

CLEARFIELD CITY COUNCIL MEETING MINUTES  
7:15 PM POLICY SESSION  
August 13, 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 Megan Ratchford, Councilmember Dakota Wurth

STAFF PRESENT: City Manager JJ Allen, City Attorney Stuart Williams, Police Chief Kelly Bennett, Community Services Director Eric Howes, Community Development Director Spencer Brimley, Finance Manager Rich Knapp, Accountant Lee Naylor, Communications Manager Shaundra Rushton, City Clerk Nancy Dean, Deputy City Recorder Chersty Titensor, Senior Planner Brad McIlrath, Tyson Stoddard, Tracy Meldrum, Denise Clayburn, Beth Dean, Stacy Milgate, Chelsea Kantola, Ben Allan

VISITORS: Crystal Abernathy, Josh Cagle, Elizabeth Metroka, John Crofts

Mayor Shepherd called the meeting to order at 7:15 p.m.

APPROVAL OF MINUTES

June 18, 2024 – Work Session  
June 25, 2024 – Work Session  
June 25, 2024 – Policy Session  
July 9, 2024 – Work Session  
July 9, 2024 – Policy Session  
July 30, 2024 – Work Session

**Councilmember Wurth moved to approve the June 18, 2024 work session, June 25, 2024 work session, June 25, 2024 policy session, July 9, 2024 work session, July 9, 2024 policy session, and July 30, 2024 work session., seconded by Councilmember Ratchford.**

RESULT: **Passed [5 TO 0]**

YES: Councilmember Peterson, Councilmember Roper, Councilmember Thompson, Councilmember Ratchford, Councilmember Wurth  
NO: None

PUBLIC HEARING FOR AN AMENDMENT TO THE LAKESIDE APARTMENTS  
DEVELOPMENT AGREEMENT (DA) TO CLARIFY THE PERMITTED SUCCESSORS  
AND ASSIGNS FOR THE DEVELOPMENT OF THE PROPERTY LOCATED AT  
APPROXIMATELY 325-375 SOUTH STATE STREET (TIN: 12-003-0283)

Spencer Brimley, Community & Economic Development Director, explained that the applicant's requested change to the Development Agreement was for a small adjustment to the definition section concerning those who could be included as successors and assignors. He said it did not change the substance of the document or requirements that had been agreed upon previously. He said the Planning Commission unanimously recommended approval.

Mayor Shepherd opened the Public Hearing at 7:19 p.m.

There were no public comments.

**Councilmember Thompson moved to close the public hearing at 7:19 p.m., seconded by Councilmember Peterson.**

**RESULT: Passed [5 TO 0]**

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

NO: None

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE PROPOSED FISCAL  
YEAR 2025 INTER-FUND TRANSFERS

Rich Knapp, Finance Manager, explained that as part of passing the Final FY25 Budget it was required to send residents notice of transfers. He said the first part of the transfers were for Operational Costs – General Funds charging the Enterprise Funds for the services rendered. The second transfer was to recognize water costs the City was not charging itself; water for all facilities, parks, etc. The City does not charge itself, but charges have to be recognized for transparency issues.

Mayor Shepherd opened the public hearing at 7:21 pm

**Councilmember Roper moved to close at 7:22 p.m., seconded by Councilmember Wurth.**

**RESULT: Passed [5 TO 0]**

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

NO: None

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE FINAL BUDGET FOR CLEARFIELD CITY FOR FISCAL YEAR 2025, BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025

Rich Knapp, Finance Manager, presented the final budget for FY25. He related that the budget reflected the City's commitment to create a place where people wanted to be. He said the information was posted on the City's website. He reviewed the major change items on the FY25 budget compared to the FY24 budget. He presented the major projects included in the FY25 budget. He said that some monies would be taken from reserves that had been set aside. He showed an overview of Governmental Funds revenue and expenditures and transfers. He said the difference would be paid from prior year savings. He showed the Enterprise/Utility Funds. He reviewed the Measure of Security and Sustainability which pointed out that Available General Fund cash by the end of FY25 was projected to be 18% of revenues or 66 days of operating expenses. The General Fund's ongoing review was nearly equal to its operating expense.

