



CLEARFIELD CITY COUNCIL
AGENDA AND SUMMARY REPORT
October 14, 2025 - POLICY MEETING

Meetings of the City Council of Clearfield City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207 as amended. In such circumstances, contact will be established and maintained via electronic means and the meetings will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

55 South State Street
Third Floor
Clearfield, Utah

7:00 P.M. POLICY MEETING

CALL TO ORDER:

Mayor Mark Shepherd

OPENING CEREMONY:

Pledge of Allegiance

Solemn Moment of Reflection

Council Member Ratchford

APPROVAL OF MINUTES:

September 9, 2025 – work meeting

September 23, 2025 – work meeting

September 23, 2025 – policy meeting

PRESENTATIONS:

1. SWEARING IN OF THE CITY'S 2025-2026 YOUTH COMMISSIONERS
2. PRESENTATION ON MOSQUITO ABATEMENT DISTRICT- DAVIS' PROPOSED TAX INCREASE

PUBLIC HEARINGS:

3. RECEIVE PUBLIC COMMENT ON THE SECOND AMENDMENT TO THE WILCOX FARMS SUBDIVISION DEVELOPMENT AGREEMENT TO AMEND TYPICAL ARCHITECTURE AND LOT STANDARDS

BACKGROUND: In 2022, the applicant, Destination Homes, entered into a development agreement with Clearfield City for the development of a 101-lot single-family subdivision located at approximately 1550 South 1000 West. Earlier this year, Destination Homes applied to amend select open space, setback, and porch encroachment provisions to accelerate construction and move towards the completion of the project. The first amendment request was approved by the City Council in May 2025. Potential amendments to architectural standards were also discussed at that time but were not approved. After exploring various options to allow for the

continuation of the project without amendments to architectural standards, the applicant is making a second amendment request to ensure that the typical architecture standards of the development agreement allow for the updated home plans which they intend to have built. This request allows the City the opportunity to review the amendments and also gives the applicant the opportunity to demonstrate that the new homes will be successfully integrated with the homes already built. Renderings are included in the amendments, which show the updated home plans next to existing homes already built along the south paseo. The requested amendments and exhibits are included as an attachment to this report, as well as staff's recommendations for edits to the language of the amendment.

RECOMMENDATION: Receive public comment.

SCHEDULED ITEMS:

4. OPEN COMMENT PERIOD

The Open Comment Period provides an opportunity to address the Mayor and City Council regarding concerns or ideas on any topic relevant to city business. To be considerate of everyone at this meeting, public comment will be limited to three minutes per person. Participants are to state their names for the record. Comments, which cannot be made within these limits, should be submitted in writing to the City Recorder at nancy.dean@clearfieldcity.org.

The Mayor and City Council encourage civil discourse for everyone who participates in the meeting.

5. CONSIDER APPROVAL OF ORDINANCE 2025-21 AUTHORIZING THE SECOND AMENDMENT TO THE WILCOX FARMS SUBDIVISION DEVELOPMENT AGREEMENT

RECOMMENDATION: After careful consideration of the information presented, the Clearfield City Council moves to:

1. Approve Ordinance 2025-21 authorizing the second amendment to the development agreement with LHM Dev WLX, LLC for the Wilcox Farms Subdivision located at approximately 1550 South 1000 West and authorize the mayor's signature to any necessary documents; or
2. Deny Ordinance 2025-21 authorizing the second amendment to the development agreement with LHM Dev WLX, LLC for the Wilcox Farms Subdivision located at approximately 1550 South 1000 West; or
3. Table consideration of Ordinance 2025-21 authorizing the second amendment to the development agreement with LHM Dev WLX, LLC for the Wilcox Farms Subdivision located at approximately 1550 South 1000 West and request additional time to consider the proposal.

6. CONSIDER APPROVAL OF RESOLUTION 2025R-13 CONDEMNING ANTISEMITISM ACTS, STATEMENT OF HATEFUL EXPRESSION OF INTOLERANCE, AND ENCOURAGING ELECTED OFFICIALS, EDUCATORS, COMMUNITY ORGANIZATIONS, HOUSES OF WORSHIP AND ALL CITIZENS TO WORK TO UNDERSTAND AND OPPOSE ANTISEMITISM

BACKGROUND: Municipal officials and institutions have a responsibility to protect citizens from acts of hate and bigotry, including antisemitism, and must adopt the tools to do so. In May 2016, the International Holocaust Remembrance Alliance (IHRA) adopted the Working Definition of Antisemitism, which has become the internationally recognized, authoritative definition for use by governments and international organizations, and is utilized by various government and law enforcement agencies in monitoring, training, and education. People of all faiths have a stake in fighting antisemitism, just as they have a stake in fighting every form of bigotry and hatred against people based on religion, race, national origin, age, ability, gender, sexual orientation, gender identity or socio-economic status. Clearfield City encourages all citizens to ensure that Clearfield City will live up to the principles of diversity, tolerance, religious freedom, and equal protection.

RECOMMENDATION: Approve Resolution 2025R-13 condemning antisemitism acts, statements of hateful expression of intolerance, and encouraging elected officials, educators, community organizations, houses of worship and all citizens to work to understand and oppose antisemitism and authorize the mayor's signature to any necessary documents.

7. CONSIDER THE APPROVAL OF A SUBSTITUTE MAYOR PRO TEM FOR THE OCTOBER 28, 2025 POLICY MEETING

BACKGROUND: Due to the mayor and the mayor pro tem anticipating their absence at the upcoming City Council policy meeting on October, 28, 2025, the appointment of a substitute mayor pro tem is needed.

RECOMMENDATION: Approve the appointment of the mayor's recommendation for the substitute mayor pro tem for the City Council Policy Meeting on October 28, 2025.

COMMUNICATION ITEMS:

- A. Mayor's Report
- B. City Council's Reports
- C. City Manager's Report
- D. Staff Reports

*****ADJOURN AS THE CITY COUNCIL*****

Posted on October 9, 2025.

/s/Chersty Titensor, Deputy City Recorder

The City of Clearfield, in accordance with the 'Americans with Disabilities Act' provides accommodations and auxiliary communicative aids and services for all those citizens needing assistance. Persons requesting these accommodations for City sponsored public meetings, service programs or events should call Nancy Dean at 801-525-2714, giving her 48-hour notice.

The complete public notice is posted on the Utah Public Notice Website - www.utah.gov/pmn/, the Clearfield City Website - clearfield.city, and at Clearfield City Hall, 55 South State Street, Clearfield, UT 84015. To request a copy of the public notice or for additional inquiries please contact Nancy Dean at Clearfield City, Nancy.dean@clearfieldcity.org & 801-525-2700.

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 PM WORK SESSION
September 9, 2025

City Building
55 South State Street
Clearfield City, Utah

These meeting minutes were created with the aid of an AI-powered transcription and summarization tool – Otter.ai and ChatGPT. The output was used as a draft and was subject to human review, editing, and fact-checking to ensure accuracy and compliance with city standards before publication. The City Clerk is responsible for the final content of these minutes.

PRESIDING: Mayor Pro Tem Dakota Wurth

PRESENT: Mayor Mark Shepherd (via Teams), Councilmember Karece Thompson, Councilmember Nike Peterson, Councilmember Tim Roper, Councilmember Megan Ratchford, Councilmember Dakota Wurth

STAFF PRESENT: City Manager JJ Allen, Assistant City Manager Spencer Brimley, City Attorney Stuart Williams, Community Services Director Eric Howes, Police Chief Kelly Bennett, Public Works Director Adam Favero, Public Works Deputy Director Braden Felix, Finance Manager Rich Knapp, Deputy City Recorder Chersty Titensor, Emergency Management Stockton Trujillo

VISITORS: Mona Johnson, Bruce Johnson, Scott Sneddon, Aple Sneddon, Tony De Mille, Danielle King

DISCUSSION OF A REQUEST FOR AN ADDITIONAL BUSINESS ACCESS ON 500 WEST NEAR ANTELOPE DRIVE

The meeting began with a detailed discussion regarding a request for an additional business access point for the business, Utah Laser Pro, at 500 West near Antelope Drive. The request came from Bruce Johnson, property owner of Tips Leasing, and Scott Sneddon, business owner and tenant of Utah Laser Pro, both of whom were present.

