

CLEARFIELD CITY COUNCIL MEETING MINUTES  
7:00 PM POLICY SESSION  
May 14, 2024

City Building  
55 South State Street  
Clearfield City, Utah

PRESIDING: Mayor Mark Shepherd

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

ABSENT: Councilmember Nike Peterson

STAFF PRESENT: City Manager JJ Allen, Assistant City Manager Summer Palmer, Public Works Director Adam Favero, City Attorney Stuart Williams, Police Chief Kelly Bennett, Community & Economic Development Director Spencer Brimley, Finance Manager Rich Knapp, Senior Accountant Lee Naylor, Attendee Allison Barnes, City Clerk Nancy Dean, Deputy City Recorder Chersty Titensor

VISITORS: Curt King – North Davis Fire District, Amber King – North Davis Fire District, Shane Siwik

Mayor Shepherd called the meeting to order at 7:01 p.m.

Councilmember Roper led the opening ceremonies.

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

Allison Barnes, CDBG Coordinator, presented the One-Year Action Plan which was necessary for Clearfield City to qualify for Community Development Block Grant (CDBG) funds through the Department of Housing and Urban Development (HUD). The plan covered the program year July 1, 2024 to June 30, 2025. A 30-day comment period commenced March 14, 2024 and residents were given the opportunity to review and comment. Ms. Barnes outlined the recommended allocations for the \$204,908 they expected to receive in CDBG funds.

Mayor Shepherd opened the public hearing at 7:06 p.m.

There were no public comments.

**Councilmember Roper moved to close the public hearing at 7:06 p.m., seconded by Councilmember Thompson.**

**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 REFUND/DONATION OF \$35,038 TO THE NORTH DAVIS FIRE DISTRICT (NDFD)**

Spencer Brimley, Community & Economic Development Director, explained the request received from NDFD to refund fees paid for building permit costs, and all other applicable fees. Staff had determined that \$35,038.52 could be refunded based on applicable codes. Staff recommended the refund/donation to allow the NDFD to complete its building project.

Mayor Shepherd expressed his opinion it was a worthy, justifiable use.

Mayor Shepherd opened the public hearing at 7:09 p.m.

There were no public comments.

**Councilmember Thompson moved to close the public hearing at 7:09 p.m., 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 A DONATION TO THE DAVIS EDUCATION FOUNDATION FOR ITS ANNUAL FUNDRAISING GALA AUCTION**

Nancy Dean, City Recorder, explained that the Davis Education Foundation helped to finance the teen living centers, one of which was at Clearfield High School. Each year they held a fundraising gala and silent auction to raise funds for its endeavors. Clearfield City had typically donated a 2-hour party pass and family pass to the Aquatic Center. These items were not in the budget so a public hearing was required.

Mayor Shepherd explained it was a long-standing annual donation.

Mayor Shepherd opened the public hearing at 7:10 p.m.

There were no public comments.

**Councilmember Wurth moved to close the public hearing at 7:11 p.m., seconded by Councilmember Thompson.**

**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 REGARDING THE PROPOSED INCREASE TO EXECUTIVE SALARIES OF UP TO 8.5 PERCENT FOR FISCAL YEAR 2025 (FY25)**

JJ Allen, City Manager, explained that the State legislature had passed a new law that required a public hearing prior to any proposed increase to executive municipal officers compensation, which included city management, department heads, deputy department heads, and city attorney. He said the number put in the public notice was consistent with budget conversations concerning the entire organization.

Mayor Shepherd opened the public hearing at 7:12 p.m.

There were no public comments.

**Councilmember Thompson moved to close the public hearing at 7:12 p.m., seconded by Councilmember Roper.**

**RESULT: Passed [4 TO 0]**

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

NO:

**PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE FISCAL YEAR 2025 TENTATIVE BUDGET**

Rich Knapp, Finance Manager, presented the tentative FY24 Budget and reminded the Council that it was a tentative budget awaiting information before it could be finalized and adopted. He explained that state law required a tentative budget be passed at this time of May each year. He said if the public wanted further information to contact the City or review the packets made available online. He provided the items that were still needed before the budget could be finalized and adopted.

