

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 PM WORK SESSION
April 9, 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 Development Director Spencer Brimley, City Attorney Stuart Williams, Police Chief Kelly Bennett, Community Relations Director Shaundra Rushton, Senior Planner Brad McIlrath, Public Works Director Adam Favero, Community Services Deputy Director Curtis Dickson, Finance Manager Rich Knapp, City Recorder Nancy Dean, Deputy City Recorder Chersty Titensor

VISITORS: Cole Ross

DISCUSSION ON COMMUNICATION'S FOUR COUNCIL INITIATIVES

Shaundra Rushton, Communications Manager, reminded Council that she had four Council Initiative projects built into her duties with a \$15k budget. Last year's initiatives had been to support businesses, downtown branding, plane program and a bridge party. Council had already selected another bridge party which had been booked for Saturday, August 17, 2024 from 11:00 a.m. to 2:00 p.m. Ms. Rushton wanted to determine how the four initiatives would interact with the Council Projects, bridge party, mural, and bridge lighting recently decided upon. She asked for Council's input to determine what additional three initiatives it wanted her to focus on. Mayor Pro Tem Thompson said he had not thought of the bridge lighting as an initiative but as an enhancement. He thought the mural was an important priority to re-brand downtown. Councilmember Roper asked how much more work it gave her. Ms. Rushton said the bridge party and mural could be the second initiative. Councilmember Peterson asked if bridge lighting as a love note was viable. She thought having that information would impact the choices they made for the initiatives. The Council decided to move onto the second agenda item.

DISCUSSION AND CONSIDERATION FOR COUNCIL INITIATIVES – LIGHTS ON THE BRIDGE, MURAL(S) IN THE CITY & THE BRIDGE PARTY

COUNCIL PROJECTS

Shaundra Rushton, Communications Manager, asked Council to consider what type of bridge party they wanted her to plan. Mayor Pro Tem Thompson wanted whatever was planned to be sustainable and consistent. Councilmember Peterson agreed and thought the bigger events could be delayed until more development was completed. She recommended that they could do two bridge parties or some money could be re-routed to murals. Councilmember Wurth asked how the cost would be impacted if two themed bridge parties were combined. Ms. Rushton thought it

would be slightly less if combined. Councilmember Wurth agreed with Councilmember Peterson that re-routing money to murals for a bigger impact was a good option. Councilmember Peterson suggested focusing on a teen group if having a second bridge party. JJ Allen, City Manager, pointed out that the glow party needed to be at nighttime, but feedback from the bubble party was that it got cold in the evening so those two particular parties might not be combinable. Councilmember Roper recommended the City stay consistent.

Mayor Pro Tem Thompson questioned why the Aquatic Center was not used for teen events. He recommended utilizing that venue more often for the teens. Councilmember Wurth said it would be a great venue for a silent disco. Mayor Shepherd said the outdoor events were intended to involve more residents but was supportive of events at the Aquatic Center and murals. Mr. Allen asked Curtis Dickson, Deputy Community Services Director, about potential scheduling conflicts at the CAFC at the end of the school year. Mr. Dickson said the CAFC closed at 7:00 p.m. on Fridays and Saturdays for rentals. He said the City typically shut down the CAFC when school resumed in September for maintenance. Mr. Dickson said any events would need to be scheduled before the last week of school when the gym floor would be resurfaced and closed for a few weeks. Councilmember Peterson liked an end-of-year party so communication channels through the schools could be utilized.

LIGHTS ON THE BRIDGE

Mr. Dickson informed Council of the difficulties with installing patio lights during bridge parties due to the design and construction of the fence and streetlights. He showed alternative styles for Council to consider. Council did not think the lighting alternatives were feasible due to impact on Staff. The Council discussed the advantage of having inflatables at the entrance to the bridge to indicate an event was in progress as long as it was not difficult for Staff to setup. Council was not interested in murals on the jersey barriers because of the deterioration from traffic and road salt in the winter. Mr. Dickson posed the idea of having the jersey barriers wrapped. Councilmember Wurth suggested a community art project where residents could paint the jersey barriers. Mayor Pro Tem Thompson thought the City needed to be very conscientious about art due to constitutional rights that could be brought up. The group discussed various parameters that would need to be put in place. Councilmember Peterson said she would be open to it, but thought the priority was art on bigger surfaces, more permanent in nature.