Braden Felix, Deputy Director Public Works, provided background information on the existing access configuration. He explained that the current access point to the business was constructed during road improvements in 2021. The access point was shared with a neighboring tow yard and the ability to access Utah Laser Pro's business required vehicles to make a U-turn and maneuver back to the storefront. Mr. Felix added that a "cost to cure" was paid to address improvements like asphalt and fencing as part of the access accommodations.

The traffic engineer at the time of construction recommended a 150-foot buffer between the intersection and any new access point, intending to minimize interference with turn lanes and maintain symmetrical access points on both sides of the road. The current traffic situation had

evolved since the construction of the 1st Street extension, which had introduced additional vehicle types such as buses and semis. While there was minimal traffic initially, volume had increased, although current traffic counts were unavailable. Staff noted that obtaining an updated traffic study would cost several thousand dollars.

Mr. Sneddon addressed the Council, emphasizing that the road was initially designed as a dead-end, with no anticipated through traffic. He outlined multiple operational and safety concerns, including difficulty making U-turns in larger vehicles, tow trucks blocking access during drop-offs, and visibility issues when exiting the business. He proposed adding a new access point roughly 90 feet from the intersection, just past an aqueduct, and suggested that a "right turn only" restriction could mitigate traffic safety concerns.

Further discussion among Staff and council members explored the implications of deviating from engineering standards. Councilmember Peterson expressed concern about making exceptions without solid traffic data and asked about current and anticipated traffic volumes, particularly given the road's connection to the Davis School District facilities. Planning staff noted that there was upcoming commercial development on the east side of the road, with aligned access points. This development was anticipated to be a car dealership, involving moderate commercial traffic, such as vehicle delivery trucks, but not continuous heavy flow.

Councilmember Roper brought up a comparison to a similar intersection near Clearfield High School, which deals with significant traffic at the Maverik gas station. Councilmember Peterson responded by describing frequent congestion and access issues at that location, underscoring the importance of maintaining safe ingress and egress distances from intersections.

Additional comments about the 500 West property from Mr. and Mrs. Sneddon and Councilmember Thompson highlighted everyday difficulties, including blocked access and tight turning radii that forced vehicles into oncoming traffic. These firsthand accounts supported the assertion that the current access configuration posed operational and safety challenges, especially for larger vehicles and during high-traffic times.

Several councilmembers and staff explored whether changes to internal property configuration or shared access agreements could help resolve the problem without violating engineering standards. They examined potential solutions such as modifying the internal fence line, restructuring business access points, and assessing the feasibility of property reconfiguration, particularly since the parcels were under common ownership. However, complications were noted due to parcel division, potential future sales, and the possibility of landlocking certain portions of the property if access was not legally guaranteed through recorded agreements.

Past decisions, including compensation for access loss and road changes, were reviewed as part of the historical context, with clarification that the City had acted in coordination with regional transportation planning when constructing the 500 West extension to improve regional traffic flow and connectivity to I-15.

Business owner Mr. Johnson expressed frustration that while he had been compensated for property adjustments during road construction, the resulting configuration caused operational

losses that exceeded the compensation. He also emphasized that the current middle area of the property was critical for maneuvering tow trucks and could not be sacrificed without negatively impacting emergency services and business operations.

Several council members and staff recognized the legitimacy of the concerns while cautioning against setting a precedent by overriding existing engineering standards for traffic safety. The idea of adding a limited-use curb cut—specifically a right-turn-only egress closer to the intersection—was proposed as a compromise to improve customer flow without inviting unsafe ingress or encouraging additional left-turn conflicts near a busy intersection. Concerns were raised that without strict controls such as signage or physical barriers like raised medians, the proposed exit could become a de facto entrance, leading to increased traffic hazards.

Mayor Pro Tem Wurth and other council members debated whether the issue was administrative or legislative in nature. While the group acknowledged that access decisions typically fell under administrative jurisdiction, they agreed that the situation warranted high-level discussion given the potential impact on business operations and public safety. Mayor Shepherd, joining remotely, supported exploring a solution that would allow for a right-turn-only exit, provided measures were in place to prevent it from being used improperly as an entrance. He reiterated the importance of helping local businesses succeed without compromising long-term traffic planning or engineering integrity.

During the continued discussion of a proposed egress change on a private property near a busy intersection, councilmembers and staff debated potential solutions, liabilities, and the role of the City in altering engineering standards for the benefit of private businesses. A suggestion to implement a raised median was proposed—like those used by UDOT in various locations—to prevent left turns from a parking lot onto a main road. One staff member estimated that such a median would stretch from the crosswalk up to the end of the turn lane. However, concerns were immediately raised about the impact that would have on semi-truck and commercial traffic, especially due to the tighter turn radius a median would create.

The financial burden of such infrastructure changes was addressed. Councilmembers noted that any cost for a raised median, curb cuts, or engineering plans should not fall on the City, as the issue stemmed from a private property request. There was consensus that a deviation from standard engineering design should only occur with a formal recommendation from city engineers to ensure public safety.

Mr. Sneddon, advocated against the raised median, citing its negative impact on truck access and suggesting instead that clear signage, such as “Do Not Enter” and “Right Turn Only” could guide traffic behavior effectively. Mr. Sneddon also volunteered his sign company to create compliant signage. Staff responded that any signage placed in the public right-of-way would still need to follow engineering and regulatory standards, and be designed and installed through proper administrative channels.

Alternative solutions were explored, including a “pork chop” style barrier or hardscape feature near the new egress to prevent left turns without the need for a full raised median. An example was cited from the Sinclair gas station on Highway 193, where a curb cut forces right-turn-only

access.

Several members, including Councilmember Peterson and the Mayor Pro Tem Wurth emphasized the political nature of the discussion. It was acknowledged that deviating from engineering standards to accommodate a private business's appeal posed long-term concerns about precedent and the potential for favoritism. The consensus of the Council was that such actions should not become commonplace and should only proceed with clear justification, zero cost to the City, and strict adherence to process.

Councilmember Ratchford raised a question about the maintenance responsibilities for the road, confirming that since the road in question was private, the City would not be responsible for any future repairs. Staff and the Council agreed that the proposed solution needed to preserve the integrity of City policy, minimize involvement, and push responsibility back to the private property owners.

The Council agreed, in principle, that staff could work with the property owner to explore and approve a solution—provided it was engineered professionally, implemented by a licensed contractor, and passed City inspection. JJ Allen, City Manager, clarified that formal council action would not be necessary because general consensus was sufficient to direct staff.

Adam Favero, Public Works Director, added that any design would need to come from a qualified engineering firm and be implemented to code. The importance of following established engineering practices and meeting traffic safety requirements was repeatedly emphasized.

Mayor Pro Tem Wurth reiterated discomfort with the precedent being set but acknowledged the unique circumstances that warranted limited involvement. The agreement was conditional on maintaining public safety, minimizing City liability, and ensuring long-term viability for the businesses affected.

Before concluding, a condition was added: the City would require a recorded cross-access easement to be established between all parcels utilizing the shared access road. This would guarantee legal access to all businesses regardless of future changes in ownership or land use.

The Council reaffirmed its intention to keep this a one-off, narrowly tailored exception, not a model for future policy.

DEPARTMENT UPDATES

POLICE DEPARTMENT REORGANIZATION UPDATE

Kelly Bennett, Police Chief, opened with an administrative update on departmental reorganization. He announced the promotions of now Lieutenant Josh Carlson and Sergeant Jayden Stevens, which allowed for the first time in decades the establishment of two lieutenants and an assistant chief. This restructuring divided responsibilities so that Lieutenant Carlson oversaw patrol operations while Lieutenant Manookin supervised records, investigations, and

administrative services. The City also assigned the mental health officer position to Blake Whitehead, who had expressed enthusiasm for crisis intervention work. The changes were intended to improve span of control and provide the assistant chief with more capacity to focus on accreditation efforts.

Councilmember Peterson then asked about crossing guard staffing. It was reported that two positions were in the hiring process and that no ongoing shortages were expected. Staff explained that a tiered response plan was in place, with cross-trained employees from other divisions available to fill in when needed.

