CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 PM WORK SESSION
June 18, 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, Police Chief Kelly Bennett, Community Relations Director Shaundra Rushton, Public Works Director Adam Favero, Finance Manager Rich Knapp, City Recorder Nancy Dean, Deputy City Recorder Chersty Titensor, Senior Accountant Lee Naylor

DISCUSSION ON PROPOSED LOCATIONS FOR A CODE BLUE WARMING SHELTER

Mayor Shepherd said he had been asked by the County for the City to provide at least one suitable location for warming shelters in Clearfield on Code Blue days. JJ Allen, City Manager, provided the required criteria: available October 15 through April 30, specifically during the night when the temperature dropped below eighteen degrees Fahrenheit, access to bathroom facilities, and enough space to accommodate at least sixteen cots. Mayor Shepherd said the County wanted to use all three Davis County Senior Centers and rotate their use. He asked Council for thoughts on any other locations that might be suitable. He emphasized that the timeframe needed for sheltering would be after a facility was closed. Mr. Allen said the County wanted a response by June 28, 2024.

Councilmember Peterson said she had heard rumor that a concern was that as each City identified locations and they came online, the location would become a permanent facility. Mayor Shepherd said no; the shelters would not be made into a permanent location, nor did the County want a permanent shelter. He said they had considered Fremont Elementary, but the cost was beyond the County's ability.

Councilmember Peterson liked the idea of it being a County building to utilize County management, but in the center of Clearfield City was not consistent with the future development of the City. Mayor Shepherd asked councilmembers to remember that it was to be used as a warming center and that it would not be a visible use, a bus would drop them off and pick them up in the morning, and it was anticipated there would be 16 people on the high end needing the services. Councilmember Peterson understood and wanted County residents without homes to be taken care of; however, she expressed her opinion that Clearfield had carried the social services load in a disproportionate manner in the County for decades. She expressed an additional concern that even though it was under the guise of a County-wide effort, Clearfield was asked to identify a location as it continued to be a leader in the efforts, and thought it was time to

respectfully ask neighboring cities to join Clearfield in helping the most vulnerable in the community. Mayor Shepherd informed the Council of other locations that had been discussed.

Councilmember Wurth pointed out that the County had been giving homeless individuals hotel and motel vouchers, and had been sending them to the Charin Inn, located in Clearfield City. He pointed out that they would not find a perfect location, but what was beneficial was that it would be rotational and would rarely be the same place multiple times. Mayor Shepherd added that under the proposed model, the Charin Inn would not be utilized as often and would only be used for homeless families. Councilmember Wurth said it was his understanding that fiscally, the County considered the Davis County Senior Centers as good candidates because they were County facilities near the needed resources; and there was a public safety element, and the County could provide security support. Mayor Shepherd informed the Council that the intention was to verify that the patrons that got on the bus would return to the bus in the morning. Councilmember Peterson emphasized her desire for them to be safe and well taken care of.

Councilmember Thompson expressed his opposition for using the Davis County Senior Centers because of the potential exposure of senior participants to communicable diseases. He did not want the Code Blue warming shelter to be in any senior center. He would like to see partnerships to utilize older buildings in the City that had gone out of business, possibly renting them. Councilmember Roper asked if there was anything to prevent the County from using its own buildings. Mayor Shepherd said there was nothing to stop them. Councilmember Thompson wanted his opposition to be on record.

Councilmember Wurth thought it was important to bring that issue to the County's attention so they took the expressed concerns into consideration. He struggled with thinking of any other location that would work, especially since this was an unfunded mandate with zero dollars available. Councilmember Wurth explained that the County had considered utilizing the senior centers because either the organizations that had been helping had been doing so with very little funding and were stretched thin, or because some cities were more willing and others less willing to participate in the solution. The County had to have a plan in place to meet the legislative deadline of August 1, 2024.

Councilmember Peterson asked if there would be a re-evaluative phase. Mayor Shepherd said Commissioner Stevenson had brought it up and said if a location was not working, a different solution would be found. Councilmember Peterson asked if there was some agreement that could specify a re-evaluation period in writing. Mayor Shepherd said there would not be anything in writing because it was not the City's program. He said the task force got to make the decision, but the County had the authority to do it on their own. Councilmember Wurth said if the City wanted agreements in place, then there needed to be more conversations with their legislators.

