

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 PM POLICY SESSION
June 25, 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 Dakota Wurth

ABSENT: Councilmember Megan Ratchford

STAFF PRESENT: Deputy City Recorder Chersty Titensor, Public Works Director Adam Favero, City Manager JJ Allen, Assistant City Manager Summer Palmer, City Attorney Stuart Williams, Police Chief Kelly Bennett, Community Services Deputy Director Curtis Dickson, Senior Planner Brad McIlrath, Finance Manager Rich Knapp, Senior Accountant Lee Naylor, Communications Manager Shaundra Rushton

VISITORS: Lamont Hampton, Genevra Prothero – Davis County Pride, Colleen Mewing – Davis County Pride Board, Jolene Mewing – Davis County Pride Board, Ron Williams, Pam Woods – Job Corps, Hannah Waller – Job Corps, Angel Vecadra – Job Corps, Chris Miller – Job Corps, Ina Castilla – Circles, Brenda Brown – Job Corps, Elijah McCulley – Job Corps, Gregaria Samps – Job Corps, Samuel Soos – Job Corps, Robin Hawkes – Job Corps, Pine Bruce – Job Corps

Mayor Shepherd called the meeting to order at 7:06 p.m.

Councilmember Wurth led the opening ceremonies.

APPROVAL OF MINUTES

May 14, 2024 – work session

May 21, 2024 – work session

May 28, 2024 – work session

May 28, 2024 – policy session

June 11, 2024 – policy session

Councilmember Roper moved to approve the May 14, 2024 work session, May 21, 2024 work session, May 28, 2024 work session, May 28, 2024 policy session, June 11, 2024 policy session, seconded by Councilmember Wurth.

RESULT: Passed [4 TO 0]

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

NO: None

ABSENT: Councilmember Ratchford

RECOGNITION OF CIRCLES/JOB CORPS GRADUATES

Councilmember Roper served on the Board of Directors for Open Doors and introduced the item on the Agenda. He stated that Open Doors were taking a hard look at what Open Doors represented and recognized that the Circles program was crucial. He presented certificates to the graduates of the Circles Program.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A ZONING TEXT AMENDMENT TO BUILDING MATERIALS IN THE DOWNTOWN CLEARFIELD FORM BASED CODE

Brad McIlrath, Senior Planner, reminded the Council that the Form Based Code was updated in 2020 and as part of that update a more precise list of acceptable building materials was created for the downtown area. He said that since that time he saw there was continual evaluation, innovation, and new technologies in building materials that needed to be re-examined to recognize innovations and opportunities to provide high quality product with long-lasting materials. Mr. McIlrath showed the updated language since the prior discussion at the work session on June 11, 2024. He reviewed the primary and secondary building materials listed. He showed pictures of various building materials around the City. He showed commercial uses of foam-insulated metal panels from the manufacturer, KingSpan, from different locations. He said the Planning Commission recommended approval.

Mayor Shepherd opened the Public Hearing at 7:34 p.m.

There were no public comments.

Councilmember Peterson moved to close the public hearing at 7:34 p.m., seconded by Councilmember Thompson.

RESULT: Passed [4 TO 0]

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

NO: None

ABSENT: Councilmember Ratchford

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A ZONING TEXT AMENDMENT TO AMEND SECTION 11-15-8 D2 OF THE CITY CODE FOR THE FRONTAGE STANDARDS FOR MONUMENT SIGNS

Brad McIlrath, Senior Planner, informed the Council that the application for the zoning text amendment request was submitted by a property owner that wanted to develop within the City. He said the amendment would be to Section 11-15-8 of Clearfield City Code which regulated Monument Signs, specifically outside of the Form Based Code zone. He said the Code currently required a property to have 100 feet of frontage to have a monument sign. Due to the narrowness of the property (80 feet wide frontage), the applicant requested that the standard remain, but the required frontage be reduced from 100 feet to 50 feet. He said another part of

the Code required a 100-foot separation between monument signs between properties. He showed an example of the change in the Code. He showed an aerial view of the property as well as the frontage view of the property. Even with the Code change, there was not 100 feet of separation between monument signs. He said the property owner would need to work with adjacent property owner to ask them to relocate their monument signs as well.

