

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 PM WORK MEETING
May 26, 2026

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 Megan Ratchford, Councilmember Dakota Wurth

ABSENT: Councilmember Karece Thompson, Councilmember Danielle King

STAFF PRESENT: City Manager JJ Allen, Assistant City Manager Spencer Brimley, City Attorney Stuart Williams, Assistant City Attorney Amy Jones, Community Services Deputy Director Curtis Dickson, Police Chief Kelly Bennett, Public Works Director Adam Favero, Finance Department Lee Naylor, Community Development Director Stacy Millgate, Planner Tyson Stoddard, Community Relations Director Shaundra Rushton, City Recorder Nancy Dean, Deputy City Recorder Chersty Titensor

VISITORS: Craig Brown and Matthew H. Brown – Connex, Michael Christensen

Mayor Shepherd called the meeting to order at 6:02 p.m.

DISCUSSION OF A TELECOMMUNICATIONS FRANCHISE AGREEMENT WITH CONNEXT NETWORK, LLC

Amy Jones, Deputy City Attorney, presented a proposed telecommunications franchise agreement between the City and Connex, an internet service provider. Ms. Jones explained that the agreement was based on a standard franchise template the City was developing for future telecommunications providers. Because Connex was an internet-only provider, City authority was limited under the Telecommunications Act. Connex agreed to comply with the City's road ordinance and the proposed construction timelines outlined in the staff report.

Councilmember Wurth requested additional information regarding Connex's services. Representatives Craig Brown and Matthew Brown explained that Connex was a fiber-optic internet provider that managed all aspects of service delivery, including planning, construction, customer outreach, and restoration. They clarified that Connex would operate independently from UTOPIA. Craig Brown explained that the company utilized a single above-ground cabinet located within a public utility easement, subject to City approval, while other infrastructure was installed underground.

JJ Allen, City Manager, asked about Connex's anticipated buildout schedule. Matthew Brown stated that the company planned to begin with a limited service area to evaluate community interest and its working relationship with the City before determining whether to expand further.

Staff noted that the franchise agreement would return for formal Council consideration on June 23, 2026. Connex representatives were invited to attend that meeting.

DISCUSSION ABOUT NEIGHBORHOOD ART/IMPROVEMENTS

Shaundra Rushton, Communications Manager, presented a discussion regarding neighborhood-focused beautification initiatives. Ms. Rushton reminded the Council that, during a previous discussion, the Council had expressed interest in directing beautification efforts into residential neighborhoods rather than focusing solely on downtown improvements. She requested policy direction regarding the types of projects the Council wished to pursue and the level of neighborhood involvement desired.

The Council discussed whether beautification efforts should focus on public art installations or neighborhood improvement projects. Councilmember Peterson expressed support for permanent art installations, stating that government-funded neighborhood rehabilitation projects could discourage private investment and might not produce lasting results. Mayor Shepherd agreed, noting that public art could help create neighborhood identity and encourage resident pride and investment. Councilmember Wurth also supported an art-focused approach. Council consensus favored public art rather than City-funded neighborhood improvement projects. Examples discussed included murals, painted utility boxes, themed neighborhood art, statues, and other artistic installations. Councilmembers referenced successful public art programs in other communities, including painted utility boxes and neighborhood-focused art displays.

The Council then discussed how neighborhoods should be defined for purposes of the program. Councilmember Ratchford suggested focusing on locations that directly served and connected residents. Councilmember Peterson encouraged placing art within residential areas rather than parks, trails, or other public facilities, noting that the City had already invested in public-space art. Mayor Shepherd suggested developing neighborhood-specific themes to create distinct neighborhood identities.

Ms. Rushton requested guidance regarding resident participation. Mayor Shepherd advocated for significant neighborhood involvement, including allowing residents to help select themes and participate in project development. Councilmember Peterson supported community involvement, citing previous experiences where resident participation reduced vandalism and increased neighborhood ownership of public improvements. Councilmember Wurth emphasized the importance of fostering an authentic neighborhood art culture and allowing residents to help shape project concepts.

Discussion included possible approaches such as neighborhood voting contests, resident participation in design selection, artist-led installations, community painting events, painted sidewalks, crosswalk projects, utility box art, and other neighborhood-driven concepts. Council consensus supported resident involvement in project development and implementation, with the level of participation varying based on the project type.

Ms. Rushton summarized the Council's direction as follows:

- Focus on public art rather than neighborhood rehabilitation projects.
- Prioritize installations located within residential neighborhoods rather than existing public spaces.
- Incorporate neighborhood participation through design selection, voting, community involvement, or installation opportunities.
- Return with specific project proposals for future consideration.

JJ Allen, City Manager, suggested exploring innovative art concepts, including rain-activated sidewalk artwork that appeared when sidewalks become wet.

DISCUSSION ON PUBLIC MEETINGS, SOCIAL MEDIA, & THE FIRST AMENDMENT

Shaundra Rushton, Communications Manager, provided training regarding First Amendment requirements applicable to public meetings and government social media platforms. She explained that City Council meetings, commission meetings, government social media pages, and certain official elected-official pages functioned as limited public forums. As such, the City might impose reasonable time, place, and manner restrictions, provided those restrictions remained viewpoint neutral.