Councilmember Peterson acknowledged Councilmember Thompson's concerns about health implications and recommended feedback to the County that there be segregated areas, and safety precautions for Clearfield residents. Councilmember Thompson asked if CDRA funds would be available for the use. Councilmember Roper pointed out the Davis County Senior Centers were the County's building and it could use them the way it wanted. Councilmember Peterson agreed

with him, but she could not think of a place that would work. She mentioned the possibility of figuring out a rental amount for the services the County would be covering, for instance, staffing for security. She suggested asking the County for a plan as to how they would keep the senior citizens safe from health implications. She said it would give the City time to do more due diligence to find an alternative. Councilmember Thompson acknowledged the administrative costs for the program. Mayor Shepherd pointed out that the person who volunteered using the senior center was the head of the health department, who would certainly understand health implications. He further stated he did not want to take on the responsibility by paying Clearfield businesses to rent facilities and did not want to send the County that message because the City was already paying into the mitigation fund to take care of the homeless and he was not sure he wanted to pay additional.

Councilmember Wurth mentioned land behind the center to put up a warming tent. Mayor Shepherd wondered if Lakeside Square would work as a temporary building if the owners would be willing to donate it until it was demolished next year. Councilmember Ratchford asked if there was an apartment complex that multiple cities could cohabitate. Mayor Shepherd said there had been an idea for all apartment complexes to put one unit aside for permanent supportive housing that the County would take on. He said there were more issues that made it prohibitive.

DISCUSSION ON THE COST SHARE AGREEMENT WITH DAVIS SCHOOL DISTRICT FOR 1ST STREET/500 WEST EXTENSION

JJ Allen, City Manager, reminded Council about sharing costs with the Davis School District to create the road to connect with 500 West. He said the bid had come in under budget and the contract had been awarded with construction beginning right away. Adam Favero, Public Works Director, said the preconstruction meeting would be held Thursday, June 20, 2024. Mr. Allen said it was unlikely that it would be completed before the new school year. He said the agreement said the two parties would share cost 50/50 minus the water/sewer improvements but would share surface improvements and storm drain. He said the City had funding from the 3rd Quarter Sales Tax monies from Davis County. He said the anticipated net amount was approximately $240k. He said once the project was completed they would calculate the actual numbers and would invoice the School District with the actual amount. The School District's representative said the School Board would discuss it ion the coming week.

DISCUSSION ON FISCAL YEAR 2024 PROPOSED BUDGET AMENDMENTS

Rich Knapp, Finance Manager, reviewed the proposed budget amendments. He explained that the first item was to give budget authority for the State mandated compensation for Judge Brower that had not been budgeted. He explained the need to pay greenbelt rollback taxes. Mr. Allen said it was for The Heights development project at Legend Hills from when the developer dedicated right-of-way to the City. The entirety of the right-of-way was in greenbelt and when it was transferred to the City, by statute, the City was compelled to pay the back taxes. Councilmember Peterson asked if Staff going forward could identify projects with this designation and have it be part of the agreement. Mr. Allen said they could try to exact the amount through a development agreement. Mayor Shepherd said the City needed to require the developer to take care of bringing the property out of greenbelt before transferring to the City.

Councilmember Peterson wondered if the greenbelt tax statute needed to be changed and whether it was prohibitive to development. Mayor Shepherd understood the reasoning behind the statute. Councilmember Peterson thought the statute should be changed to reflect that in that specific situation the greenbelt taxes should be borne by the developer. She wondered if this was a topic that should be queued up in a discussion with the lobbyist, Steve Hiatt. Mr. Knapp said it was part of the farmland code. Councilmember Peterson understood that, but saw it as another reason that cities have a hard time developing.