Mayor Shepherd asked what the difference was between the two signs on either side of the property. Mr. McIlrath said it was approximately 198 feet between the two signs. He said the Planning Commission recommended approval to the City Council.

Mayor Shepherd opened the public hearing at 7:40 p.m.

There were no public comments.

Councilmember Thompson moved to close the Public Hearing at 7:40 p.m., seconded by Councilmember Wurth.

RESULT: Passed [4 TO 0]

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

NO: None

ABSENT: Councilmember Ratchford

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON AMENDMENTS TO THE FISCAL YEAR 2024 (FY24) BUDGET

Rich Knapp, Finance Manager, presented the proposed budget amendments to the FY24 budget. He pointed out a couple of adjustments and reallocations where he did not have budget authority.

Mayor Shepherd opened the Public Hearing at 7:42 p.m.

There were no public comments.

Councilmember Roper moved to close the Public Hearing at 7:42 p.m., seconded by Councilmember Thompson.

RESULT: Passed [4 TO 0]

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

NO: None

ABSENT: Councilmember Ratchford

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT REGARDING THE AMENDING OF THE UTILITY FEES FOR WATER, SEWER, STORM WATER, AND GARBAGE IN THE CITY'S CONSOLIDATED FEE SCHEDULE

Rich Knapp, Finance Manager, reviewed the utility rate changes and fee schedule reference corrections and clarifications. He said the average monthly bill would be increased by \$9.78 per month starting July 1, 2024. He said the utility rates included water, sewer and storm rates. He said the increase was a result of increased costs, replacing aging infrastructure, and increases from external providers. He pointed out that the second trash can would be increased by \$6.24 per month and recycle can by \$1 per month.

Mr. Knapp explained that the water, sewer, and storm project costs were much higher than was assumed in the 2021 Rate Study. He said that Weber Basin Water was anticipating 13% annual increases over the next four years, which was much higher than the rate study projections. To deal with those challenges, after discussing several scenarios, the Council decided the City needed to take care of the aging infrastructure and were proceeding with a majority of planned projects through rate increases and financing. He explained the changes to the base fees were not a function of conservation or usage but just the cost of having the service available to the property. He said there was more detailed information in the Agenda Packet which showed for most users a \$0.02 per gallon increase to rates based on usage.

Additionally, the contractor for garbage and recycling collection, Waste Management, saw a CPI increase of 5.5% but the City did not increase the first can but the rate for the second can was increased. He pointed out that the City had been subsidizing a portion of the cost of recycling, but the proposed increase would bring the rate to two cents (\$0.02) above the City's cost. The City suggested that residents choose recycling over using additional trash cans due to the lower monthly rate and sustainability objectives.

Councilmember Wurth expressed appreciation to Staff for the level of explanation and the due diligence completed to present the variety of options for the Council to consider.

Mayor Shepherd opened the Public Hearing at 7:48 p.m.

There were no public comments.

Councilmember Thompson moved to close the Public Hearing at 7:48 p.m., seconded by Councilmember Wurth.

RESULT: Passed [4 TO 0]

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

NO: None

ABSENT: Councilmember Ratchford

OPEN COMMENT PERIOD

Genevra Prothero, founder of Davis County Pride, addressed the Council to express her gratitude to Mayor Shepherd and City Councilmembers for being leaders in the community

and making history by issuing the proclamation designating June 2024 as Pride month in Clearfield City. She gave her organization's website as daviscountypride.org.

Colleen Mewing told the Council that she graduated from Clearfield High School in 1981 and at that time there were no Gay Straight Alliances (GSA) and was proud that schools now had GSA options available for students. She expressed her appreciation for the Council having the proclamation on the agenda and encouraged them to pass the proclamation. She said she was an employee at Hill AFB and was on the Pride Committee. She told the Council that Commander Jeffrey Holland recently signed a proclamation designating Pride month on Hill AFB.

Mayor Shepherd closed the Public Hearing at 7:54 p.m.