Ms. Rushton asked if Council wanted to have the inflatable in place for the bridge party in August. Mr. Dickson said he thought the turnaround time was approximately 40 days so it was possible. Councilmember Ratchford thought two inflatables would be preferable so it could be seen from both sides of the bridge.

MURALS

Spencer Brimley, Community & Economic Development Director, showed Council some locations along State Street that might work for murals. He encouraged Council's feedback and requested input if it knew of other properties. He said the rough cost for a 10ft x 30ft mural would be approximately \$8,400- \$8,500. Mr. Brimley said additional research needed to be completed for cost. He did not feel like the restrictions in the Code would be too limiting but would need to review to determine whether Code needed to be amended. He said there were application fees and inspection fees for murals but if the City were the applicant, costs could be

covered. He mentioned that Ms. Rushton had obtained a copy of what an agreement for a mural might look like, which could be reviewed.

Councilmember Ratchford wondered whether the revitalization of the closed gas station on the corner of 300 North and Main Street could be a possible project. Mr. Brimley said there was someone interested in revitalizing the property. Brad McIlrath, Senior Planner, said the revitalization would require changes to meet the standards of the Form Based Code, so having a mural could be discussed as part of the Master Development Agreement process. Specific locations were discussed. Mayor Shepherd expressed his concern that any mural needed to be done right so it would not look ghetto. Councilmember Peterson asked how that could be ensured. He thought choice of building was key. Councilmember Peterson recommended Mayor Shepherd speak with Mayor Mendenhall about the murals in Salt Lake City and what formula was taken into consideration. Mr. Allen said Ogden would be similarly comparable as it had some murals in downtown Ogden that were commissioned and then in alleyways that were freelance graffiti artists. Mr. Brimley said Staff would speak with property owners to gauge their interest.

Councilmember Wurth moved to adjourn the work session and reconvene in a policy session at 6:57 p.m., Councilmember Ratchford seconded the motion. All aye.

RESULT: Passed [5 TO 0]

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

NO: None

The work session reconvened at 8:46 p.m.

DISCUSSION ON COMMUNICATION'S FOUR COUNCIL INITIATIVES – (cont'd)

Mayor Pro Tem Thompson wanted the plane program to be intentionally completed. Councilmember Wurth thought the planes were important to focus on. Ms. Rushton said the planes had been committed in three places in downtown. Councilmember Peterson suggested the City allow a year to determine the success of the plane program and re-address it in 2026. Ms. Rushton thought the City could purchase two planes and host a bridge party with her \$15k budget. Councilmember Peterson said she was less worried about continuing the plane program due to Ms. Rushton's familiarity with the process. Ms. Rushton confirmed that Council agreed that they wanted her to focus on the plane program, a normal bridge party, and a teen or other event. Ms. Rushton would look into the possibility of consolidating the two budgets to determine whether combined they would yield a better mural.

DISCUSSION ON A ZONING TEXT AMENDMENT REQUEST TO AMEND SECTIONS 11-10A AND 11-21 OF THE CLEARFIELD CITY CODE TO UPDATE THE LANDSCAPE OPEN SPACE REQUIREMENTS FOR THE P-F ZONE (PUBLIC FACILITIES) AND MAKE MINOR AMENDMENTS TO LANDSCAPING STANDARDS AND REQUIREMENTS

Brad McIlrath, Senior Planner, gave background information as outlined in the presentation

materials. He identified properties that were included in the P-F Zone and described which properties the changes would affect. He reviewed the proposed amendments to Clearfield City Code related to public utility facilities and public works facilities in the P-F Zone. Additionally, it was determined that a definition was needed for Public Works Facility which would be added to Section 11-3-3: Terms Defined. He said that Public Works Facility would be added to the list of permitted uses in the P-F Zone and that Public Works and Public Utility Facilities would follow industrial landscaping standards.