OPIOID SETTLEMENT WITH PURDUE PHARMA & SACKLER FAMILY

Stuart Williams, City Attorney, reviewed an opioid settlement agreement involving Purdue Pharma and the Sackler family. Staff explained that although the City did not directly receive funds, participation in the settlement helped the State and County secure resources for public safety and rehabilitation programs. The settlement was valued at approximately \$7.5 billion, with funds earmarked for treatment and enforcement initiatives. Council members were informed that the settlement would be presented formally at a policy session later in September.

CAFC MEMBERSHIP REVENUE TRENDS

Eric Howes, Community Services Director, updated the Council on recreation center revenues after recent adjustments to membership fees. Staff reported increases in membership revenues of 30–36 percent above historic averages in the first three months of implementation. Daily admissions showed only a small decline overall, suggesting that membership growth was not negatively affecting daily use. Most staffing resources continued to be allocated to aquatic services, although anecdotal reports indicated rising demand in fitness and gym areas. Staff planned to continue monitoring usage trends and provide further updates in January.

MOC CONSTRUCTION UPDATE

Adam Favero, Public Works Director, updated the Council on the Municipal Operations Center construction project. The project was reportedly at 82 percent completion, though staff noted actual progress felt lower due to delays in civil work and the need to bring in a second contractor. The project timeline had shifted from June to late October or November, primarily because of grading and pavement challenges tied to groundwater conditions. Staff emphasized the importance of completing pavement work before winter and assured the Council that efforts were underway to keep the project within budget despite change orders related to data and electrical needs.

EVERBRIDGE

Stockton Trujillo, Emergency Management, introduced the Everbridge mass notification system, which replaced the County's prior Code Red alert platform. Everbridge was described as more effective, with broader coverage through third-party data and enhanced features for internal and external communication. The system had already been used by the County and was expected to

provide greater efficiency in emergency alerts at a significantly reduced cost compared to standalone subscriptions.

Councilmember Ratchford moved to adjourn at 8:31 p.m., seconded by Councilmember Thompson.

RESULT: Passed [5 TO 0]

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

NO: None

**APPROVED AND ADOPTED
This day of 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, September 9, 2025.

/s/ Nancy R. Dean, City Recorder

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 PM WORK MEETING
September 23, 2025

City Building
55 South State Street
Clearfield City, Utah

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PRESIDING: Mayor Mark Shepherd

PRESENT: Mayor Mark Shepherd, Councilmember Nike Peterson, Councilmember Tim Roper, Councilmember Megan Ratchford, Councilmember Dakota Wurth

ABSENT: Councilmember Karece Thompson

STAFF PRESENT: City Manager JJ Allen, Assistant City Manager Spencer Brimley, City Attorney Stuart Williams, Community Services Director Eric Howes, Community Services Deputy Director Curtis Dickson, Recreation Manager Kristine Conley, Lieutenant Scott Manookin, Public Works Director Adam Favero, Public Works Deputy Director Braden Felix, Finance Manager Rich Knapp, Customer Service Center Manager Tracy Meldrum, City Recorder Nancy Dean, Deputy City Recorder Chersty Titensor

Mayor Shepherd called the meeting to order at 6:00 p.m.

DISCUSSION OF A REQUEST FOR AN ADDITIONAL BUSINESS ACCESS ON 500 WEST NEAR ANTELOPE DRIVE

The meeting began with a discussion on challenges the business owner (Utah Laser Pro, owned by Scott Sneddon, which property was owned by Bruce Johnson) was expressing with meeting the exact proposal from the Council during the September 9, 2025 work meeting related to an additional business access at the property located near 500 West and Antelope Drive. Following the discussion, the Council and staff agreed to modify its proposal from the September 9, 2025 work meeting and initially allow only the installation of signage at the access point, provided it met safety standards and the requirements for the signs were properly documented. Staff recommended that the signs comply with the Manual on Uniform Traffic Control Devices (MUTCD) standards for retro reflectivity. Councilmembers discussed documenting the property owner's agreement to install additional safety measures, such as a channelization island ("pork chop"), if future traffic issues arose, which would be determined by City staff. The need for a cross-access agreement was discussed due to the properties being three different parcels owned by the same individual. It was agreed that staff would create an administrative memorandum of understanding (MOU) between the City and the property owner to formalize expectations.

DISCUSSION REGARDING THE DIRECTION OF ARTS PROGRAMMING AND RELATED FACILITY USE

The Council then reviewed the City's Arts programming. Eric Howes, Community Services Director, summarized the program's history, referencing the Vision 2020 strategic plan's "front porch-oriented" goal to build a community-based arts culture. Mr. Howes confirmed that the City had developed a wide range of arts offerings, including theater, choir, band, and various art classes. While most programs met cost recovery goals, theater production rights and no-cost participation in choir and band remained challenges. Councilmembers expressed overall satisfaction with the current direction and focus.

Discussion then shifted to the amphitheater in Bicentennial Park. Mr. Howes reported that despite a \$597,000 renovation budget, the facility was used only eight days in the past year, which raised questions about the value of such an investment. The Parks and Recreation Commission had similarly advised that the funds might be better used elsewhere. Councilmembers noted the emotional ties some residents held to the amphitheater but generally agreed that low usage did not justify significant renovation. The group discussed possible demolition due to structural and safety concerns which would cost approximately \$100k – \$125k and the need to replace the restroom facility. Mr. Howes presented the potential for a Utah Jazz-funded basketball court that, if their application were to be accepted, could be built in its place. Councilmembers appeared to agree that change could open new community opportunities and directed staff to continue exploring alternatives.

Next, the discussion focused on the Clearfield Arts Center. After years of renovations, the facility was being used only about 25% of available hours, primarily for theater programming. Mr. Howes proposed expanding the facility use to include non-arts programming during business hours to increase utilization, while maintaining the current arts offerings. Mr. Howes questioned whether the Center should be renamed to the Arts & Community Center. Councilmembers supported the idea of expanding the facility use for community-type uses and agreed that renaming the facility was unnecessary, preferring to retain its current identity while broadening programming opportunities.

DISCUSSION OF AN IMPACT FEE FACILITY PLAN/CAPITAL FACILITIES PLAN UPDATE AND UTILIZATION OF CURRENT IMPACT FEES

Eric Howes, Community Services Director, then addressed park impact fees and capital facility planning. He explained that the City's impact fee and capital facilities plans for parks had last been updated in 2013 and 2018, respectively, and recommended an update to align with State requirements and upcoming spending deadlines. With approximately \$3.45 million in unspent impact fees, of which \$1.47 million must be used by FY2027, staff recommended allocating funds toward the Pinnacle Park project. This site, already maintained as open space, would require minimal infrastructure investment. Councilmembers expressed support for beginning design work and directed staff to prepare the necessary budget amendments.

DISCUSSION ON THE PARAT TAX PLAN

Discussion followed on the use of the PARAT (Parks, Arts, Recreation, Aquatics, and Trails) tax. Eric, Howes, Community Services Director reviewed the first 10-year cycle of the tax and the support of its renewal by voters in 2024, noting prior Council's intent to use new funds for improvements outlined in the Steed Pond Master Plan. However, he raised potential competing needs, including costly maintenance issues at the Aquatic and Fitness Center. Councilmembers agreed that PARAT Tax funds should continue to prioritize community-building amenities rather than facility maintenance. They supported maintaining the focus on Steed Park improvements, noting its cultural and historical significance to residents and its potential as a key placemaking project.

DISCUSSION ON THE ADOPTION OF THE INTERNATIONAL HOLOCAUST REMEMBRANCE ALLIANCE'S (IHRA) WORKING DEFINITION OF ANTISEMITISM

Adoption of the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism through a City resolution was discussed. Mayor Shepherd explained that the proposal originated from the Combat Antisemitism Movement and that other Utah cities had already adopted it. The resolution would primarily affirm opposition to hate and discrimination. Councilmembers appeared to support the measure without changes and agreed to move it forward for consideration at the next policy meeting.

Councilmember Ratchford moved to adjourn the work session and enter into a closed meeting for the purposes of discussing the deployment of security personnel, devices or systems and pending or reasonably imminent litigation at 6:40 p.m., seconded by Councilmember Wurth.