He pointed out the major changes in the FY2025 Budget compared to FY24. He reviewed the major projects included in the FY2025 budget. He showed the Governmental Funds which showed would use \$13.5M of reserves for one-time projects. JJ Allen, City Manager, clarified that the change in available cash was money that had been saved up over time and would be used for one-time projects.

He reviewed the benchmark levels of security and sustainability and pointed out the projected available General Fund cash by the end of FY25 was 18% of revenues, which was 64 days of operating expenses; above the target of two months. The sustainability of the budget was reviewed, and it was anticipated there would be a net surplus of \$14k. The final budget was to be adopted on or before August 27, 2024.

Mr. Allen explained that the budget process began at the beginning of the year where department heads analyzed their spending and needs, and then submitted requests. Then in

February and March the Budget Committee met with each department to vet each request to scrutinize the budget in great detail. By March/April the proposed budget was reviewed with the City Council to get their vision and feedback.

Councilmember Wurth commended the Staff who had taken the time to present the budget in such detail and their willingness to sit down and answer questions as a new member of the Council to explain how decisions were made.

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

There was no public comment.

**Councilmember Thompson moved to close the public hearing at 7:21 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

#### OPEN COMMENT PERIOD

Shane Siwick expressed his appreciation for the Council's public service. He commented on how the budget was the most important thing the Council did, yet there was no citizen comment, which was a shame. He came to the Council meeting to talk about a young lady who resided in Clearfield City who had been battling leukemia. Her family had asked for help in creating a healing garden or meditation garden for their daughter. They were hoping to have the project completed within one day. He was looking for support from within the community. He invited anyone to participate and provide support on June 8, 2024. He explained that the non-profit Children and the Earth organization was holding a two-day event June 21-22, 2024. He said that organization supported 30-40 youth a year experiencing cancer and all proceeds would go to Ayla. Mayor Shepherd asked him to provide a digital copy of the information so it could be shared.

#### APPROVAL OF THE BID AWARD FOR THE I-15 INTERCHANGES LANDSCAPING PROJECT

Eric Howes, Community Services Director, presented information about the bid received for the I-15 Interchanges Landscaping project. He reported that two years ago, the City had bonded for \$2M to design and install new landscaping for the two interchanges in Clearfield at 650 North and 700 South. In the meantime, inflation had been an issue. He said the bid was opened on April 17, 2024 and the City had received one bid from Star Landscaping and Engineering. The amount for the one interchange project at 700 South was \$2,267,048. The base bid was over the bonded amount minus the costs for design and quality control on the project. If it was awarded, the intent would be to cover the amount with what was available

from the bonded amount, plus an award from RDA 9 funds. He reviewed the added alternates 1, 2 and 4 the Staff also recommended completing. He asked Council to consider the total amount of \$2,525,677 plus a \$50,000 contingency.

Councilmember Ratchford asked if he felt comfortable with the vendor. Mr. Howes explained staff had looked into the vendor and was satisfied with its reputation. He did not feel that the bid was out of line based on his knowledge and experience, the process, and the market. Nancy Dean, City Recorder, explained the process for procuring bids on the State's Procurement Website where companies register with the State. She said the City also called vendors that were known to the City to inform them of the opportunity. She said opportunities were given to many vendors. There had been 10-12 that had intended to bid, but only one vendor submitted a bid. Mr. Howes said there had been six contractors at the pre-bid walk-through meeting and the City still only had one bid. He attested to the thorough process explained by Ms. Dean.

**Councilmember Roper moved to approve the award of the bid for the I-15 Interchanges Landscaping project to Star Landscape and Engineering including the base bid and bid alternates 1,2, and 4 for a total amount of \$2,525,677 with an additional \$50,000 contingency, 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

**APPROVAL OF THE 2024-2025 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ONE-YEAR ACTION PLAN**

**Councilmember Wurth moved to approve the 2024-2025 CDBG One-Year Action Plan 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

**APPROVAL OF ORDINANCE 2024-08 APPROVING THE FISCAL YEAR 2025 TENTATIVE BUDGET**

Mayor Shepherd expressed appreciation to Staff for its time in reviewing the budget with the Council and for clarifying questions they had.