He reviewed a summary of Chapter 21 Landscaping Standards which would clean up language. He said the Planning Commission had recommended a change to the tree quantity standards to a minimum of one tree for every 500 sq. ft. of landscape on commercial properties instead of one tree for every 600 sq. ft. as proposed by staff. He said multi-family developments would remain as a minimum of one tree for every 400 sq. ft. He said in industrial zones the standard was one tree for every 1000 sq. ft. He reported that since that Planning Commission meeting, staff had performed research on landscape standards in surrounding communities and reported the results to Council.

Councilmember Peterson thought for commercial development one tree for every 600 sq. ft. was appropriate because it became difficult to achieve a higher ratio due to some constraints with commercial properties. She mentioned that on the new North Davis Fire District station property it was difficult to put in the number of trees due to line-of-sight issues. She understood the desire to keep that standard with multi-family developments for the cooling advantages but for commercial development she was in favor of 1:600 that had been successful in the City. She thought that standard met the desire for water-wise planting. Councilmember Roper asked whether the same ratio should be applied in multi-family developments. Councilmember Peterson said she supported 1:600 for multi-family, but recognized that the Planning Commission had a say in the process and would be okay with their recommendation for 1:400. Mr. McIlrath stated that Staff's original recommendation had been 1:600 for commercial and multi-family properties.

Councilmember Ratchford asked for the reasoning behind the dissenting vote from Planning Commission. Mr. McIlrath said the dissenter was comfortable with staff's recommendation of 1:600. Councilmember Ratchford asked whether Staff thought the requirement for shrubs every 200 feet balanced out the tree ratio enough. Mr. McIlrath said when they originally proposed the reduction from 1:600 to 1:400 the idea was that the grass areas were being lost so the properties should have more trees. Ultimately, Staff realized that with the increase in shrubs the groundcover was covering the area where they would have had grass, and it was providing beautification so they could back off on the tree requirements. He summarized the discussion on the benefits of trees held by the Planning Commission. Councilmember Ratchford accepted the 1:600 if there was an element included which specified that every 200 feet there was a landscaped area with at least one shrub. She thought 50% groundcover at maturity should be enough. Mr. McIlrath said Staff agreed.

DISCUSSION ON A ZONING TEXT AMENDMENT REQUEST TO ADOPT AN UPDATED SET OF DEVELOPMENT, DESIGN, AND CONSTRUCTION STANDARDS

Brad McIlrath, Senior Planner, said the Public Works Standards had been updated approximately 10 years ago. He informed the Council that since that time State Code had been amended to consider City Standards as a Land Use Regulation, therefore they must be adopted by ordinance. Staff proposed it be adopted as new section 11-1-18, which stated in summary, the design standards would be drafted by the City Engineer or designee and could be amended as determined by the City Engineer and any appeal would follow the modification process as outlined in Section 1.06 of the Development, Design, and Construction Standards.

He pointed out the proposed changes to the Detention and Retention Basin Elements. He said if the detention area was for multi-use purposes drought resistant grass would be required. However, if it was to be used solely for detention/retention it would require that it be rock-lined and incorporated decorative, drought tolerant landscaping as required by the land use ordinance. Additionally, the proposed change would require that an oil/sediment separator shall be installed upstream of any private basin utilizing rock lining and said separators would be required to be cleaned on an annual basis, with documentation providing proof of cleaning be submitted to the City. He explained the proposed changes to the section in 3.03 Design/Layout and the standards for walkways greater than 800 feet in length. Staff wanted to ensure that the Code called out that the fencing could be chain link where permitted in the zoning.