Mr. Knapp explained the next item was a reallocation of the budget from Planning to CED Administration due to the changes of the Community & Economic Development Director position. The amendment to the Arts item could be stricken because it had been figured out between the Recreation and Arts budgets. To avoid the audit finding, Mr. Knapp reminded Council that monies had been moved at the end of FY23 for the FY24 budget so there would not be an additional transfer for FY24 because it had already happened. He explained that though there was budget authority to make the transfer for FY25 and that it would be done during FY24 to avoid that audit finding. He said that he had looked at the projections and thought they would go over the thirty-five percent (35%) and asked Council if it was okay for Staff to transfer $3.9M that was not earmarked for a specific project to Fund 45 for future projects. Councilmember Peterson asked to be informed of any transfer. Council was okay with future project transfer as long as they were notified of the transfer.

He reviewed CDRA Amendments.

DISCUSSION ON THE FISCAL YEAR (FY25) BUDGET

Rich Knapp, Finance Manager, reviewed changes since the Tentative Budget was adopted. He reviewed the Property & Liability Insurance increases which saw an increase IN rates by approximately three-percent (3%) and an additional nine-percent (9%) increase due to exposure, meaning the properties were worth more due to inflation. Mr. Knapp said six different companies had entered bids on the insurance. Councilmember Thompson was not surprised and gave his reasons. Summer Palmer, Assistant City Manager, said there had been decreases in certain lines, such as management liability, but increases in the auto lines. She said it was necessary to take into consideration the current costs of vehicles. Due to the increase in value of vehicles, there was more exposure. Mr. Allen said the insurance on the autos was not comprehensive coverage. Ms. Palmer explained the coverage was just liability but that claims overall were costing more and more. Mr. Allen pointed out that $5k of the additional $22k in premiums was optional extra coverage for an active shooter situation. Ms. Palmer said it covered three facilities – the city building, arts building and aquatic center. She was less worried about those buildings compared to other large gathering public spaces, such as Fisher Park, Steed Park, and the Center Street Bridge for community activities. She said she had asked them to get a quote for all public properties. She said it also included coverage for an employee active shooter. She said the budget increase requested was for the lowest level of coverage, the number may be higher once they rebid the broader coverage. Ms. Palmer said this was the first time Staff had seen the line, and explained the voluntary nature, but the intent to protect the City from lawsuits. Ms. Palmer said the rates for Cyber Insurance held steady. She said there was no increase due to the efforts taken since the cyberattack.

Mr. Knapp explained the need to increase the budget to the Arts by a net additional $13k and make a reduction in the Recreation budget to make the budget more accurate. Mr. Allen pointed out that while the City had been investing more in Arts, revenues had been up as well. Mr. Knapp said the budgeted wage increases would be implemented in the fifteenth pay period of 2024, which would begin Sunday, June 30, 2024. He said that the Truth in Taxation meeting would be set at the next meeting. He said they would set the Truth in Taxation public hearing to August 13, 2024 and indicate the proposed property tax rate at that time.

Mr. Knapp explained the impacts to changes in the Tax Rate on property taxes. He said that the property values in Clearfield City went up by 5.4% which explained why the certified tax rate was lower than last year. However, the amount of TIF/CDRA monies decreased by 17% so there was less to subtract from the top, which resulted in a net increase to taxable value of 9.6%. Mr. Allen said they needed to look at RDA 7 now that it had expired, because all that valuation should come on the rolls as if it were new growth. He said Staff would investigate it to make sure the County had it correct. Mr. Knapp said the new growth was accounted for in the numbers. Mr. Allen recommended moving forward with that assumption, but Staff would report back after looking into it further. Mr. Knapp gave an estimated impact to property taxes for residents.

Mr. Knapp reviewed potential revenue impact on the budget at varying tax rates. Mr. Allen pointed out that if the Council was inclined to go with the line item titled "Tentative Budget Estimated Rate" the increased revenue would essentially buy one new officer position or one full-time parks employee, but not both. He recommended designating where the money would be applied. Mayor Shepherd said he wanted to keep the rate at .001209 due to the increases from all the other taxing entities. He said the City was already getting criticized for the water rate increases. He thought if the budget was balanced at .001209 then he wanted to keep it at that rate. Councilmember Roper agreed. Councilmember Peterson acknowledged the need to choose from two lousy options, but for her she thought it was important to stay competitive with the current workforce and invest in compensation but understood the budget could not increase staffing as well. Mr. Allen expressed his appreciation for the support on the wages to stay competitive to retain and be able to recruit. He said that they could not ignore the fact the City was short-staffed.