**Councilmember Ratchford moved to approve Ordinance 2024-08 approving the FY2025 Tentative Budget and authorize the mayor's signature to any necessary documents, 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 THE DONATION TO THE DAVIS EDUCATION FOUNDATION FOR ITS ANNUAL FUNDRAISING GALA**

**Councilmember Thompson moved to approve the donation of a 2-hour party pass and family pass to the Aquatic Center to the Davis Education Foundation for its annual fundraising gala and authorize the mayor's signature to any necessary documents, seconded by Councilmember Wurth.**

**RESULT: Passed [4 TO 0]**

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

NO: None

ABSENT: Councilmember Peterson

**APPROVAL OF THE DONATION OF \$35,038 TO THE NORTH DAVIS FIRE DISTRICT (NDFD)**

**Councilmember Ratchford moved to approve the refund/donation of \$35,038 to the North Davis Fire District for fees paid for the building permit process, and authorize the mayor's signature to any necessary documents, seconded by Councilmember Wurth.**

**RESULT: Passed [4 TO 0]**

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

NO: None

ABSENT: Councilmember Peterson

**APPROVAL OF RESOLUTION 2024R-09 PROVIDING WRITTEN NOTICE TO THE DAVIS COUNTY COMMISSION OF CLEARFIELD CITY'S INTENT TO SUBMIT AN OPINION QUESTION TO ITS RESIDENTS REGARDING THE IMPOSITION OF A PARKS, ARTS, RECREATION, AQUATICS, AND TRAILS (PARAT) TAX**

Eric Howes, Community Services Director, explained that providing written notice to the Davis County Commission that Clearfield City intended to submit an opinion question to its residents regarding the Parks, Arts, Recreation, Aquatics, and Trails Tax was the next required step in getting the ballot question on the ballot in the fall.

**Councilmember Thompson moved to approve Resolution 2024R-09 providing written notice to the Davis County Commission of Clearfield City's intent to submit an opinion question to its residents regarding the imposition of a PARAT tax, 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

**DENIAL OF RESOLUTION 2024R-07 REQUESTING A RECENT DECISION BY THE WASATCH INTEGRATED WASTE MANAGEMENT SPECIAL SERVICE DISTRICT TO MANDATE RECYCLING AND IMPOSE A RECYCLING FEE AND ESCALATING PENALTIES FOR NON-COMPLIANCE ON CLEARFIELD CITY RESIDENTS BE RESCINDED OR AMENDED TO ADDRESS CONCERNS PRESENTED BY THE CLEARFIELD CITY COUNCIL**

Mayor Shepherd said Councilmember Peterson had been meeting with Wasatch Integrated Waste Management District (WIWMD) and he recommended the denial of the resolution to allow WIWMD to continue its efforts to correct the issues concerning the City.

**Councilmember Wurth moved to deny Resolution 2024R-07 approving the request to rescind or amend the recent decision made by the Wasatch Integrated Waste Management Special Service District to mandate recycling and impose a recycling fee, and escalating penalties for non-compliance on Clearfield City residents, on the basis of ongoing discussions, seconded by Councilmember Roper.**

**RESULT: Passed [3 TO 0]**

YES: Councilmember Roper, Councilmember Ratchford, Councilmember Wurth

NO: None

ABSTAIN: Councilmember Thompson

ABSENT: Councilmember Peterson

**APPROVAL OF THE PROCLAMATION DECLARING THE MONTH OF MAY 2024, JEWISH AMERICAN HERITAGE MONTH IN CLEARFIELD CITY**

Mayor Shepherd said he had been working with the U.S. Conference of Mayors and with the Coalition on Anti-Semitism. It had been asked for cities to issue a proclamation on the Jewish American Heritage month. He said the Utah Jewish Federation expressed its appreciation to the City for issuing the proclamation. Mayor Shepherd read the proclamation.

