

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 PM POLICY SESSION
May 27, 2025

City Building
55 South State Street
Clearfield City, Utah

PRESIDING: Mayor Pro Tem Dakota Wurth

PRESENT: Councilmember Nike Peterson, Councilmember Tim Roper, Councilmember Karece Thompson, Councilmember Megan Ratchford, Councilmember Dakota Wurth

ABSENT: Mayor Mark Shepherd

STAFF PRESENT: Assistant City Manager & Economic Development Director Spencer Brimley, Public Works Director Adam Favero, City Attorney Stuart Williams, Police Chief Kelly Bennett, Utility Superintendent Kenny England, Community Services Director Eric Howes, Finance Manager Rich Knapp, Senior Accountant Lee Naylor, Communications Manager Shaundra Rushton, Planner Tyson Stoddard, Community Development Director Stacy Millgate, City Recorder Nancy Dean, Deputy City Recorder Chersty Titensor

VISITORS: Ginger Chinn – Northrop Grumman, Nikki Kodama – Northrop Grumman, Jaylee Bouwhuis, Emily Bouwhuis, Brady Bouwhuis, Brandon Ames – Destination Homes, LeeAnn Powell – URPA, Keith & Annie Barlow, Ian Barlow, Pratt Whitesides, Samuel Bradshaw, Cole Ross, Jenna Nelson

Mayor Pro Tem Dakota Wurth called the meeting to order at 7:04 p.m.

Councilmember Ratchford led the opening ceremonies.

APPROVAL OF MINUTES

April 22, 2025 – work session

May 6, 2025 – work session

May 13, 2025 – work session

May 13, 2025 – policy session

Councilmember Roper moved to approve the April 22, 2025 work session minutes, May 6, 2025 work session minutes, May 13, 2025 work session minutes, May 13, 2025 policy session minutes, seconded by Councilmember Thompson.

RESULT: Passed [5 TO 0]

YES: Councilmember Peterson, Councilmember Roper, Councilmember Thompson, Councilmember Ratchford, Mayor Pro Tem Wurth

NO: None

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE AMENDMENT
TO THE WILCOX FARMS SUBDIVISION DEVELOPMENT AGREEMENT FOR
THE PROPERTY LOCATED AT APPROXIMATELY 1550 SOUTH 1000 WEST

Tyson Stoddard, Planner, explained that after the work session discussion of this item on May 20, 2025, the applicant decided to continue with a request for amendments to the development agreement. Mr. Stoddard explained the terms of the proposed amendments which were:

1. Changes to the 9th Recital: amend the period for completion of the horizontal improvements to not exceed 24 months after final plat approval.
2. Open Spaces and Amenities which adjusted layouts of some of the open spaces as well as the inclusions of picnic tables and covered pavilions, benches, larger variety trees, hammock hanging posts, changing some tree types to larger variety and moderate reduction in tree and shrub quantities.
3. Corner Side Setback Requirements on private streets and alleys, which would reduce the corner setback to five (5) feet where side yard was adjacent to private street or alley. The ten (10) foot corner setback would remain where the side yard was adjacent to a public street.
4. Porch Encroachments to be increased from two (2) feet to four (4) feet which was consistent with Clearfield City Code encroachment standards in all residential zoning districts.

Mr. Stoddard explained that the Planning Commission had forwarded a recommendation to approve the amendments just discussed. Additionally, the Planning Commission identified some needed architectural amendments. Considering the developer potentially selling lots to another builder, the Planning Commission thought the applicant needed to include some additional details to ensure any new home plans met the intent of the agreement and the Pattern Book. Due to that recommendation, the applicant prepared additional renderings for the discussion with Council last week. The architectural amendments also included language that allowed the use of additional elevations given they adhered to the Pattern Book and had the Architectural Review Board's (ARB) approval. An additional proposed amendment stated that no duplicate colors or elevations could be adjacent to or across from another.

Mr. Stoddard reviewed the main points from the work session which had focused on the Pattern Book preserving the unique and memorable neighborhood to maintain the diverse, well-defined, locally influenced architectural styles. The typical architecture images included full porches, pillars, and second story balconies. He said the conclusion was that the proposed architectural amendments were not meeting the intent of the development agreement. The applicant talked internally after the last work session and decided to keep the item on the agenda to include the items outside the architectural amendments as discussed previously. He said the applicant wanted to move forward with the horizontal improvements for Phase 2 and would like the timeline extended and clarified as they continued development activities. He said there had been conflicts with the civil plans and Development Agreement (DA) that needed to be remedied in the DA to make progress on the project.