Councilmember Thompson recalled a conversation about adding an extra officer due to the growth of the City. He advocated for the inclusion of the additional officer position by increasing the tax rate to .001250. He said the decision became one of safety and service, recognizing that either way the City would be facing the same scenario next year. He said looking at inflation and where the economy was headed, he would rather embrace the necessary increases now than come back next year with more increases. Mayor Shepherd said he saw comments online expressing gratitude for the smaller increases and not large increases. Ms. Palmer pointed out that the rate Councilmember Thompson was advocating for would pay for wages and benefits, but not to outfit the positions. Mr. Allen said there were ways to make it work to outfit an officer at that rate.

Councilmember Wurth agreed that the public safety element was needed, but also had the

Clearfield Station Area developing and it was important to have that new development show well. Councilmember Ratchford said once the City approved new apartments there were many individuals that were unsympathetic to accompanying growth needs. She did not want to have to pay for police to cover those apartments. She asked if the Police Department could pull back on any expenses to get another officer position to allow the rate to be maintained. Kelly Bennett, Police Chief, did not think so because a majority of his budget was personnel. He said his department was already not buying any new vehicles in FY25.

Councilmember Thompson asked how much overtime was affecting the police department budget. Chief Bennett acknowledged that overtime was affecting the budget and had already exceeded the current budget in overtime. Mr. Allen clarified Councilmember Thompson's question by asking if more officers were added, would overtime costs be reduced. Chief Bennett was not sure it was significant enough. Ms. Palmer thought maybe $20k would be saved. She mentioned that the burnout factor was more concerning than the overtime.

Councilmember Ratchford asked if they could go back to the budget to lean it out. Councilmember Thompson brought up not wanting to cut projects because of potential future costs. Mr. Allen said projects could not be cut to pay for personnel. He noted the difference was between a one-time expense for an ongoing expense. Councilmember Ratchford wondered if there was something in the budget that could be reduced to help pay for an officer. Councilmember Roper reminded her of the need for any cutback to be sustainable. Mr. Allen said any decrease to the existing budget was a shift in priorities and pointed out it was a question of what service levels the Council was okay with. Councilmember Ratchford thought the main areas with the most wear-and-tear were the parks and police. Mr. Allen said one of the nuances with parks was that there was an opportunity to negotiate with the developers of Clearfield Station for cost-sharing in the maintenance that could off-set a portion of the staffing. Councilmember Peterson thought UTA involvement in the maintenance for Clearfield Station was a part of the original agreement. Mr. Allen said there was an Exhibit in the MDA which showed which areas were Clearfield City's areas to maintain and brought up the possibility of outsourcing the maintenance.

The Council appeared to agree on maintaining the .001209 rate. There was a discussion of possible increases in revenue for future projects and the possibility of looking at the budget again mid-year. Councilmember Wurth asked if police calls to apartment buildings were disproportionate to calls to single family units. Chief Bennett said it might seem like it, but there were more people living in the apartment buildings and the police were not going to one apartment building, but to different areas. Councilmember Peterson thought it was not higher crime inherently because of density, but just more people that lived there. Councilmember Peterson saw that as a growth issue not a multi-family housing issue. Councilmember Wurth made the point that where the mechanisms to increase revenue was property tax and sales tax, and multi-family housing had a higher tax assessment than single-family housing, then in essence, if they wanted to fund more public safety, it was more cost efficient to fund police officers because more revenue coming from that type of property. Chief Bennett said he understood it was a difficult decision and assured the Council that his department was making evaluations about current positions to review all available options. He said the "plus one" position helped the department prepare for upcoming retirements. Councilmember Peterson

asked where he would place an officer if he was able to hire one person. Chief Bennett said once trained he would utilize the spare car in patrol. Councilmember Peterson mentioned some places where the department had grown in the last five years was specialty positions – with the utilization of grants to help with start-up costs. Chief Bennet said his commitment was to patrol and that specialty positions needed to be put on hold unless there was a full-match grant. Councilmember Ratchford asked if an officer could be cross trained. Chief Bennett said not in the Police Department.

Chair Thompson moved to adjourn at 7:21 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 13th day of August 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, June 18, 2024.

/s/ Nancy R. Dean, City Recorder