Mayor Shepherd opened the Public Hearing at 7:27 p.m.

There were no public comments.

**Councilmember Wurth moved to close the public hearing at 7:27 p.m., seconded by Councilmember Thompson.**

**RESULT: Passed [5 TO 0]**

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

NO: None

OPEN COMMENT PERIOD

John Crofts, introduced himself as a candidate for the Davis County Commissioner running on the Republican ticket.

APPROVAL OF RESOLUTION 2024R-16 PROVIDING NOTICE OF THE CITY'S INTENT TO OBTAIN A LOAN FROM THE STATE INFRASTRUCTURE BANK FOR WATER AND SEWER PROJECTS

Rich Knapp, Finance Manager, explained a rate study had been performed for the water and sewer utilities. He said that bids for projects at the most recent review had come in double from the study projections. He said part of the plan the Council committed to was to increase the rates and to obtain financing. He said some projects had been delayed. He said the resolution was to obtain approval to proceed in applying for a loan. He explained the terms outlined in the resolution were very broad, but anticipated \$9.5M at 3.59% rate for 15 years with \$800k annual debt service payment. He said the approval of the loan was still outstanding as it required a 30-day notice period and the State needed to present the application to the

board.

**Councilmember Roper moved to approve Resolution 2024R-16 providing notice of the City's intent to obtain a loan from the State Infrastructure Bank for water and sewer projects and authorize the mayor's signature to any necessary documents., seconded by Councilmember Wurth.**

**RESULT: Passed [5 TO 0]**

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

NO: None

APPROVAL OF ORDINANCE 2024-14 AMENDING THE LAKESIDE APARTMENTS DEVELOPMENT AGREEMENT (DA) WITH LAKESIDE DEVELOPMENT PARTNERS LLC FOR THE DEVELOPMENT OF THE PROPERTY LOCATED AT APPROXIMATELY 325-375 SOUTH STATE STREET (TIN: 12-003-0283)

**Councilmember Peterson moved to approve Ordinance 2024-14 approving an amendment to the Development Agreement for the Lakeside Square development, seconded by Councilmember Ratchford.**

**RESULT: Passed [5 TO 0]**

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

NO: None

RATIFICATION OF THE NEW NATIONAL OPIOID SETTLEMENT WITH KROGER CO. (SMITH'S GROCERY IN UTAH)

Stuart Williams, City Attorney, reminded Council it had been discussed previously in a work session and the mayor had already signed the document due to a deadline that was out of the City's control. He said upon approval by Council it would ratify the mayor's signature on the record.

**Councilmember Wurth moved to ratify the mayor's signature to the new Opioid Settlement with Kroger Co., seconded by Councilmember Ratchford.**

**RESULT: Passed [5 TO 0]**

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

NO: None

APPROVAL OF RESOLUTION 2024R-15 SETTING THE CERTIFIED TAX RATE FOR REAL AND PERSONAL PROPERTY FOR FISCAL YEAR 2025 AT 0.001209

**Councilmember Peterson moved to approve Resolution 2024R-15 setting the certified tax rate for real and personal property tax rate for fiscal year 2025 at 0.001209 and**

**authorize the mayor's signature to any necessary documents, seconded by Councilmember Thompson.**

**RESULT: Passed [5 TO 0]**

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

NO: None

#### APPROVAL OF ORDINANCE 2024-13 ADOPTING THE FISCAL YEAR 2025 BUDGET

Councilmember Thompson spoke to the recent increase in water rates. Councilmember Wurth expressed appreciation to Staff for their explanations and to residents as the Council had been mindful of the impact to the residents in the current economy. He affirmed that the Council prioritized infrastructure and the needs that accompany growth in the City. Mayor Shepherd expressed that the budget was not an easy process, and the need to take out a loan to fund certain projects. He expressed appreciation to the Council and staff.

