

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 PM WORK SESSION
August 5, 2025

City Building
55 South State Street
Clearfield City, Utah

PRESIDING: Mayor Pro Tem Dakota Wurth

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

ABSENT: Mayor Mark Shepherd

STAFF PRESENT: City Manager JJ Allen, Assistant City Manager & Economic Development
Director Spencer Brimley, City Attorney Stuart Williams, Community Services Director Eric
Howes, Police Chief Kelly Bennett, Community Development Director Stacy Millgate,
Community Relations Director Shaundra Rushton, City Recorder Nancy Dean, Deputy City
Recorder Chersty Titensor

VISITORS : Tony De Mille, Danielle King

Mayor Pro Tem Wurth called the meeting to order at 6:01 p.m.

DISCUSSION OF AMENDMENTS TO TITLE 4 – BUSINESS AND LICENSE
REGULATIONS

Stacy Millgate, Community Development Director, said that a lot of changes being proposed
were to correct outdated language, provide clarity, and some chapters in Title 11 that had been
updated did not get updated with previous Title 4 changes. She reviewed the changes with the
Council and answered some questions.

Councilmember Peterson asked about the non-renewable function. Ms. Millgate said firework
sales, mobile food vendors and temporary licenses all had to re-apply once their licenses expired
at one year. All other businesses paid a renewal fee.

Ms. Millgate reviewed changes to Rental Dwellings section. The Good Landlord Program had
been dissolved so language was updated to reflect the change. Based on the last fee study, the
per-unit fee was discontinued, so a base fee was paid no matter how many units.

Councilmember Thompson joined the meeting at 6:05 p.m.

Ms. Millgate reported that the State had added a homeless shelter as a community location,
which further limited where Retail Tobacco Specialty businesses could locate within the City.
She said more language was added to define what a retail tobacco specialty business was. She

said they also changed the definition of what a tobacco product was based on the State law's definition. Councilmember Peterson expressed surprise that the City Code was not written in a way that referred to State Code instead of including the language. Ms. Millgate admitted there were pros and cons, but due to the number of questions Staff received, it was helpful for it to be delineated in City Code. Ms. Millgate said in the future, if Staff found that State Code was changing frequently in that section, Staff could revisit whether language should be modified to refer to State Code instead. The correction to the legal age was changed to 21 years of age.

Ms. Millgate reviewed the changes to the Massage Businesses section and explained that the requirement for background checks and fingerprinting for licenses was removed because it was done through the Utah Division of Professional Licensing (DOPL) at the State level. She said the new State law on massage parlors put more regulations on DOPL instead of at the municipal level.

Ms. Millgate said a new chapter had been created for mobile food vendors. Previously, mobile food vendors were enforced under Temporary/Mobile/Seasonal Merchants which were 180 day licenses. She said State law had changed, and the City could not be as restrictive. The new chapter allowed for regulation, stipulated that the businesses pay the base fee, license which was valid for a year, if licensed in another jurisdiction the City could not require that the businesses be licensed in Clearfield City as well. Ms. Millgate explained that in the Permitted Locations section it specified that vendors could locate on City property if they were part of a City event, but also allowed them to locate at a City Park if they had reserved a pavilion or field rental or by invitation of an individual. Ms. Millgate asked Council if they thought there needed to be more restrictions. Councilmember Peterson thought the question of the use of food trucks should be asked at the time of reservation. The discussion suggested that basic considerations be addressed, such as being on approved parking, as part of the application process. Mr. Allen said he was reluctant to put in ordinance what was a matter of procedure. He suggested a separate sentence that limited placement of mobile food vendors to exclude City rights-of-way. Councilmember Peterson thought administratively it should be defined which parks were not included. Mr. Howes said they could include pictures of the locations. Councilmember Thompson did not necessarily want to limit residents, but thought it should be specified that they not park on non-porous surfaces. Councilmember Thompson asked whether the same liability insurance requirements were specified for those as well. Mr. Howes thought the process was more challenging than he thought they wanted to get in the application. Mr. Allen said as part of licensing a mobile food vendor Staff was not regulating the businesses' insurances. Councilmember Peterson asked if there was any other way to acknowledge that the City was absolved from liability. Councilmember Peterson asked Staff to investigate that and bring it back to Council by email. Mr. Howes thought conditions could be added to the Sportsman program.

Councilmember Peterson brought up a discussion on whether signs for mobile food vendors should be allowed. The Council determined that any regulation needed to be enforceable but that a small A-frame sign within 10 feet of the food truck was sufficient, not one stuck into the ground.

DISCUSSION ON SIGN REGULATIONS AND EDUCATIONAL OUTREACH

Stacy Millgate, Community Development Director, informed the Council that in June 2016 a letter was mailed to businesses explaining the sign regulations and requirements. It specified signs that were allowed without a permit, signs that required a permit and signs that were prohibited. In May 2024, the Code Enforcement division contacted businesses about non-compliant signs and started issuing parking infractions. She said 93 tickets were issued since May 2024, and officers responded to approximately 180 complaints. In 2024, four Request for Compliance (RFC) were issued, and most property owners came into compliance within 3-4 weeks after receiving notice. One RFC went into default. She showed examples of signs that had been successfully removed or maintained, and illegal temporary signs throughout the City that were worn/tattered. She said the City Code had temporary sign permit requirements. Ms. Millgate asked for Council's feedback on how it wanted Code Enforcement to respond to non-compliance.