The applicant would work on an additional amendment to address architectural standards, lot sizes, and the potential for townhomes as discussed in the work session later.

Mayor Pro Tem Wurth opened the public hearing at 7:47 p.m.

Mayor Pro Tem Dakota Wurth asked the applicant, Brandon Ames, Destination Homes, to answer what the rationale was to not include the architectural components of the proposed amendments at this time. Mr. Ames said the architectural side of the issue would take some time to review. He said regardless of what happened with the architectural components, the contractor had been hired to start work soon on the horizontal improvements and the developer knew they would have to get the inconsistencies of the development agreement resolved prior to moving forward. Mr. Ames expressed his appreciation for the open discussion at the work session.

There was no public comment.

Councilmember Peterson moved to close the public hearing at 7:50 p.m., seconded by Councilmember Thompson.

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 VACATION OF
A PUBLIC UTILITY EASEMENT WITHIN WILCOX FARMS SUBDIVISION**

Mayor Pro Tem Wurth opened the public hearing at 7:51 p.m.

There was no public comment.

Councilmember Ratchford moved to close the public hearing at 7:52 p.m., seconded by Councilmember Thompson.

RESULT: Passed [5 TO 0]

YES: Councilmember Peterson, Councilmember Roper, Councilmember Thompson, Councilmember Ratchford, Mayor Pro Tem Wurth

NO: None

OPEN COMMENT PERIOD

There were no public comments.

APPROVAL OF ORDINANCE 2025-15 APPROVING THE AMENDMENTS TO THE
WILCOX FARMS SUBDIVISION DEVELOPMENT AGREEMENT FOR THE PROPERTY
LOCATED AT APPROXIMATELY 1550 SOUTH 1000 WEST

Councilmember Ratchford asked the developer why they were moving onto Phase 2 before Phase 1 was built out. Mr. Ames explained it was a timing issue with the contractor hired to make horizontal improvements. He continued the developer wanted to move ahead on the development of some amenities. Spencer Brimley, Assistant City Manager, clarified that moving on to Phase 2 was about the amenities and infrastructure but not homes. Councilmember Ratchford asked if there was a percentage of completion of Phase 1 requirement prior to moving to Phase 2. Mr. Brimley explained the terms of the development agreement that overruled the City Code. Councilmember Peterson was concerned that pushing forward on the infrastructure of Phase 2 could be problematic to any anticipated possible alternative scenarios for the project. Mr. Ames said they laid out the potential for townhomes as discussed in the work session and did not see any problems with the infrastructure as planned. He said the open space layout had been locked in and they needed the clarifications to the development agreement completed to proceed. He noted the amendments had the approval from the Planning Commission so the developer thought they would continue with those elements while the architectural elements were addressed. Councilmember Peterson explained that the Planning Commission was a recommending body to the land use authority and while there was a recommendation it was not binding on the City Council.

Tyson Stoddard, Planner, clarified that within the development agreement, the ninth recital addressed the timeline for construction and the time started ticking once the developer had the final approval on the subdivision plat. The developer received final approval on the Phase 2 subdivision plat so that time had already started. The development agreement stipulated that the developer had eighteen (18) months to complete horizontal improvements, and they were requesting it be increased to twenty-four (24) months. Mr. Ames explained the architectural element conversation got pulled into the original request for amendments to the development agreement by the Planning Commission, but they would like to continue with their original request for amendments that did not include the architectural elements.

Councilmember Thompson said he thought the Council was considering the architectural pattern book and overseeing the architectural elements. Mr. Brimley said the packet included different elements and the Council was given the opportunity to approve none of them, all of them, or make specific requests. He said that the applicant's original application came in with specific requests and during the review by the Planning Commission it was determined that there would be architectural elements that would need to be addressed. At this point in time, the developer was obligated to move forward by the terms of the development agreement but needed to correct several elements that needed to be fixed because of problems identified with the civil plans, in addition they were wanting to look into the architectural design. However, due to great concerns received during the work session discussion with the Council, additional time was needed for that element.

