ snowplow & heated bed – \$265k

Facilities – Mr. Howes said the proposed budget amount for office furniture could be delayed based on finalizing changes to the Police Department.

Parks – Equipment

- Zero Turn 72" mower replace – \$17k
- Stump grinder Bobcat Attachment – \$11k
- 144" mower replace 11' – \$68k
- Roughcut mower replace \$23k
- Overseeder replace – \$21k

Aquatic & Fitness Center Equipment

- Replace cable cross over – \$8k
- Replace 6 elliptical with enrollment fee monies – \$44k

Capital Expenses

- Increased budget for desktops/laptops/rugged laptops replace for Police Department – \$83k
- Backhoe Loader – \$125k The City had three, will seel one each year; last one sold for

- \$3k less than purchase
- Wheel loader replace – \$7k net
- Police – thermal imagery drone – \$8k

Councilmember Thompson asked how the fleet was doing. Mr. Knapp said the City had been selling/buying in the past, but this year the City would engage with Enterprise Car Rental to help with purchases and sales of fleet vehicles. Mr. Knapp said they had been spending less. Summer Palmer, Assistant City Manager, said Enterprise would help with staff time investment.

Mr. Knapp pointed out that more monies had been budgeted for the utility meter replacement so the commercial replacement could be contracted out. The residential meters would be completed internally.

Mr. Knapp gave an overview of larger changes to the Operational Expenses that were non-personnel related, one-time Operational Expenses, and larger changes to the Operational Budget with dispatch services, parks, recreation, IT, water, sewer and solid waste items.

Councilmember Wurth moved to adjourn at 8:53 p.m., seconded by Councilmember Peterson.

RESULT: Passed [4 TO 0]

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

NO: None

ABSENT: Councilmember Ratchford

**APPROVED AND ADOPTED
This 23rd day of April 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, March 26, 2024.

/s/ Nancy R. Dean, City Recorder