RESULT: Passed [4 TO 0]

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

NO: None

ABSENT: Councilmember Karece Thompson

**APPROVED AND ADOPTED
This day of 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, September 23, 2025.

/s/ Nancy R. Dean, City Recorder

DRAFT

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 PM POLICY SESSION
September 23, 2025

City Building
55 South State Street
Clearfield City, Utah

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PRESIDING: Mayor Mark Shepherd

PRESENT: Mayor Mark Shepherd, Councilmember Tim Roper, Councilmember Nike Peterson, Councilmember Megan Ratchford, Councilmember Dakota Wurth

ABSENT: Councilmember Karece Thompson

STAFF PRESENT: City Manager JJ Allen, Assistant City Manager Spencer Brimley, City Attorney Stuart Williams, CDBG Coordinator Allison Barnes, Lieutenant Scott Manookin, Community Services Director Eric Howes, Community Services Deputy Director Curtis Dickson, City Recorder Nancy Dean, Deputy City Recorder Chersty Titensor

VISITORS: Kevin Porter

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

APPROVAL OF MINUTES

August 26, 2025 – work session

August 26, 2025 – Truth in Taxation session

August 26, 2025 – policy session

September 2, 2025 – work session

September 9, 2025 – policy session

Councilmember Ratchford moved to approve the August 26, 2025 work meeting, August 26, 2025 Truth in Taxation meeting, August 26, 2025 policy meeting, September 2, 2025 work meeting and September 9, 2025 policy meeting minutes, seconded by Councilmember Peterson.

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

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

NO: None

ABSENT: Councilmember Karece Thompson

OPEN COMMENT PERIOD

There were no public comments.

APPROVAL OF THE COMMUNITY DEVELOPMENT BLOCK GRANT'S (CDBG) 2024-2025 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER)

The Council considered approval of the Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER). CDBG Coordinator Allison Barnes reported that \$30,736 was used for public service programs, including Open Doors, Safe Harbor, and the Davis Community Learning Center; \$146,675 for Clearfield Art Center improvements; \$133,190 for Aquatic Center and park upgrades such as turnstiles, pavilions, and grills; and \$37,475 for administrative costs. The total expenditures amounted to \$348,075, leaving a balance of \$57,373. The program assisted 953 individuals or households.

Councilmember Peterson inquired about changes in community requests since the COVID-19 pandemic, and Ms. Barnes noted that community partners generally accepted any available funds and that she did not notice a change in their requests. Stuart Williams, City Attorney, added that Safe Harbor had experienced funding cuts similar those seen statewide in regard to their domestic violence service programs.

Councilmember Roper moved to approve the CDBG's 2024-2025 Consolidated Annual Performance Evaluation Report and authorize the mayor's signature to any necessary documents, seconded by Councilmember Wurth.

RESULT: Passed [4 TO 0]

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

NO: None

ABSENT: Councilmember Karece Thompson

APPROVAL OF ORDINANCE 2025-20 UPDATING CLEARFIELD CITY CODE TITLE 15 – PUBLIC ART

The Council considered Ordinance 2025-20, amending City Code Title 15—Public Art. Spencer Brimley, Assistant City Manager, explained that the code would be retitled, Mural Art, and updated to align with current practices. Changes included removing prohibitions on text or logos, prohibiting advertising messages, clarifying product installation standards to ensure murals lasted up to ten years, allowing compensation for displays, and requiring scaled visual design mockups.

Councilmember Peterson raised a question about whether murals partially funded by Davis County could include the County's logo without violating advertising restrictions. After

discussion, it was determined that such inclusion would not constitute advertising since the logo represented sponsorship, not commercial promotion.

Councilmember Wurth moved to approve Ordinance 2025-20 updating Clearfield City Code Title 15 – Public Art and authorize the mayor’s signature to any necessary documents, seconded by Councilmember Ratchford.

RESULT: Passed [4 TO 0]

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

NO: None

ABSENT: Councilmember Karece Thompson

RATIFICATION OF THE NEW NATIONAL OPIOID SETTLEMENT WITH PURDUE PHARMA, L.P. AND THE SACKLER FAMILY

The Council reviewed ratification of the new National Opioid Settlement with Purdue Pharma and the Sackler family. Stuart Williams, City Attorney, reported that this was the third such national settlement and that participation by local entities increased Utah’s allocation share. The settlement totaled \$7.4 billion, with Utah slated to receive \$57 million; payments from the Sackler family would total \$6.5 billion over fifteen years, and Purdue Pharma would contribute \$900 million post-bankruptcy.

Councilmember Peterson moved to ratify the mayor’s signature to the new Opioid Settlement with Purdue Pharma, L.P. and the Sackler Family, seconded by Councilmember Ratchford.

RESULT: Passed [4 TO 0]

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

NO: None

ABSENT: Councilmember Karece Thompson

APPROVAL OF RESOLUTION 2025R-12 AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE STATE OF UTAH'S DEPARTMENT OF CULTURAL AND COMMUNITY ENGAGEMENT REGARDING THE USE OF THE AMERICA250 TRADEMARK LOGO

Resolution 2025R-12 was presented for approval, which would authorize an Interlocal Agreement with the Utah Department of Cultural and Community Engagement for use of the America250 trademark and logo. JJ Allen, City Manager, explained that the agreement formalized the City’s participation in the national celebration and allowed use of the logo in exchange for \$1,500 in funding for local America250 projects.

Councilmember Ratchford moved to approve Resolution 2025R-12 authorizing an Interlocal Agreement with the State of Utah’s Department of cultural and Community

Engagement regarding the use of the America250 Trademark logo, and authorize the mayor's signature to any necessary documents, seconded by Councilmember Wurth.

RESULT: Passed [4 TO 0]

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

NO: None

ABSENT: Councilmember Karece Thompson

COMMUNICATION ITEMS

MAYOR'S REPORT

Mayor Mark Shepherd

Mayor Shepherd recognized successful events held at Hill Air Force Base commemorating 9/11, POW/MIA observances, and other community activities. He expressed appreciation to Councilmember Peterson for coordinating a local football interview event and noted upcoming engagements including "Lunch with the Mayor," the Utah League of Cities and Towns Conference, and a visit from the National League of Cities Military Communities Council.

CITY COUNCIL'S REPORTS

Councilmember Peterson

Councilmember Peterson reported on the Ute Football Conference's feature on Clearfield City and gave updates from Wasatch Integrated Waste Management District. She noted Farmington City's adoption of green waste collection and upcoming capacity studies to evaluate district-wide expansion. She explained that audits were underway to assess true recycling and diversion rates, with goals of 90% or higher effective recycling.

Councilmember Ratchford

Councilmember Ratchford announced the North Davie Fire District's open houses scheduled for September 29, 2025 at Station 42 in Clearfield and October 1, 2025 at Station 41 in West Point and reported on internal applicants being considered for promotion due to the upcoming retirements of the Captain and Battalion Chief.

Councilmember Wurth

Councilmember Wurth provided an update from the Mosquito Abatement District, reporting that West Nile virus had been detected in mosquito pools throughout Davis County with upwards of 20 cases and three deaths reported. The District planned a Truth in Taxation hearing on December 11, 2025 at 7:00 p.m. to consider a property tax increase for a new chemical storage facility. Councilmember Wurth would present an in-depth presentation at an upcoming meeting.

Councilmember Roper

Councilmember Roper highlighted recent facility upgrades at Fire Station 41, noting firefighters' appreciation for the investment.

CITY MANAGER'S REPORT

JJ Allen, City Manager

Mr. Allen mentioned the recent property tax situation and reported there was nothing staff could do to reverse the decision. He encouraged the Council to contact him if they would like to register for the upcoming "Conflict Competence 101" training.

STAFF REPORTS

Nancy Dean, City Recorder

Ms. Dean reviewed the upcoming Meet the Candidates Night on September 29, 2025, coordinated with the League of Women Voters, and summarized the fall meeting schedule: work meeting October 7, 2025, work and policy meetings October 14, 2025, no meeting October 21, 2025, and work and policy meetings October 28. She also reminded the Council that no meetings would be held November 4, 2025 (Election Day) or November 11, 2025 (Veterans Day).