Councilmember Peterson verified that the proposed changes were for new projects and that existing properties would be grandfathered and not have the same requirements. Mr. McIlrath confirmed that was the case. Mr. McIlrath reviewed graphics which detailed the requirements for a Standard Public Street and options for Private Streets. A private road would be at a minimum, 32-feet including curb and gutter on the side of the road and a sidewalk. In section B, the sidewalk could be optional if the sidewalk space was provided to the residents and No Parking Signs were present. Enforcement would be completed privately. Councilmember Peterson, in reference to Section B, in addition to the No Parking Signage, asked whether language could be included that required red curbed striping. Mr. McIlrath said it was a requirement. Mr. McIlrath explained the requirements for temporary turnaround design and materials.

Curtis Dickson, Deputy Community Services Director pointed out that the plan included the Parks and Open Space standards as well. Mr. McIlrath confirmed it applied to Public Works as well as Parks and Open Space.

Councilmember Peterson mentioned she had a list of small non-substantive changes to discuss. Mr. McIlrath asked her to speak with Adam Favero. Councilmember Peterson called attention to the following sections:

1. Section 1 - Item 1.04 Definitions, Item (J) where it referenced governance in Title 12. She asked why Title 12 definitions did not line up with this document. Spencer Brimley, Community Services & Economic Development Director, said it was standard language included in case something was not fully defined or where there was ambiguity.
2. Section 4 - Item 4.02 (B). She asked how the word excavating was interpreted; whether it

included general earthwork or just subterranean excavation. She hoped it would prevent a developer from working on a site before getting approval. Mr. Brimley said it differentiated between grubbing and digging and that it had more teeth than previously. Councilmember Peterson called attention to the language which gave administrative control over future edits to the standards because it became land use by being adopted into the land use ordinance. She wanted clear language delineating what the trigger was to bring back to Council. She said she had a problem with it when it said that there were sections of Title 11 that were granted blanket administrative changes without a clear mechanism of when it gets reviewed by Council. Mr. McIlrath said additional language could be added to specify that if an entire section was changed it would be presented to Council for approval. Councilmember Peterson said she was looking for clear guidelines that defined administrative authority as soon as dealing with a Land Use Authority, which was designated to a Planning Commission or City Council. Mr. McIlrath explained that Staff had seen that Layton City had adopted standards by reference and used some of the same language. He said the idea was that the standards were not codified but adopted by reference. He agreed that since it was being adopted by reference, there needed to be language that specified any major change would be presented to Council. Mr. Brimley asked for Councilmember Peterson's input as to what should trigger the need for Council's review. She thought that anything that was normally governed by the Planning Commission or Council in Title 11 would need to be reviewed.

DEPARTMENT UPDATES

JJ Allen, City Manager, in the interest of time, offered a brief overview of the Department Updates. He informed Council of the topics covered in the presentation material:

- MIDA Municipal Services Agreement.
- Enforcement on Signage – Mr. Allen advised the Council to review this information because it might get complaints from businesses. Mr. McIlrath said the enforcement was on how the code currently read. He said if needed, changes to sign ordinances could be reviewed in the future.
- Master Transportation Plan grant awarded.
- Clearfield High School Reimagined – Mr. Allen said the upcoming changes would impact parking and Clearfield City's parks.
- Council Initiatives update.

Mr. Allen said he would send the Department Updates presentation to the members of the Council via email for their review.

DISCUSSION ON FISCAL YEAR 2025 PROPOSED BUDGET

Rich Knapp, Finance Manager, gave a summary of upcoming budget meetings. He showed Council the remaining budget questions that needed to be answered through the budget review process.

Enterprise/Utility Funds

Mr. Knapp showed the potential impact of the scheduled 5.5% rate increase from Waste Management to the residents as well as the direct cost to the City. Mr. Knapp had spoken with

Waste Management where he was able to negotiate a better rate, but it would be based on a 3-year contract. He said there would be a three month lead time for 100% recycling.