Examples of permissible restrictions discussed included meeting schedules, speaker time limits, designated speaking locations, sign placement requirements, maintaining open walkways, limiting interruptions, and restricting comments during public hearings to the agenda item under consideration.

Ms. Rushton emphasized that restrictions must be viewpoint neutral and could not favor or suppress opinions based on agreement or disagreement with the speaker's message. Examples were reviewed illustrating improper viewpoint discrimination, including allowing supportive comments while restricting critical comments or prohibiting criticism of public officials while permitting praise. Several real-world examples from public meetings were presented to illustrate First Amendment considerations. These examples included public comment delivered through song, criticism of elected officials and staff, public comment restrictions that resulted in litigation, and unusual but protected public comments. Ms. Rushton explained that municipalities had faced legal challenges when removing speakers or restricting speech based on viewpoint rather than neutral rules.

Ms. Rushton recommended the following best practices for public meetings:

- Consistently use speaker time limits.
- Ensure restrictions remain viewpoint neutral.
- Apply rules consistently to all speakers.
- Clearly communicate meeting procedures and expectations.

The discussion then shifted to social media. Ms. Rushton explained that government social media platforms functioned as limited public forums and generally permitted only manner-based restrictions on public comments. She reviewed categories of content that might be restricted or hidden, including:

- Direct criminal threats.
- Advocacy of illegal activity.
- Malware or malicious links.
- Excessive duplicate comments posted repeatedly within a short period.
- Certain forms of defamation.
- Copyright violations.
- Other content prohibited by law.

Ms. Rushton emphasized that any restrictions must remain viewpoint neutral. For example, if links critical of the City were removed, links favorable to the City must also be treated consistently. Additional recommendations included:

- Hiding problematic comments rather than deleting them whenever possible.
- Avoiding blocking users unless necessary.
- Using “views are my own” disclaimers on personal social media accounts.
- Maintaining separate personal and governmental social media accounts when possible.

Ms. Rushton also reviewed recent court decisions involving public officials’ personal social media accounts and discussed the Supreme Court’s two-part test for determining whether social media activity constitutes governmental action.

Councilmembers asked questions and discussed examples of recent public meetings in other jurisdictions. Ms. Rushton concluded the training by offering continued assistance regarding social media and First Amendment issues.

ZONING CODE AMENDMENTS - COMPLIANCE WITH STATE RESIDENTIAL DESIGN AND PARKING REQUIREMENTS

Tyson Stoddard, Associate Planner, presented proposed zoning code amendments intended to align the City’s development regulations with recent changes to Utah law governing residential design standards and parking requirements. He explained that Utah Code limited municipal authority regarding residential development standards for single-family homes, two-family dwellings, townhomes, and certain affordable housing developments. He reviewed state requirements establishing minimum parking dimensions and limitations on local regulation of garages, tandem parking, and minimum dwelling size requirements.

Mr. Stoddard noted that portions of Clearfield City Code were adopted before the state statutory changes and now conflicted with state law. Proposed amendments would:

- Update garage and parking dimension requirements to comply with state standards.
- Add exceptions for owner-occupied affordable housing where required by state law.
- Reduce minimum floor area requirements from current standards to the state-mandated maximum of 1,000 square feet where applicable.
- Amend applicable single-family, two-family, and multifamily zoning provisions to ensure compliance.

Mr. Stoddard requested feedback regarding whether the City should continue requiring garages to provide a full 20-foot by 20-foot unobstructed parking area or consider allowing limited

obstructions while maintaining an 18-foot depth. Councilmember Peterson supported retaining the full 20-foot by 20-foot unobstructed requirement, stating that anything smaller reduced garage functionality. Councilmember Ratchford expressed concern about garage obstructions, particularly stairs, and questioned the state's housing affordability rationale. Mr. Stoddard explained that the statutory changes were intended to reduce housing costs by limiting local development requirements.

Mayor Shepherd agreed that the City's current requirement was reasonable and supported maintaining the 20-foot by 20-foot unobstructed standard. Mayor Shepherd noted that exceptions could still be considered through future development agreements when warranted by unique circumstances.

Mr. Stoddard also discussed the fact that Clearfield's code currently classified townhomes as multifamily housing rather than separately defining them as single-family attached dwellings. He suggested creating a separate townhome classification because recent state legislation specifically addressed townhomes.

Mr. Allen asked about the effort required to revise the code accordingly. Mr. Stoddard explained that the changes would primarily involve updating definitions and related provisions within the R-2 and R-3 zoning districts. Mayor Shepherd indicated support for creating a separate townhome classification if it improved code clarity and did not create significant complications.

Mr. Stoddard indicated that additional review and legal analysis would occur before the amendments return for formal consideration.

Councilmember Wurth moved to adjourn at 6:57 p.m., seconded by Councilmember Ratchford.

RESULT: Passed [3 TO 0]

YES: Councilmember Peterson, Councilmember Ratchford, Councilmember Wurth

NO: None

ABSENT: Councilmember Karece Thompson, Councilmember Danielle King

The minutes for the CDRA are in a separate location

**APPROVED AND ADOPTED
This 23rd day of June 2026**

/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 26, 2026.

/s/ Nancy R. Dean, City Recorder