Councilmember Peterson clarified that the applicant was amenable to a motion from Council to remove any mention of the architectural design element, strike Exhibit C, and only consider

Exhibit D – with the landscaping and amenities. The understanding was that the architecture would be taken off the table, and addressed later. Mr. Ames added that the developer wanted clarification on the horizontal development to be completed within 24 months, not the overall build of the homes. Mr. Ames said everything remained the same architecturally. He further stated that Staff had made the recommendation to clarify language for horizontal development and then the developer wanted to make sure the civil plans matched City Code. He said the landscape plan in the Pattern Book did not match the civil plans. Mr. Stoddard clarified that Exhibit C-1 included the architectural amendments that the developer proposed but also included the master plan scripting which could be seen on the last page that had the setback standards for the corner lots and encroachment standards. Councilmember Peterson asked for clarifying language for a motion from the City Attorney if the Council wanted to move forward removing the architectural amendments. Stuart Williams, City Attorney, recommended keeping the language, but specify “except for” the items the Council did not want to include.

Councilmember Peterson asked about amenity reductions regarding the pavilions. Mr. Ames said the original pavilion showed loose tables and chairs, and was over top of the storm water detention system, with a sidewalk going over the area. Based on experience, the developer wanted to move the sidewalk to provide a larger area and offer larger trees, add park benches, and hammock poles, with smaller pavilion with tables that were bolted down. They had found that smaller pavilions were used more. He said the cost difference was negligible.

Councilmember Ratchford was not comfortable with the timeline and felt the amendments were moving backwards. She said usually the building itself, and the phases was so that there was a contractual accountability on each feature. She felt there was something they were not understanding, and that maybe she did not have all the needed information. She was okay with extending from 18-24 months, but felt it was not done in the traditional order from the agreement. Mayor Pro Tem Wurth thought the amendments were for them to get to work on the horizontal infrastructure in the current building season. Mr. Ames said regardless of anything architectural, the developer needed to make clarifications with Staff as they made engineering plans because of the conflicting information between plans and the development agreement.

Councilmember Peterson – asked if Councilmember Ratchford would be more comfortable addressing the basic drivers of the application, such as the timing on the horizontals, setbacks, encroachments, but anything with amenities and landscaping would be addressed at the time of architectural review. Councilmember Ratchford felt like nothing was completed as agreed in the original development agreement. She was not comfortable with the amenities and thought they needed something with a document.

Councilmember Thompson questioned whether there was a callout of the “moderate reduction” of landscaping. Mr. Ames said they would do whatever landscaping the City wanted there was just a discrepancy with the civil plans and the development agreement. He said the only change the developer wanted was because they could not build a pavilion over a storm water detention area. He said they had built the trellis’ out of wood at other developments and they were rotting at the base. The developer did not want to keep providing those types of trellis, so they found posts that they would put by the trees and the spacing was for hammock but then the species size increased. The developer was not looking to change the landscaping plan, it was

that the City had approved two different landscaping plans, and they needed to be clarified. He said they would do whatever the Council wanted. He also commented that the proposal of shrubs and trees in the paseo was more a trend and for water conservation.

Councilmember Thompson said the amendments were to unify the civil plan with the development agreement. Councilmember Thompson asked for the Council to define what parts of the amendments Council was not comfortable with. Mayor Pro Tem Wurth said the architectural considerations were most important to him and the other amendments to the landscaping were small enough he was okay with them. Councilmember Roper agreed. Councilmember Peterson referencing the civil plans that were approved, asked how consistent they were to the proposed changes or where did the civil plans deviate. Mr. Stoddard said he had additional slides that talked about the open space that he could go through since Councilmember Ratchford had missed the work session discussion. Councilmember Peterson thought the Council agreed on landscaping, but wanted to stay with grass on the paseo, the others item made sense for safety, engineering. She was more in favor of keeping landscape counts where they were unless the developer was going with larger diameter on the trees. She was looking for the cleanest way to do that.

Mr. Stoddard said it was difficult the way the amendment had been proposed. He said there was talk about landscaping plans getting two different approvals – there was a landscaping plan that was approved at the original development agreement but when the civil plans were submitted there had been a reduction of landscaping. The Planning Commission asked if the project was still in line with subdivision code. Mr. Stoddard said the amount and type was typical of this type of development.

Councilmember Peterson moved to approve Ordinance 2025-15 approving the amendments to the Wilcox Farms Subdivision Development Agreement drawing largely from the recommendation provided by the Staff Report with the following notable callouts:

- **Exhibit C-1: Any references to changes to architectural elements are stricken and the only items to remain in Exhibit C-1 are the side setbacks on the private and alley lots and the encroachment of porches from two (2) to four (4) feet**
- **Exhibit D-1: The applicant's request to remove sod in the paseo is stricken and the applicant shall follow the original adopted turf material. The moderate reduction in the number of trees/shrubs are acceptable as well as the addition of larger caliper and age of tree selections. The minor changes including replacing the one large pavilion with two (2) smaller pavilions, and the change from wood to metal post for hammocks are approved.**
- **Amendment to Recitals: The ninth (9th) recital as proposed is replaced to clarify the completion of each phase of the development to be no later than twenty-four (24) months after final subdivision plat approval by the City, and is limited to so-called horizontal improvements only. It excludes Residential Units or on lot landscaping.**

seconded by Councilmember Ratchford.