**Councilmember Roper moved to approve the Proclamation declaring the month of May 2024, Jewish American Heritage month in Clearfield City and authorize the mayor's signature to any necessary documents, seconded by Councilmember Wurth.**

**RESULT: Passed [4 TO 0]**

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

NO: None

ABSENT: Councilmember Peterson

**UPDATE ON THE FISCAL YEAR 2024 THIRD QUARTER FINANCIAL STATUS**

Rich Knapp, Finance Manager, presented 3<sup>rd</sup> quarter revenues and expenditures. He said the FY24 budgeted year-end unrestricted balance was 31% of revenues. He reviewed the Draft Revenue Summary and reviewed those that were above and below projections. He reviewed Key Revenue Numbers and specifically stated that Sales Tax Revenues were projecting \$470k higher than budget, Energy use revenue was less than what was received in fiscal year 2023, but looked like it would be approximately \$65k higher than projected in the current fiscal year budget. lower than budget. He presented the Draft Expenditure Summary and reviewed key expense numbers. He presented Potential Future Budget Amendments.

He touched briefly on the State of the Utah and U.S. economies. He said the Quarterly Point of Sale Tax revenue numbers were improving. He indicated that as he looked at the variances it looked like the City would be doing better than anticipated by year end.

**COMMUNICATION ITEM**

**MAYOR'S REPORT**

***Mayor Mark Shepherd***

- He said the City had received preliminary instructions for the community project funding formally known as earmarks for a pedestrian bridge. After looking at multiple locations, the focus would be on the corner of Hwy 193 and 1000 East.
- He announced the upcoming Air Show June 28-29 or 29-30 and said there were 6 VIP tickets for councilmembers. He asked the councilmembers to contact him if they were interested.
- Clearfield High Scholarship award was presented and the recipient was very grateful.
- He reported on a trip he took to Washington, D.C. last week where he was able to sit down with Blake Moore's staff to get the Military Housing Bill in bill format.
- He reminded Council of the need to have a Code Blue Response to provide a housing facility for homeless in the County if the temperature dropped below 17 degrees. It would also serve as an overflow for Salt Lake City. He said the County had informed them that its plan was to use the three senior centers as their winter overflow until a permanent solution was in place. The three centers were located in Clearfield, Kaysville, and Bountiful. He said the intention was to rotate cities with each Code Blue day. More discussions were needed.
- He remorsefully announced the passing of Mayor Madsen of Sunset City.

**CITY COUNCIL'S REPORTS**

***Councilmember Thompson***

- Nothing to report.

***Councilmember Ratchford***

- She announced that the new hangar at the Hill AFB Museum opened and she had attended. She recommended all visit.
- She expressed her appreciation to all who had answered all her budget questions to allow her to achieve a greater understanding.

***Councilmember Wurth***

- He wanted to highlight two events – Circles of Davis County “Together We Ball” event which would be held Thursday, May 16, 2024 from 5:30pm – 7:30pm at the Clearfield Aquatic & Fitness Center. The second event was the “Happy Trails” at Steed Park, Saturday, May 18, 2024, 9am – 12 pm sponsored by the Clearfield Parks. – Rio Grande Trail – offer fun time to see the trail and parks – vendors will be present.
- He said he attended a flight demonstration at Hill AFB for F-35s and was in awe. He expressed great respect for the pilot.
- He commented on the update presented by Mr. Knapp about housing affordability in the State of Utah. He mentioned that the median residential listing in Davis County was \$550k and where rates were currently, a family had to make \$130k to afford a home not factoring in a down payment.

***Councilmember Roper***

- He said that Open Doors was preliminarily looking at selling current facilities and buying a new facility to house everything.

**CITY MANAGER'S REPORT**

***JJ Allen, City Manager***

- He expressed his condolences to the family of the Sunset City mayor as well as to the Santaquin Police Department family in the recent tragic passing of Sergeant Hooser.
- He announced that this was National Police Week and tomorrow was National Peace Officer Memorial Day. He expressed appreciation to the police department.
- He expressed congratulations to all graduating seniors.
- He voiced his excitement for the interchange project.
- He expressed his appreciation for everyone's hard work on the tentative budget.

**STAFF REPORTS**

***Nancy Dean, City Recorder***

- She said there were Council meetings planned every week through the end of June.

**Councilmember Thompson moved to adjourn as the City Council and reconvene as the Community Development and Renewal Agency at 8:06 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 11<sup>th</sup> day of June 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, May 14, 2024.

**/s/ Nancy R. Dean, City Recorder**