Ms. Millgate said they were working with the bus bench owner that had recently placed advertising benches throughout the City. She said Code Enforcement's approach was to inform them that they were no longer allowed at those locations. Councilmember Peterson pointed out that before they were removed, property owner written approval was required, and the business owner could not produce that. Ms. Millgate said the benches had been placed partly on the sidewalk. She said Staff had reached out to the County because one had been placed at the library and they were not aware of the placement. Councilmember Peterson said years ago, Staff found out that property owners did not realize they were required to sign off on the placement.

Ms. Millgate asked Council whether Staff should send another letter regarding sign regulations. Councilmember Peterson said she was surprised at some of the regulations the City had and was leery about sending out any letter. She thought Council should review the policies to verify the regulations were actually necessary. Councilmember Roper did not mind going after ugly signs. The Council seemed to think it was less an issue with the type of signage, but more about the condition of the signs. Mr. Allen pointed out that any fabric/vinyl signs were always considered temporary signs and the examples shown should have been removed years ago. Councilmember Peterson said the State Ombudsman said there was protection in State statute that if an ordinance was on the City books there was a reasonable expectation that a City could not 100% enforce ordinances at all times. Councilmember Thompson said he wanted to make sure it was not a situation where it was legal non-conforming. Councilmember Wurth suggested, instead of sending a letter en masse, notify each business upon renewal of the business license. Ms. Millgate said Staff had discussed options of language that could be included upon business license renewal approval. Councilmember Thompson asked if the sign regulation information was included in the City's welcome packet. Ms. Millgate said it was not. The Council thought that any expectations/regulations needed to be provided at the initial point of contact when the business applied for a permit or license.

Councilmember Peterson said she wanted to revisit the very specific regulations on signs to determine what the City hoped to get out of the regulations. She thought the priority for regulation was that if a sign was not in good order it needed to be fixed.

Councilmember Thompson mentioned that the cost of signs was prohibitive to businesses, and he did not think a blade sign was bad if it was maintained properly. Councilmember Wurth said he did not feel strongly about the signage type but whether the business was approachable. Councilmember Peterson thought that some of the prohibited signs shown conflicted with other areas of the Code. She thought there needed to be language that expressed the intent was to make it nice which was subject to the discretion of the code enforcement officer. Mr. Allen thought the Code could include language identifying tattered and frayed signs not being allowed. Mr. Allen suggested an alternative was to address the signs of businesses that should have been temporary and removed a long time ago. The Council gave instruction to remediate the examples shown, then at renewal, provide a reminder about sign regulations and that spot checks would be performed occasionally. Councilmember Thompson was open to updating the sign ordinance. Stuart Williams, City Attorney, suggested that any legal non-conforming abandoned signs should be addressed before any new occupants received a license.

Mr. Allen asked for verification from Council on the frayed and tattered signs and how they compared in priority to parking, storage, weeds or junk. The Council saw them as junk. Councilmember Peterson asked for a reminder for January's planning meeting to have the discussion before the FY27 budget. She said if there had been a shift in how businesses were advertising she would like to change that part of the ordinance to make it consistent with enforcement efforts. Mr. Allen said they could hire a consultant to analyze the signage ordinance. Councilmember Thompson expressed a concern that enforcement could not be biased and needed to be consistent.

DISCUSSION OF MEMORANDUM OF UNDERSTANDING WITH THE UTAH
DEPARTMENT OF NATURAL RESOURCES, DIVISION OF WILDLIFE RESOURCES
(UDWR), FOR THE PROVISION OF A PUBLIC-USE FISHING DOCK AT STEED POND.

Eric Howes, Community Services Director, said there had been communication with the Utah Department of Natural Resources over the last couple of years about building fishing docks at Steed Pond. He said the DNR would provide \$75k reimbursement for the dock and would assist with the reports once completed. The City would be required to hire the contractor, pay the upfront cost, complete the build by end of the fiscal year, ensure reports are filed, ensure the public could access the pond for fishing until August 1, 2045. Mr. Howes showed a conceptual master plan for Steed pond completed back in 2018. He said that DNR would reimburse Clearfield City up to \$75k for the fishing dock. He was confident that amount would be enough based on a similar recent build. Council appeared to support the project. Mr. Allen said the memorandum of understanding would be brought to Council for approval since it was not in the budget.

Councilmember Peterson moved to adjourn at 7:16 p.m., seconded by Councilmember Roper.

RESULT: Passed [5 TO 0]

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

NO: None

APPROVED AND ADOPTED
This 9th day of September 2025

/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 05, 2025.

/s/ Nancy R. Dean, City Recorder