RESULT: Passed [5 TO 0]

YES: Councilmember Peterson, Councilmember Roper, Councilmember Ratchford, Councilmember Thompson, Mayor Pro Tem Wurth

NO: None

APPROVAL OF ORDINANCE 2025-14 VACATING AN UNUSED PUBLIC UTILITY EASEMENT ESTABLISHED UNDER THE OBSOLETE SUBDIVISION PLAT FOR WILCOX FARMS SUBDIVISION AMENDED

Councilmember Thompson moved to approve Ordinance 2025-14 vacating an unused public utility easement established under the obsolete subdivision plat for Wilcox Farms Subdivision Amended, seconded by Councilmember Peterson.

RESULT: Passed [5 TO 0]

YES: Councilmember Peterson, Councilmember Roper, Councilmember Thompson, Councilmember Ratchford, Mayor Pro Tem Wurth

NO: None

APPROVAL OF ORDINANCE 2025-13 TERMINATING AND DISSOLVING REDEVELOPMENT PROJECT AREA 7 WITHIN THE WESTSIDE CENTRAL BUSINESS DISTRICT REDEVELOPMENT PROJECT AREA PLAN

Spencer Brimley, Assistant City Manager, explained that Project Area 7 within the Westside Central Business District had expired and by statute the City was required to pass an ordinance and resolution to terminate.

Councilmember Roper moved to approve Ordinance 2025-13 terminating and dissolving Redevelopment Project Area 7 within the Westside Central Business District Redevelopment Project Area Plan, and authorize the mayor's signature to any necessary documents, seconded by Councilmember Ratchford.

RESULT: Passed [5 TO 0]

YES: Councilmember Peterson, Councilmember Roper, Councilmember Thompson, Councilmember Ratchford, Mayor Pro Tem Wurth

NO: None

APPROVAL OF RESOLUTION 2025R-07 AUTHORIZING AN INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR ELECTION ADMINISTRATION SERVICES

Nancy Dean, City Recorder, explained that there would be a municipal election this year and given all the regulations on elections, the City contracted with the County for their election administration services. She said she had heard from the County Clerk of a slight increase due to a recent Legislative Bill that addressed additional requirements for the storage of election records. She anticipated it would result in an increase of a couple thousand dollars and the exhibit reflected that.

Councilmember Ratchford moved to approve Resolution 2025R-07 authorizing an interlocal agreement with Davis county for Election Administration services, 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, Mayor Pro Tem Wurth

NO: None

APPROVAL OF THE SANITARY SEWER MANAGEMENT PLAN (SSMP) AND THE MUNICIPAL WASTEWATER PLANNING PROGRAM (MWPP) REPORT

Kenny England, Water Superintendent, explained that the State required the City Council to adopt the Municipal Wastewater Planning Program Report on an annual basis and the purpose of the plan was to ensure that the Council was aware of the current needs and condition of the wastewater system. He said the report's key elements were general information on the system as well as operations of the City's sewer system. He said it discussed fiscal sustainability and overall system condition.

Councilmember Ratchford moved to approve the Sanitary Sewer Management Plan and the Municipal Wastewater Planning Program report and authorize the mayor's signature to any necessary documents, seconded by Councilmember Peterson.

RESULT: Passed [5 TO 0]

YES: Councilmember Peterson, Councilmember Roper, Councilmember Thompson, Councilmember Ratchford, Mayor Pro Tem Wurth

NO: None

UPDATE ON THE FISCAL YEAR 2025 THIRD QUARTER FINANCIAL STATUS

Rich Knapp, Finance Manager, reviewed the third quarter revenues and expenditures for fiscal year 2025. He pointed out that at the third quarter point of the year, not having all the data, the revenue numbers were above 75% of budget. He reviewed Key Revenue Numbers, listing which revenue sources were higher than budget and which were projected to be lower than what was budgeted. He explained the shortfall in Energy Tax revenues. He said the Sales Tax revenue projection was \$120k more than budgeted and that March resulted in the highest sales tax revenue ever. He mentioned that the swings in the state population could have a significant impact on Sales Tax revenues. The U.S. Census Bureau had provided a population update which found that Clearfield's population had increased, but was lower as a percentage of Utah population. He said Clearfield was ranked the 33rd largest city in Utah.