Councilmember Wurth moved to adjourn the policy meeting and reconvene in a closed session for the purpose of discussing pending or imminent litigation at 7:32 p.m., seconded by Councilmember Roper.

RESULT: Passed [4 TO 0]

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

NO: None

ABSENT: Councilmember Karece Thompson

APPROVED AND ADOPTED
This day of 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, September 23, 2025.

/s/ Nancy R. Dean, City Recorder

City/County Notification Requirements

- City Council/County Commission will be notified and a record submitted of the tax increase.
- The Record should indicate the Intent and purpose of the property tax increase, the dollar amount of the increase, The percentage of increase, and impact on the average household
- Once the City/County have the record they have 40 days to get it on the council agenda.
- The city/county representative for that entity would submit the record.
- The city/county does not vote or make a motion on the record or the increase.

Agenda item – Mosquito Abatement District-Davis Proposed Tax Increase

The Mosquito Abatement District-Davis is proposing to increase its property tax revenue. The Mosquito Abatement District-Davis tax on a \$600,000.00 (average value of Davis County residence) residence would increase from \$30.69 to \$38.61, which is \$7.92 per year. If the proposed budget is approved, Mosquito Abatement District-Davis would receive an additional \$1,000,000.00 in property tax revenue per year as a result of the tax increase. If the proposed budget is approved, Mosquito Abatement District-Davis would increase its property tax budgeted revenue by 26.18% above last year's property tax budgeted revenue excluding new growth

The primary purpose for the proposed tax increase is construction of new pesticide storage facilities. Also building for future growth and to increase mosquito surveillance and lab capacity. Any other revenues above financial obligations for building construction loan will be used to increase the purchase of a new mosquito adulticide product.

Current Year Tax Rate	Estimated Next Year Tax Rate
.000093	.000117

PUBLIC HEARING

Date/Time: Location: December 11, 2025, at 7:00 p.m. 85 North 600 West, Kaysville, UT. 84037



STAFF REPORT

TO: Mayor Shepherd and City Council Members

FROM: Tyson Stoddard, Associate Planner

MEETING DATE: October 7, 2025

SUBJECT: Second Amendment to the Development Agreement for the Wilcox Farms Subdivision at approximately 1550 South 1000 West.

RECOMMENDED ACTION

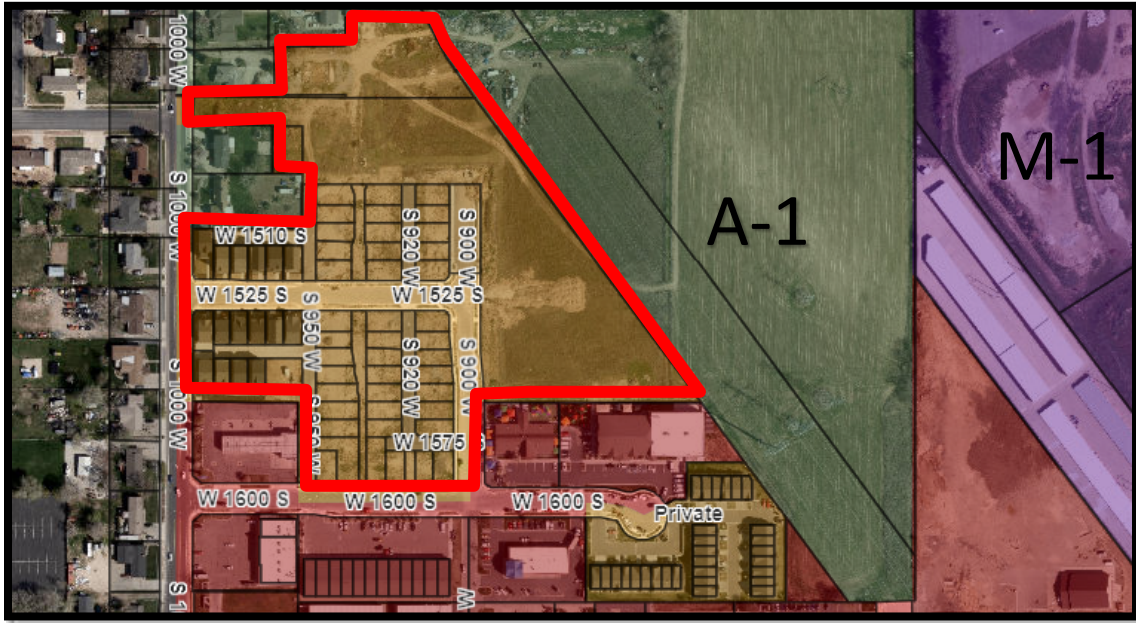
On October 1, 2025, the Planning Commission forwarded a recommendation of approval of the Second Amendment to the Wilcox Farms Development Agreement, with modifications as identified in the staff report.

PROJECT SUMMARY

Project Information	
Project Name	Wilcox Farms Subdivision
Site Location	Approximately 1550 South 1000 West
Tax ID Numbers	Multiple
Applicant	Destination Homes
Owner	LHM DEV WLX LLC
Proposed Actions	Amendment to existing Development Agreement
Current Zoning	R-3 (Residential)
Project Details	101-Lot Subdivision

Surrounding Properties and Uses:		Current Zoning District	General Plan Land Use Classification
North	Residential	A-1 (Agricultural)	Transitional Residential
East	Agriculture	A-1 (Agricultural)	Transitional Residential with Conservation Overlay
South	Commercial	C-2 (Commercial)	General Commercial
West	Residential	N/A (Syracuse City)	N/A (Syracuse City)

Aerial Image & Zoning



DESCRIPTION / BACKGROUND

In 2022, the applicant, Destination Homes, entered into a development agreement with Clearfield City for the development of a 101-lot single-family subdivision. Earlier this year, Destination Homes applied to amend select open space, setback, and porch encroachment provisions of the development agreement to accelerate construction and move towards the completion of the project. This first amendment request was recommended for approval by the Planning Commission and ultimately approved by the City Council in May 2025. Potential amendments to architectural standards were also discussed at that time but were not approved.

Amendment Request

After exploring various options to allow for the continuation of the project without amendments to architectural standards, the applicant is making a second amendment request to ensure that the typical architecture standards of the development agreement allow for the updated home plans which they intend to have built. This request allows the City the opportunity to review the amendments and also gives the applicant the opportunity to demonstrate that the new homes will be successfully integrated with the homes already built. Renderings are included in the amendments, which show the updated home plans next to existing homes already built along the south paseo. The requested amendments and exhibits are included as an attachment to this report, as well as staff's recommendations for edits to the language of the amendment.



Amendments Summary

Amendments to Exhibits C & C-1 of the agreement include the removal of a rendering depicting “Single Family Homes Fronting 1000 W” and a rendering depicting “Typical Architecture”. These renderings are replaced with new renderings for “Typical Architecture” and “Streetscape Example”. The only amendment to “Building Placement Guidelines” is the removal of the maximum rear yard setback of seven feet (7’). The reason for the removal of the maximum rear setback is because there are certain lots shaped in a way that it becomes impossible to meet the maximum setback, and the builder would also like greater flexibility with the rear setback to allow for a more uniform front setback. As mentioned in the prior paragraph, staff has included proposed edits to the language of the agreement to ensure the proposed language is consistent with the new Exhibit C-2.

City Council Work Session

In a work session with the City Council on October 7, 2025, the applicant discussed the desire to make a contribution to the City which was later determined to be in the amount of \$100,000, anticipated to help fund public art and community events. A section for the contribution will be added to the proposed amendments and presented during the October 14, 2025, City Council meeting.

In discussion related to the proposed color schemes, the Council asked if the applicant could incorporate more vibrant colors, consistent with the colors used for the homes that were previously built in the community. The applicant reported that they would discuss the request and if deemed feasible, would have the color scheme updated and available for consideration in the October 14, 2025, City Council meeting.

CORRESPONDING POLICY PRIORITIES

- Improving Clearfield's Image, Livability, and Economy


Amendments to the agreement can ensure that the new homes will be successfully integrated with the homes already built and help the construction of a distinct residential neighborhood move forward.