**Councilmember Wurth moved to approve Ordinance 2024-13 adopting the fiscal year budget for 2025 and authorize the mayor's signature to any necessary documents, seconded by Councilmember Thompson.**

**RESULT: Passed [5 TO 0]**

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

NO: None

#### APPROVAL OF THE CITY MANAGER'S APPOINTMENT OF SPENCER BRIMLEY AS THE ASSISTANT CITY MANAGER

JJ Allen, City Manager, recommended Spencer Brimley as the Assistant City Manager for the Council's confirming vote.

**Councilmember Ratchford moved to approve and consent to Spencer Brimley as the Assistant City Manager, seconded by Councilmember Wurth.**

**RESULT: Passed [5 TO 0]**

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

NO: None

#### COMMUNICATION ITEMS

##### MAYOR'S REPORT

##### *Mayor Mark Shepherd*

- He expressed his appreciation to the Council and City Staff for the enormous amount of time they dedicated to their positions.

- He welcomed Spencer Brimley to the new Assistant City Manager position.
- He expressed appreciation to Councilmember Wurth and Councilmember Peterson for their attendance at the Salute Picnic Prepare where they worked side-by-side to prepare dinner for Airmen and their families.
- He expressed appreciation to the residents for their questions, and the opportunities to provide explanations to questions. He related an experience at the North Davis Fire District public meeting where residents attended to voice their support for the proposed tax increase. He acknowledged the difficulties of change within the City.

## CITY COUNCIL'S REPORTS

### ***Councilmember Peterson***

- She expressed gratitude for what Clearfield City had and what was being built.

### ***Councilmember Thompson***

- He said there was an upcoming Grand Opening for a pump station through the North Davis Sewer District. He would provide details at a later date.

### ***Councilmember Ratchford***

- She congratulated Spencer Brimley in his new role.
- She reported that the North Davis Fire District station was now open.
- She expressed appreciation to Staff for providing answers to questions she asked.

### ***Councilmember Wurth***

- He said West Nile Virus rates were on the rise in Davis County as monitored by Mosquito Abatement. He cautioned residents to use repellent.
- He attended the Hose Cutting Ceremony at the new North Davis Fire District station.
- He expressed his congratulations to Spencer Brimley and looked forward to the culture he would foster.

### ***Councilmember Roper***

- Expressed appreciation to the mayor and said it was a privilege to work with him.

## CITY MANAGER'S REPORT

### ***JJ Allen, City Manager***

- He acknowledged the presence of many staff members supporting Spencer Brimley's swearing in.
- He expressed appreciation to Rich Knapp and Lee Naylor for their months of hard work with a difficult budget.
- He announced it was Back to School time and said officers and crossing guards would be out for Thursday's first day.
- He reminded the Council that the Council Retreat was scheduled for Friday, August 23, 2024.

## STAFF REPORTS

### ***Shaundra Rushton, Communications Manager***

- She invited Council to the Bubble Party on the Center Street bridge on Saturday, August 17, 2024.

***Chersty Titensor, Deputy City Recorder***

- She announced there would not be a Council meeting on August 20, 2024.
- Council Retreat, Friday, August 23, 2024.
- Next Council meeting, Tuesday, August 27, 2024.

***Eric Howes, Community Services Director***

- He let the Council know that the Aquatic Center had sent a crew of lifeguards to participate in the Utah Lifeguard Games where they came in First Place in the State.

***Nancy Dean, City Recorder***

- Administered the Oath of Office to Spencer Brimley as the new Assistant City Manager.

**Councilmember Roper moved to adjourn at 7:54 p.m., seconded by Councilmember Wurth.**

**RESULT: Passed [5 TO 0]**

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

**NO: None**

**APPROVED AND ADOPTED  
This 10<sup>th</sup> day of September 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, August 13, 2024.**

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