APPROVAL OF RESOLUTION 2024R-10 APPROVING THE INTERLOCAL COOPERATION AGREEMENT WITH THE MILITARY INSTALLATION DEVELOPMENT AUTHORITY (MIDA)

Stuart Williams, City Attorney, explained that the City had entered an Interlocal Agreement with MIDA in 2016 and had recently updated terms and created a new agreement. He said MIDA was wonderful to work with and was able to compromise to craft the new agreement. He said most of the agreement was the same, but the biggest change was a flat fee for police service which could be readdressed in the future as needs were assessed. He said the business licensing had changed. Each business would be licensed with Clearfield City as any business, but disproportionate fees would be excluded.

Councilmember Wurth moved to approve Resolution 2024R-10 approving the Interlocal Cooperation Agreement with MIDA and authorize the mayor's signature to any necessary documents, seconded by Councilmember Roper.

RESULT: Passed [4 TO 0]

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

NO: None

ABSENT: Councilmember Ratchford

APPROVAL OF RESOLUTION 2024R-11 APPROVING THE INTERLOCAL AGREEMENT BETWEEN CLEARFIELD CITY, LAYTON CITY, AND DAVIS COUNTY TO CREATE A HOME CONSORTIUM FOR THE HOME INVESTMENT PARTNERSHIP PROGRAM

Councilmember Wurth had recused himself from the vote due to his employment with Davis County.

Councilmember Wurth gave an explanation of the Home Investment Partnership Program through HUD which was a sister program to CDBG that Clearfield City administered. He reminded the Council that Clearfield City received about \$250k per year for low-to-moderate

income activities. The proposed program, in conjunction with the County representing thirteen cities and Layton City, who had passed the resolution, would bring a recurring revenue stream into Davis County in the amount of approximately \$550k per year. All administrative requirements fell to Davis County but since Clearfield and Layton were entitlement cities, it was required for them to sign a Consortium Agreement or no entitlement would be granted to the County. He said the County had been working closely with Layton and Clearfield to come together on an agreement that met HUD requirements and was amenable to all parties.

Councilmember Roper moved to approve Resolution 2024R-11 approving the Interlocal Agreement between Clearfield City, Layton City, and Davis County to create a HOME Consortium for the HOME Investment Partnership Program, and authorize the mayor's signature to any necessary documents, seconded by Councilmember Thompson.

RESULT: Passed [3 TO 0]

YES: Councilmember Peterson, Councilmember Roper, Councilmember Thompson

NO: NONE

RECUSED: Councilmember Wurth

ABSENT: Councilmember Ratchford

APPROVAL OF ORDINANCE 2024-10 APPROVING A ZONING TEXT AMENDMENT TO AMEND TITLE 11, CHAPTER 11, ARTICLE G OF THE FORM BASED CODE OF THE CLEARFIELD CITY CODE

Councilmember Peterson moved to approve Ordinance 2024-10 approving a zoning text amendment to amend Title 11, Chapter 11, Article G of the Form Based Code of the Clearfield City Code, and authorize the mayor's signature to any necessary documents, seconded by Councilmember Thompson.

RESULT: Passed [4 TO 0]

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

NO: None

ABSENT: Councilmember Ratchford

APPROVAL OF ORDINANCE 2024-11 APPROVING A ZONING TEXT AMENDMENT TO AMEND TITLE 11, CHAPTER 15, SECTION 8, PARAGRAPH D, SUBPARAGRAPH 2 – LAND USE, SIGN REGULATIONS, SIGNS THAT REQUIRE A PERMIT, MONUMENT SIGNS

Councilmember Thompson moved to approve Ordinance 2024-11 approving a zoning text amendment to amend City Code Title 11, Chapter 15, Section 8, Paragraph D, Subparagraph 2 – Land Use, Sign Regulations, Signs that Require a Permit, Monument Signs, and authorize the mayor's signature to any necessary documents, seconded by Councilmember Peterson.

RESULT: Passed [4 TO 0]

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

NO: None

ABSENT: Councilmember Ratchford

APPROVAL OF RESOLUTION 2024R-13 APPROVING THE COST SHARE AGREEMENT WITH DAVIS SCHOOL DISTRICT FOR THE 1ST STREET/500 WEST EXTENSION PROJECT

JJ Allen, City Manager, explained the proposed resolution was to authorize collaboration on funding for the extension of 500 West along the 1st Street alignment to connect the new street with the Davis School District property in Freeport West. Through the agreement, the cost of surface improvements and storm drain would be split 50/50 after the funding from Davis County was backed out. The project had been bid and demolition had commenced.