FISCAL IMPACT

Negligible

ALTERNATIVES

1. Approve the Development Agreement Amendment request.
2. Deny the Development Agreement Amendment request.

- 
3. Approve the Development Agreement Amendment request with modifications identified by the City Council.
 4. Table the Development Amendment request.

SCHEDULE / TIME CONSTRAINTS

This item is scheduled to go to the City Council Policy Session on October 14, 2025.

LIST OF ATTACHMENTS

- DRAFT Development Agreement Amendment
- Proposed Exhibit C-2
- Staff Recommendations to DRAFT Development Agreement Amendment

**WHEN RECORDED,
RETURN TO:**

c/o Destination Construction, LLC
9350 150 E #220
Sandy, Utah 84070
Attention: Brandon Ames

Tax ID Nos.: 12-065-0005, 12-065-0096, 12-065-0091, 12-391-0011, 12-391-0012 and 12-391-002

**AMENDMENT TO
DEVELOPMENT AGREEMENT
for
WILCOX FARMS SUBDIVISION
between
CLEARFIELD CITY CORPORATION
and
LHM DEV WLX, LLC**

THIS AMENDMENT TO DEVELOPMENT AGREEMENT (this “**Amendment**”) is entered as of this _____ day of _____, 2025 (the “**Effective Date**”), by and between CLEARFIELD CITY CORPORATION, a Utah municipal corporation (the “**City**”), and LHM DEV WLX, LLC, a Utah limited liability company, as successor-in-interest to Discovery Development, LLC (“**Developer**”). City and Developer are hereinafter sometimes referred to individually as a “**Party**”, and collectively, as the “**Parties**”.

RECITALS

WHEREAS, Discovery Development, LLC, a Utah limited liability company (“**Discovery Development**”) and the City entered into that certain Development Agreement for Wilcox Farms Subdivision dated as of May 16, 2022, recorded on May 18, 2022, as Entry Number 3477617, Book 8012, Page 344-387 in the Official Records of Davis County, Utah (the “**Development Agreement**”); and

WHEREAS, LHM DEV WLX, LLC, a Utah limited liability company, succeeded to all of Discovery Development’s rights, title and interest as Developer under the Development Agreement; and

WHEREAS, pursuant to the Development Agreement, Developer is developing certain properties situated in Clearfield City, Davis County, Utah, located at approximately 1550 South 1000 West Clearfield, Utah, as more particularly described in the Development Agreement (the “Properties”); and

WHEREAS, the Parties now desire to amend the Development Agreement, on the terms and conditions more particularly set forth herein; and

WHEREAS, the City, acting pursuant to its authority under Title 10, Chapter 9a of the Utah Code and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations has made certain determinations with respect to the development of the Properties, and in the exercise of its legislative discretion has elected to approve this Amendment.

AGREEMENT

NOW, THEREFORE, in consideration of the Properties and the terms and conditions herein stated and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the Parties hereto, it is agreed as follows:

1. **Recitals; Capitalized Terms.** Except as expressly amended hereby, the foregoing Recitals are hereby incorporated into this Agreement by reference. All capitalized terms used herein but not defined herein shall have the meaning ascribed in the Development Agreement.

2. **Partial Amendment to Exhibit “C & C-1”.** The sections entitled “Single Family Homes Fronting S 1000 W”, “Typical Architecture” and “Master Plan Scripting” as found on Exhibit “C & C-1” of “Pattern Book” attached to the Development Agreement is hereby deleted and is hereby replaced with new Exhibit “C-2”, “Single Family Homes Fronting S 1000 W”, “Typical Architecture” and “Master Plan Scripting” attached hereto and incorporated herein.

3. **Full Force and Effect.** Except to the limited extent expressly amended by this Amendment, the Development Agreement shall remain and continue in full force and effect in accordance with its terms.

[Signatures on Following Pages]

IN WITNESS WHEREOF, Developer and City have executed this Amendment effective as of the Effective Date.

CLEARFIELD CITY CORPORATION,
a Utah municipal corporation

By: _____
Name: _____
Its: _____

LHM DEV WLX, LLC,
a Utah limited liability company

By: _____
Name: _____
Its: _____

ATTEST:

By: _____
Name: _____
Its: _____

APPROVED AS TO LEGAL FORM:

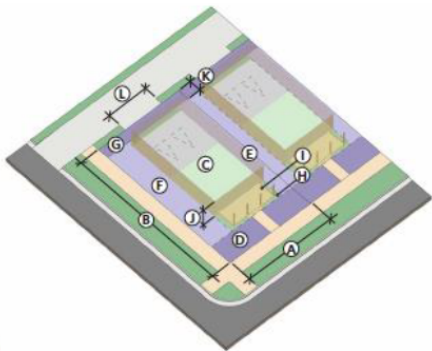
By: _____
Name: _____
Its: _____

EXHIBIT C-2:

OVERVIEW

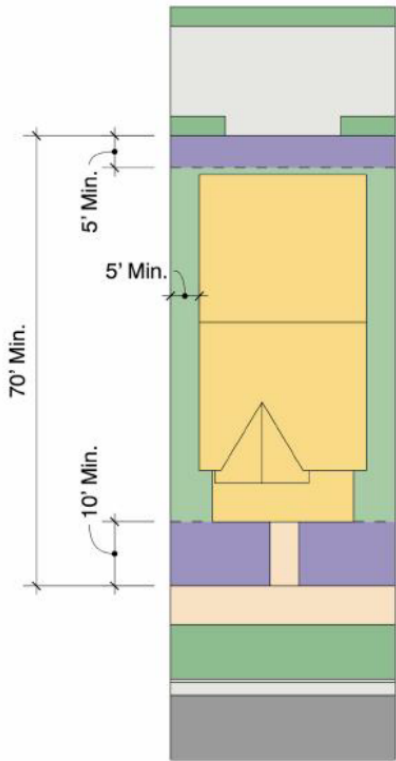
The goal of this section is to establish the framework on which the Wilcox Farms community will be built. To this end, this section details the necessary standards to create neighborhoods of distinction. The pages immediately following this overview describe the visions for the Wilcox Farms neighborhood and how these will be accomplished through the use of architectural styles. This section also provides definitions and standards for how buildings are to be placed on their lots in order to both address the street in a neighborly way and prioritize the people-oriented parts of the façade.

BUILDING PLACEMENT REQUIREMENTS

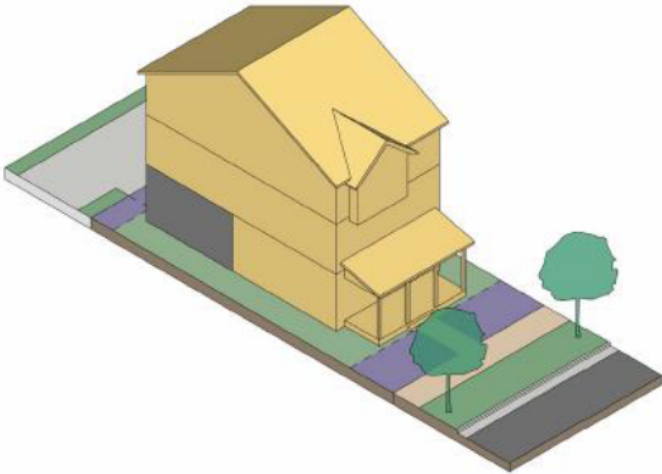


		Typical Lot Size
A	Width	35 — 45 ft.
B	Depth	70 ft. min.
C	Area	2,450 sf min.
		Setbacks
D	Front	10 ft. min.
E	Side	5 ft. min.
F	Corner Side	10 ft. min.
G	Rear	5 ft. min.
		Facade Zone
H		10 ft.
		Porch Encroachments
I		4 ft.
		Height
J		2 - 3 stories
		Garage Setback
K		5 ft. min.
		Maximum Driveway Approach Cut Width
L		20 ft.
		Above Ground Livable Area
		1,100 sf min.

* 10 ft. corner side lot setback only applies to dedicated city streets. Lots on corners of private streets and alley's will have typical side setback of 5 ft.