Water Conservation Rates History

Mr. Knapp gave a brief history of the rate changes since 2023. He said the City had a cash problem in water because rates were not increased soon enough. He went over the Water Conservation Rates versus the Water Rate Study – January 2025 which showed the rates suggested in the Water Study compared to the current conservation rate and a draft conservation rate. He reviewed historical water revenues and the FY25 projections.

Water Sustainability

He pointed out the different factors that were taken into consideration when determining water sustainability:

- Rate Study
- Water Conservation
- Water Supply/Weber Basin cost continues to increase and was unpredictable
- Unanticipated Projects
- Inflation – impact on operations as well as project costs
- Fund some future projects with debt
- Anticipated more revenue with the Water Meter Project
- Other ways to fund Freeport

He showed the Enterprise/Utility Funds – Sustainability chart which showed that the projected FY25 Budgeted Net Revenue for the Water Fund was ahead of the rate study and the Storm Water Fund was ahead of the Rate Study. He reviewed the rate increases from Weber Basin through 2028. Mr. Knapp compared the Water Projects Cost Variance report which showed the difference between the Water Study and the Budget for water projects. It reflected that \$5.1M was not anticipated in the Rate Study. Councilmember Thompson asked how much was new infrastructure compared to repairs. Adam Favero, Public Works Director estimated that 95% of water projects were replacement.

Mr. Knapp showed the anticipated FY25 ending cash amount for water, sewer and storm. He presented some possible options based on the numbers shown: slow projects down and/or borrow more money. He was not sure how much the City could borrow with its current level of cash.

Mr. Allen asked Mr. Favero if there was an argument for slowing down projects. Mr. Favero said he drove around the City to get a feel for which projects could be delayed or cut. Mr. Favero said they could slow down the projects, but explained there were many variables that impacted the Capital Improvements Plan. Councilmember Thompson thought the City should get projects done to avoid any further inflation impacts. Mr. Allen said the City had an aging system and it would be great to have additional cash to fund them, but there were not grants to replace aging infrastructure so the City would have to borrow and hope to get best pricing on the money but to borrow the rates would have to be raised. Councilmember Ratchford asked if the City could combine purchases with surrounding cities to share in costs. Mr. Favero said it had

not been done. There was a discussion about the need to raise rates to keep infrastructure maintained.

Mr. Knapp offered some data for Council to consider when contemplating rate increases. He informed them that each 1% increase in base fee represented \$36k annually. He said the base fee was about 70% of the revenues which would be more impactful than the usage rates. He said the City should have 150 cash in the water fund and that the current cash was insufficient. He said it could not be anticipated that projects would go up 120%. Mr. Allen said that Mr. Knapp had reached out on bond financing and asked about that timeline. Mr. Knapp said the financial advisors said it would take 6-8 months. He said the City had time if the Council wanted to start the process now. Mr. Allen pointed out that it was because the projects were not under contract right now, but on deck. Mr. Knapp said if the City borrowed sooner, it could still show that it had cash. Councilmember Thompson wanted more aggressive bonding because the projects needed to get done. Mr. Allen told Council to anticipate future discussions about a water bond.

Mr. Knapp explained that each increase to the base rate for Sewer was equivalent to \$20k yearly. Mr. Favero talked about the need to coordinate sewer projects with street maintenance and water repairs. Mr. Knapp brought up that the City had six years to spend impact fees. Cash was insufficient. Mr. Knapp said the City might need to raise rates, delay projects and borrow. Mr. Knapp said the Meter Project was not in the numbers but the bond in the rate study planned to use bond money for meter project.

Councilmember Wurth moved to adjourn at 10:02 p.m., seconded by Councilmember Roper.

RESULT: Passed [5 TO 0]

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

NO: None

**APPROVED AND ADOPTED
This 28th day of May 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, April 09, 2024.

/s/ Nancy R. Dean, City Recorder