Councilmember Thompson moved to approve Resolution 2024R-13 approving the Cost Share Agreement with Davis School District for the 1st Street/500 West Extension Project and authorize the mayor's signature to any necessary documents, seconded by Councilmember Wurth.

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

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

NO: None

ABSENT: Councilmember Ratchford

SET THE PUBLIC HEARING FOR A TRUTH IN TAXATION FOR AUGUST 13, 2024, AT 7:00 P.M. TO CONSIDER A PROPOSED 0.001209 CERTIFIED TAX RATE FOR FISCAL YEAR 2025

Rich Knapp, Finance Manager, said he had received the tax rate from Davis County but the purpose of current item was to set the date of August 13, 2024 for a Truth in Taxation public hearing.

Mr. Knapp pointed out that last year's rate was 0.001202 but because property values went up, the County reduced the certified tax rate to 0.001153. The City was proposing a rate increase to .001209. He explained that it was less than a percent rate increase from last year and that the average increase from the certified tax rate was \$14.81 for the year. He indicated that the proposed rate would increase property tax revenue for the City by 4.8%. He said the estimated average residential property tax for City services totaled \$320. He showed a representational breakdown of the various agencies' portion of residents' property tax.

Councilmember Wurth moved to set the Public Hearing for a Truth in Taxation to August 13, 2024 at 7:00 p.m. to consider the proposed 0.001209 certified tax rate for fiscal year 2025 and authorize the mayor's signature to any necessary documents, seconded by Councilmember Roper.

RESULT: Passed [4 TO 0]

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

NO: None

ABSENT: Councilmember Ratchford

APPROVAL OF RESOLUTION 2024R-12 AUTHORIZING AND ADOPTING AMENDMENTS TO THE FY24 BUDGET AND APPROPRIATING FUNDS FOR THE PURPOSES SET FORTH THEREIN

Councilmember Thompson moved to approve Resolution 2024R-12 approving and adopting amendments to the FY24 budget and appropriating funds for the purposes set forth therein and authorize the mayor's signature to any necessary documents, seconded by Councilmember Peterson.

RESULT: Passed [4 TO 0]

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

NO: None

ABSENT: Councilmember Ratchford

APPROVAL OF ORDINANCE 2024-12 AMENDING THE UTILITY FEES FOR WATER, SEWER, STORM WATER, AND GARBAGE IN THE CITY'S CONSOLIDATED FEE SCHEDULE

Councilmember Wurth moved to approve Ordinance 2024-12 amending the Utility Fees for Water, Sewer, Storm Water, and Garbage, making minor corrections to code citations for the Parking & Code Enforcement fees and clarifying Building Rental Fees in the City's Consolidated Fee Schedule and authorize the mayor's signature to any necessary documents, seconded by Councilmember Thompson.

RESULT: Passed [4 TO 0]

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

NO: None

ABSENT: Councilmember Ratchford

APPROVAL OF A PROCLAMATION DECLARING JUNE 2024 PRIDE MONTH IN CLEARFIELD CITY

Councilmember Wurth read the proposed Proclamation declaring June 2024 Pride Month in Clearfield City. Mayor Shepherd expressed his appreciation to Councilmember Wurth's work in writing the proclamation.

Councilmember Roper moved to approve a Proclamation declaring June 2024 as Pride Month in Clearfield City, and authorize the mayor's signature to any necessary documents, seconded by Councilmember Wurth.