FRONT & REAR SETBACKS



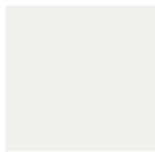
STREETSCAPE EXAMPLE



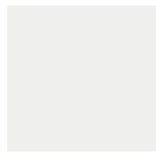
TYPICAL ARCHITECTURE



Scheme 1



Siding
Extra White



Trim
Extra White



Front Door
Tricorn Black



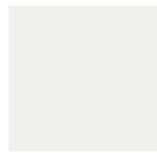
Roof
Charcoal



Garage Door
White



Soffit & Fascia
Black

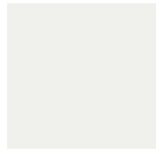


Windows
White

Scheme 2



Siding
Accessible Beige



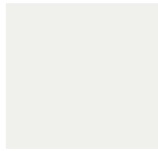
Trim
Extra White



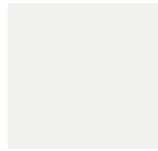
Front Door
Cadet



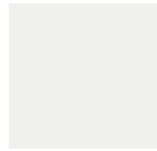
Roof
Weathered Wood



Garage Door
White



Soffit & Fascia
Glacier White

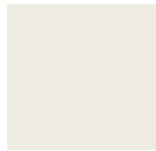


Windows
White

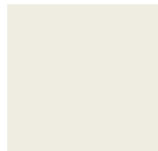
Scheme 3



Siding
Messenger Bag



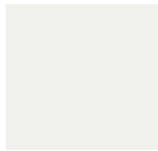
Trim
Alabaster



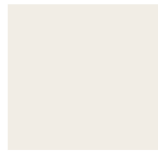
Front Door
Alabaster



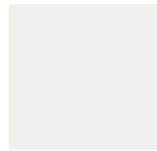
Roof
Weathered Wood



Garage Door
White



Soffit & Fascia
Natural Linen

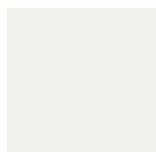


Windows
White

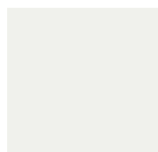
Scheme 4



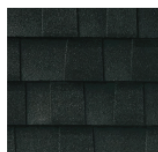
Siding
Foxhall Green



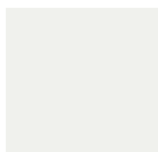
Trim
Extra White



Front Door
Extra White



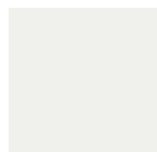
Roof
Charcoal



Garage Door
White


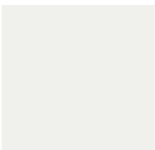
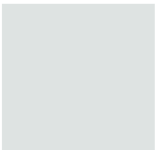
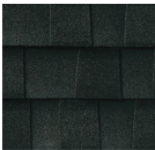
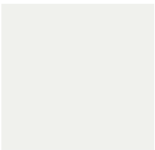
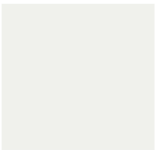
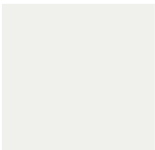


Soffit & Fascia
Black


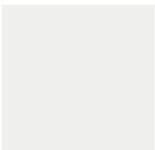

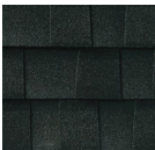
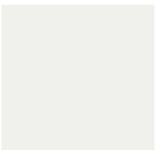
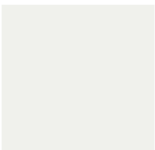
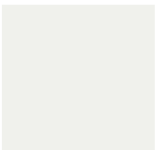


Windows
White

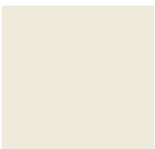


Scheme 5

						
Siding Outerspace	Trim Extra White	Front Door Quicksilver	Roof Charcoal	Garage Door White	Soffit & Fascia Glacier White	Windows White


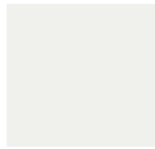
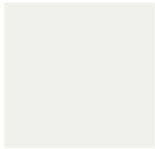

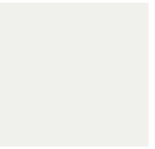
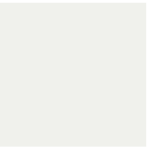
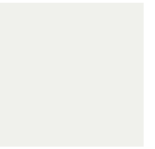
Scheme 7

						
Siding Argos	Trim Extra White	Front Door Grizzle Gray	Roof Charcoal	Garage Door White	Soffit & Fascia Glacier White	Windows White



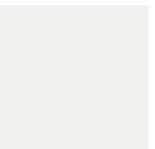
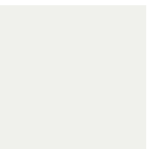
Scheme 8

						
Siding Creamy	Trim Creamy	Front Door Keystone Gray	Roof Weathered Wood	Garage Door Taupe	Soffit & Fascia Teakwood	Windows Taupe

Scheme 9

						
Siding Green Onyx	Trim Extra White	Front Door Extra White	Roof Charcoal	Garage Door White	Soffit & Fascia Glacier White	Windows White

Scheme 10

						
Siding Felted Wool	Trim Extra White	Front Door Foxhall Green	Roof Charcoal	Garage Door White	Soffit & Fascia Glacier White	Windows White

**WHEN RECORDED,
RETURN TO:**

c/o Destination Construction, LLC
9350 150 E #220
Sandy, Utah 84070
Attention: Brandon Ames

Tax ID Nos.: ~~12-065-0005, 12-065-0096, 12-065-0091, 12-391-0011, 12-391-0012 and 12-391-002~~ 12-960-0101 to 0168, 12-391-0024, 12-065-0186, 12-065-0207, 12-065-0086 and 12-065-0206

**SECOND AMENDMENT TO
DEVELOPMENT AGREEMENT
for
WILCOX FARMS SUBDIVISION
between
CLEARFIELD CITY CORPORATION
and
LHM DEV WLX, LLC**

THIS AMENDMENT TO DEVELOPMENT AGREEMENT (this “**Amendment**”) is entered as of this _____ day of _____, 2025 (the “**Effective Date**”), by and between CLEARFIELD CITY CORPORATION, a Utah municipal corporation (the “**City**”), and LHM DEV WLX, LLC, a Utah limited liability company, as successor-in-interest to Discovery Development, LLC (“**Developer**”). City and Developer are hereinafter sometimes referred to individually as a “**Party**”, and collectively, as the “**Parties**”.

RECITALS

WHEREAS, Discovery Development, LLC, a Utah limited liability company (“**Discovery Development**”) and the City entered into that certain Development Agreement for Wilcox Farms Subdivision dated as of May 16, 2022, recorded on May 18, 2022, as Entry Number 3477617, Book 8012, Page 344-387 in the Official Records of Davis County, Utah (the “**Development Agreement**”); and

WHEREAS, LHM DEV WLX, LLC, a Utah limited liability company, succeeded to all of Discovery Development’s rights, title and interest as Developer under the Development Agreement; and

WHEREAS, pursuant to the Development Agreement, Developer is developing certain properties situated in Clearfield City, Davis County, Utah, located at approximately 1550 South 1000 West Clearfield, Utah, as more particularly described in the Development Agreement (the “Properties”); and

WHEREAS, the Parties now desire to amend the Development Agreement, on the terms and conditions more particularly set forth herein; and

WHEREAS, the City, acting pursuant to its authority under Title 10, Chapter 9a of the Utah Code and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations has made certain determinations with respect to the development of the Properties, and in the exercise of its legislative discretion has elected to approve this Amendment.

AGREEMENT

NOW, THEREFORE, in consideration of the Properties and the terms and conditions herein stated and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the Parties hereto, it is agreed as follows:

1. **Recitals; Capitalized Terms.** Except as expressly amended hereby, the foregoing Recitals are hereby incorporated into this Agreement by reference. All capitalized terms used herein but not defined herein shall have the meaning ascribed in the Development Agreement.