Mr. Knapp reviewed the draft expenditure summary which was 83% of the year because it included April 2025. He reported on key expense numbers saying expenses were tracking at or below budget. Natural Gas was projected to be \$65k below budget, General Fund Electric was projected to be \$37k over budget. He said a \$1.7M draw on the 2021 bond was completed for

the I-15 interchange beautification. He reviewed future potential budget amendments which included contracted plan reviews and inspections and police software maintenance that was not part of dispatch consolidation.

Mr. Knapp reviewed the Clearfield Point of Sale numbers. He pointed out that March numbers were considerably higher and an explanation from the Tax Commission was offered that it was due to timing of reporting, sometimes two months were included in one month's report. He anticipated that future figures would be lower than expected. Councilmember Thompson asked how much of that increase in March could be due to fear of tariffs. Mr. Knapp couldn't speak to the question. Mr. Knapp said the numbers did not include April numbers and was before any tariffs were increased. Councilmember Peterson asked if there was a possibility of a glitch where the Tax Commission could take money back. Mr. Knapp had the same thought.

Mr. Knapp compared the Point of Sales revenue numbers by quarter. He thought it was difficult to say what was going on. He did not have too many big concerns and that things looked good. Councilmember Thompson asked about the PTIF investment. Mr. Knapp said it was doing well, though not all the money was invested in the PTIF. He said he would provide an update on investments at the next quarterly update. He said as a governmental agency they were restricted as to investments and considered it to be safe.

COMMUNICATION ITEMS

CITY COUNCIL'S REPORTS

Mayor Pro Tem Dakota Wurth

- Saturday, May 31, 2025 – Glow Party on the Bridge 8:00 p.m. – 10:00 p.m.
- Tuesday, June 10, 2025 – Cops & Cars 10am – 2pm at Fisher Park.

Councilmember Peterson

- Expressed her appreciation for Parks & Recreation, saying the Skate Park Re-opening event was incredible. She said the park was packed for all hours of the day and she was amazed at how heavily used the park was.
- She gave her congratulations to the Parks & Recreation department for earning the URPA Innovation of the Year Award.
- Wastach Integrated – with the retirement of the current director, Nathan Rich, had selected an out-of-state candidate who, due to unforeseen circumstances had withdrawn. She announced that Preston Lee would be replacing Mr. Rich as the director.
- She thanked staff for their efforts in the transition to the Green Waste can program.
- She said thank you to the Youth Commission and goodbye to most senior members. She was impressed with the recognition received from the State level for them.

Councilmember Thompson

- North Davis Sewer District – He said it was taking bids on electrical infrastructure to have better redundancy with all the water it was dealing with. He was looking forward to presenting it to the board next month.
- Call to action: He expressed the importance of participating in the election process by filing to be candidates.

Councilmember Ratchford

- Nothing to report

Councilmember Roper

- He congratulated the 2025 graduates and was impressed with the Falcon pride of the Clearfield High School graduates.

CITY MANAGER'S REPORT

Spencer Brimley, Assistant City Manager

- He reported that the City was able to recognize National Police Week and Public Works Week this month and appreciated all they do for the City.
- He had attended the International Conference of Shopping Centers (ICSC) and saw businesses that were looking at Clearfield as a location that they did not know about.

STAFF REPORTS

Nancy Dean, City Recorder

- Meetings scheduled for June 10, 2025 and June 24, 2025.
- No meeting so far on June 17, 2025.
- Reminder that Declaration of Candidacy filing period was Monday, June 2, 2025 through Friday, June 6, 2025.

Shaundra Rushton, Communications

- She repeated that the Glow Party was Saturday, May 31, 2025 from 8:00 p.m. – 11:00 p.m.

Councilmember Thompson moved to adjourn the policy session and reconvene as the Community Development and Renewal Agency at 8:56 p.m., seconded by Councilmember Peterson.

RESULT: Passed [5 TO 0]

YES: Councilmember Peterson, Councilmember Roper, Councilmember Thompson, Councilmember Ratchford, Mayor Pro Tem Wurth

NO: None

**APPROVED AND ADOPTED
This 8th day of July 2025**

/s/ Mark R. Shepherd, Mayor

ATTEST:

/s/ Nancy R. Dean, City Recorder

I hereby certify that the foregoing represents a true, accurate, and complete record of the Clearfield City Council meeting held Tuesday, May 27, 2025.

/s/ Nancy R. Dean, City Recorder