RESULT: Passed [3 TO 2]

YES: Mayor Shepherd, Councilmember Roper, Councilmember Wurth

NO: Councilmember Peterson, Councilmember Thompson

ABSENT: Councilmember Ratchford

COMMUNICATION ITEMS

MAYOR'S REPORT

Mayor Mark Shepherd

- He attended leadership meetings with the National League of Cities (NLC) where he sat on the Board of Directors but was not assigned to any committee. He chose to sit with the Transportation Committee and listened to the DOT's presentation and set policy with NLC on what was important to cities regarding transportation. He summarized the three biggest topics of the meeting: 1) fell to the cities to maintain the amount of money that came through the Infrastructure Investment and Jobs Act (IIJA) which was given to the states enabling grants to the cities to show the federal government that cities could handle money and did not need to flow through the state; 2) Grant more opportunities to the Regional Councils, such as Wasatch Front Regional Council which was a major planning organizations to plan more funding for planning for staffs; 3) Eliminate programs that require funding to states and MPO's to give directly to cities. Programs such as the federal program, Safe Streets for All, which was a grant the City would need to apply for when finishing funding for a pedestrian bridge or a second bridge.
- He visited the County Transportation Center where traffic was monitored. He had done the same thing with UDOT and learned that no signal went untimed or unnoticed. UDOT had the ability to control every signal.
- He extended an invitation to all for the upcoming 4th of July activities.
- He reminded the Council of the upcoming Air Show and gave the information for the two meet and greets Thursday and Friday. He said it was for all the performers except Thunderbirds. He would send more information out to the Council.

CITY COUNCIL REPORTS

Councilmember Nike Peterson

- Nothing to report

Councilmember Karece Thompson

- Nothing to report

Councilmember Dakota Wurth

- He attended the National Community Development Association conference in Boston where he had seen presentations about programs like the HOME program just authorized. He remarked on the creative and efficient uses those funds had allowed cities and counties to tailor affordable housing strategies to their locals. He said he was impressed with the presentation given by the City Manager of Cambridge and gave him a different perspective to think 100 years in the future instead of 10 years. He said Clearfield City could learn a lot from cities all along the east coast.
- He reported that the Mosquito Abatement was accepting the tax rate and was not raising taxes.
- He said he was thrilled to spend 4th of July with the Council and Youth Commission this year.
- He expressed appreciation for Councilmember Peterson's family for their Herculean effort on

the float.

- He remarked on the split vote on the proclamation tonight. He expressed appreciation to both dissenters and explained that they had both provided rational and respectable reasoning for their objection to him. He acknowledged the need to move forward and teach each other, which was more valuable than dissent. He understood he had a lot to learn.

Councilmember Roper

- He said his vote on the proclamation was an acknowledgment that he believed in building bridges. He said disagreement could be okay and he acknowledged the need to come together and support each other and believed in the power of love.
- He announced that the North Davis Fire Station would celebrate its opening with a Hose Cutting on July 29th at 2:00 p.m.

CITY MANAGER'S REPORT

JJ Allen, City Manager

- He expressed apologies for the temperature in the room.

STAFF REPORTS

Curtis Dickson, Community Services Deputy Director

- He reminded Council of the events surrounding the 4th of July celebrations. He reported that the events kicked off with Search the City activity; Saturday after the Air Show would be showing "Top Gun" at the Movie in the Park event at Steed Park Softball field #3 starting at 9:30 p.m.; Monday, Paint the Bridge party – closing bridge at 9:30-10 a.m. for the day and would start the event at 7:30 p.m. with food trucks and music and painting; Tuesday – Patriotic Concert 7:30 p.m. with the community band and choir at Bicentennial Park; Wednesday was the Pool Bash at the Aquatic Center at 7:30 p.m. \$2 registration; July 4th kicking off 7 a.m. 5k run/1 mile walk registration starts at 6 a.m. 9:30 a.m. parade starts. He said there were 55 entries and the scheduled flyover by Hill AFB 419th Fighter Wing was at 9:19 a.m. He said the Park Festival would start at 6:00 p.m. at Fischer Park for bands and food trucks. Firework Show would start at 10:00 p.m.. More information could be obtained from website: ccjuly4.com.

Chersty Titensor, Deputy City Recorder

- No meetings July 2, 2024.
- Work & Policy session on July 9, 2024.
- No meetings had been scheduled so far for the remaining weeks in July, but would keep the Council posted as we get closer.

Councilmember Thompson moved to adjourn at 8:29 p.m., seconded by Councilmember Wurth.

RESULT: Passed [4 TO 0]

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

NO: None

ABSENT: Councilmember Ratchford

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 25, 2024.

/s/ Nancy R. Dean, City Recorder