2. **Partial Amendment to Exhibit “C & C-1”.** The sections entitled “Single Family Homes Fronting S 1000 W”, “Typical Architecture”, and ~~“Master Plan Scripting”~~ “Building Placement Guidelines” as found on Exhibits “C & C-1” of “Pattern Book” attached to the Development Agreement ~~are is~~ hereby deleted and ~~are is~~ hereby replaced with new Exhibit “C-2”, ~~“Single Family Homes Fronting S 1000 W”~~ “Building Placement Requirements”, ~~“Streetscape Example”, and~~ “Typical Architecture” ~~and “Master Plan Scripting”~~ attached hereto and incorporated herein.

3. **Full Force and Effect.** Except to the limited extent expressly amended by this Amendment, the Development Agreement shall remain and continue in full force and effect in accordance with its terms.

[Signatures on Following Pages]

IN WITNESS WHEREOF, Developer and City have executed this Amendment effective as of the Effective Date.

CLEARFIELD CITY CORPORATION,
a Utah municipal corporation

By: _____
Name: _____
Its: _____

ATTEST:

By: _____
Name: _____
Its: _____

APPROVED AS TO LEGAL FORM:

By: _____
Name: _____
Its: _____

LHM DEV WLX, LLC,
a Utah limited liability company

By: _____
Name: _____
Its: _____

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CLEARFIELD CITY ORDINANCE 2025-21

AN ORDINANCE APPROVING THE SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH LHM DEV WLX, LLC, FOR THE WILCOX FARMS SUBDIVISION PROJECT LOCATED AT APPROXIMATELY 1550 SOUTH 1000 WEST, CLEARFIELD, DAVIS COUNTY, UTAH

PREAMBLE: This Ordinance approves the second amendment to the development agreement with LHM DEV WLX, LLC, for the Wilcox Farms Subdivision project located at approximately 1550 South 1000 West, Clearfield, Davis County, Utah.

WHEREAS, LHM DEV WLX, LLC, a Utah limited liability company, succeeded to all of Discovery Development's rights, title, and interest as Developer under the Development Agreement with Discovery Development, LLC; and

WHEREAS, pursuant to an application received by the City's Community Development office, the City Council must consider the second amendment to the development agreement with LHM DEV WLX, LLC, for the Wilcox Farms Subdivision Project located at approximately 1550 South 1000 West; and

WHEREAS, after a public hearing on the matter, the Clearfield City Planning Commission recommended to the Clearfield City Council that the second amendment to development agreement be approved in accordance with the staff recommendations; and

WHEREAS, following proper notice, as set forth by state law, the City Council held a public hearing on the second amendment to the development agreement and allowed for public comment thereon; and

WHEREAS, after the public hearing, the City Council carefully considered any comments made during the public hearing, the developer's position, as well as the Planning Commission's recommendations regarding the proposed second amendment to the development agreement; and

WHEREAS, following its public deliberation, the City Council has determined that the second amendment to the development agreement proposed by the Planning Commission is in the best interests of Clearfield City and its residents and will most effectively implement the City's planning efforts while allowing the subject property to be put to its highest and best use;

NOW THEREFORE BE IT ORDAINED by the Clearfield City Council that:

Section 1. Development Agreement: The second amendment to the Development Agreement with LHM DEV WLX, LLC, governing the Wilcox Farms Subdivision project located at approximately 1550 South 1000 West is approved and attached hereto as Exhibit "A".

Section 2. Effective Date: This Ordinance shall become effective as those set forth above and its posting in three public places within Clearfield.

Dated this 14th day of October, 2025, at the regularly scheduled meeting of the Clearfield City Council.

CLEARFIELD CITY CORPORATION

Mark R. Shepherd, Mayor

ATTEST

Nancy R. Dean, City Recorder

VOTE OF THE COUNCIL

AYE:

NAY:

26 May 2016

IHRA non-legally binding working definition of antisemitism

Adopted by the IHRA Plenary in Bucharest

In the spirit of the Stockholm Declaration that states: "With humanity still scarred by ...antisemitism and xenophobia the international community shares a solemn responsibility to fight those evils" the committee on Antisemitism and Holocaust Denial called the IHRA Plenary in Budapest 2015 to adopt the following working definition of antisemitism.

On 26 May 2016, the Plenary in Bucharest decided to:

Adopt the following non-legally binding working definition of antisemitism:

"Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."

To guide IHRA in its work, the following examples may serve as illustrations:

Manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity. However, criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic. Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for "why things go wrong." It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.

Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor.
- Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the state of Israel.

Antisemitic acts are criminal when they are so defined by law (for example, denial of the Holocaust or distribution of antisemitic materials in some countries).

Criminal acts are antisemitic when the targets of attacks, whether they are people or property — such as buildings, schools, places of worship and cemeteries — are selected because they are, or are perceived to be, Jewish or linked to Jews.

Antisemitic discrimination is the denial to Jews of opportunities or services available to others and is illegal in many countries.

CLEARFIELD CITY RESOLUTION 2025R-13

A RESOLUTION CONDEMNING ANTISEMITISM ACTS, STATEMENTS OF HATEFUL EXPRESSION OF INTOLERANCE, AND ENCOURAGING ELECTED OFFICIALS, EDUCATORS, COMMUNITY ORGANIZATIONS, HOUSES OF WORSHIP AND ALL CITIZENS TO WORK TO UNDERSTAND AND OPPOSE ANTISEMITISM

WHEREAS, antisemitism, including harassment on the basis of actual or perceived Jewish origin, ancestry, ethnicity, identify, affiliation, or faith, remains a persistent, pervasive, and disturbing problem in American society; and

WHEREAS, according to the Federal Bureau of Investigation (FBI) data, Jewish Americans are consistently the most likely of all religious groups to be victimized by incidents of hate in the U.S., and such incidents are increasing at an alarming rate; and

WHEREAS, municipal officials and institutions have a responsibility to protect citizens from acts of hate and bigotry, including antisemitism, and must adopt the tools to do so; and

WHEREAS, valid monitoring, informed analysis and investigation, and effective policymaking all benefit from accurate and uniform definitions; and

WHEREAS, in May 2016, the International Holocaust Remembrance Alliance (“IHRA”), by consensus vote of its member states, adopted the Working Definition of Antisemitism, including eleven (11) contemporary examples, which has become the internationally recognized, authoritative definition for use by governments and international organizations; and

WHEREAS, the IHRA Working Definition of Antisemitism has proven to be an essential tool used to determine contemporary manifestations of antisemitism; and

WHEREAS, the IHRA Working Definition of Antisemitism has been adopted by many international and national organizations, including the United States State Department and the United States Department of Education; and

WHEREAS, in the United States, the IHRA Working Definition of Antisemitism is utilized by various government and law enforcement agencies in monitoring, training, and education; and

WHEREAS all people of all faiths have a stake in fighting antisemitism, just as they have a stake in fighting every form of bigotry and hatred against people based on religion, race, national origin, age, ability, gender, sexual orientation, gender identity or socio-economic status;

NOW, THEREFORE IT IS HEREBY RESOLVED, that the values religious diversity and interfaith tolerance, and hereby rejects the perpetuation of antisemitic stereotypes; and it is further

RESOLVED, that Clearfield City, Utah, condemns antisemitic acts and statements as hateful expressions of intolerance that are contradictory to the values that define the people of Clearfield City, Utah; and it is further

RESOLVED, that Clearfield City, Utah, recognizes the growing problem of antisemitism in the U.S. and hereby adopts the non-binding IHRA Working Definition of Antisemitism, including the eleven (11) contemporary examples stated therein, as an important tool to address it; and it is further

RESOLVED, that Clearfield City, Utah, directs municipal agencies to ensure that the IHRA Working Definition of Antisemitism is available as an educational resource for the Department of Police and other departments and agencies responsible for addressing antisemitism and other forms of discrimination; and it is further

RESOLVED, that Clearfield City, Utah, condemns antisemitism in all its forms, without exception, and encourages our elected officials, educators, community organizations, houses of worship and all citizens to work to understand and oppose antisemitism to ensure that Clearfield City, Utah, will live up to the principles of diversity, tolerance, religious freedom, and equal protection.

DATED this 14th day of October 2025.

ATTEST:

CLEARFIELD CITY CORPORATION

Nancy R. Dean, City Recorder

Mark R. Shepherd, Mayor

VOTE OF THE COUNCIL

AYE:

NAY: