



CLEARFIELD CITY COUNCIL
AGENDA AND SUMMARY REPORT
July 28, 2026 - 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 Peterson

APPROVAL OF MINUTES:

June 16, 2026 – Special Meeting

June 23, 2026 – Policy Meeting

June 23, 2026 – Work Meeting

SCHEDULED ITEMS:

1. **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@clearfieldcityut.gov.

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

2. DISCUSSION AND POSSIBLE ACTION ON THE FACILITIES/PARKING LOT ADMINISTRATION LICENSE AGREEMENT WITH THE DAVIS SCHOOL DISTRICT SPECIFICALLY FOR CLEARFIELD HIGH SCHOOL

BACKGROUND: For the last two school years, Clearfield High School and Clearfield City have had an informal use agreement for Clearfield High to use portions of the Fisher Park parking lot for student parking during the school year while the Davis County School District finishes a new building on the Clearfield High School campus.. This agreement has been that the school may use specific areas of the Fisher Park parking for student parking during school hours. In exchange, the school would monitor parking, and clean up the parking lot and surrounding park areas so city staff were not overburdened with the extra work due to the increased use of the parking lot by Clearfield High students. The District/High School would like to formalize and extend this arrangement since the parking needs of the High School continue to outpace the available spaces available on the School District's property. In exchange for this use, the High School will continue to monitor and enforce parking arrangements and provide guaranteed gym space during winter months so the City can continue to provide recreational programming at their facilities. Staff recommends Council formalizes this agreement with the School District/Clearfield High School. This arrangement has worked well over the last 2 years. The arrangement has been beneficial to the school and the city. The school has been able to better meet the parking demands students have and the city has had fewer issues with illegal parking (not parking in designated parking stalls) and fewer vandalism and garbage issues at the park.

RECOMMENDATION: Discuss and consider approval of the Facilities/Parking Lot Administration License Agreement with the Davis School District, specifically for Clearfield High School and authorize the Mayor's signature to any necessary documents.

3. DISCUSSION ON PROPOSED AMENDMENTS TO THE COUNCIL RULES OF ORDER AND THE PLANNING COMMISSION BYLAWS

BACKGROUND: Utah Code Annotated § 10-3-606 requires a municipal body to adopt Rules of Order to govern parliamentary order, ethical behavior, and civil discourse. The Clearfield City Council adopted its Rules of Order on August 27, 2019. The City has since identified some proposed amendments that need to be discussed. Also, the Planning Commission has similar requirements in Utah Code Annotated § 10-20-301. which is satisfied with its bylaws. Recently, the terms of the Planning Commission members were adjusted to three years by the City Council. The change requires amendments to the Planning Commission Bylaw. Staff has prepared proposed amendments.

RECOMMENDATION: Discuss the proposed amendments to the Council Rules of Order and the Planning Commission Bylaws.

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 July 23, 2026.

/s/Nancy R. Dean, 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/pmnl/, the Clearfield City Website – ClearfieldCityUT.gov, 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@clearfieldcityut.gov & 801-525-2700.

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 PM SPECIAL SESSION MEETING
June 16, 2026

City Building
55 South State Street
Clearfield City, Utah

PRESIDING: Mayor Mark Shepherd

PRESENT: Councilmember Nike Peterson, Councilmember Megan Ratchford, Councilmember Dakota Wurth, Mayor Mark Shepherd, Councilmember Danielle King

ABSENT: Councilmember Karece Thompson

STAFF PRESENT: City Manager JJ Allen, City Attorney Stuart Williams, Deputy City Recorder Chersty Titensor, Attendee Spencer Brimley, Deputy Community Services Director Curtis Dickson, Police Chief Kelly Bennett, Community Development Director Stacy Millgate, Public Works Director Adam Favero, Communications Manager Shaundra Rushton, Finance Manager Rich Knapp, Senior Accountant Lee Naylor

VISITORS:

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

PRESENTATION AND DISCUSSION ON THE PROPOSED PROPERTY TAX IMPACT SCHEDULE (PTIS)

JJ Allen, City Manager, presented the proposed Property Tax Impact Schedule (PTIS) for Fiscal Year 2027. Mr. Allen explained that throughout the budget preparation process, the City had planned for an additional \$236,500 in property tax revenue. With final valuation figures and the certified tax rate information now available from Davis County, staff calculated that a proposed tax rate of 0.001253 would generate approximately \$233,106 in additional property tax revenue without exceeding the previously discussed target amount. Mr. Allen also explained that staff had included additional explanatory language in the PTIS that was not required by statute but was intended to provide greater clarity to residents. Staff requested direction from the Council regarding both the explanatory language and whether to maintain the previously discussed revenue target despite receiving approximately \$48,000 more in new growth revenue than originally estimated.

Mayor Shepherd expressed support for maintaining the previously discussed tax increase amount and using the additional new growth revenue to strengthen the City's reserves. The Mayor emphasized the importance of maintaining reserve levels and noted that the additional revenue would provide approximately one additional day of cash on hand.

Councilmember Wurth asked whether any additional revenue figures remained outstanding that could affect the budget before final adoption. Mr. Allen responded that no significant revenue

changes were expected and that the only major outstanding item was the City's liability insurance premium, which was anticipated within the next few days.

Councilmember Peterson agreed with maintaining the previously discussed tax increase amount and expressed appreciation for staff's explanation of how the figures were derived.

Councilmember Peterson noted that the proposed increase largely reflected revenue that had been incorporated into the prior year's budget through a tax rate adjustment that was later invalidated due to procedural issues. Councilmember Peterson stated that maintaining the proposed amount would help preserve service levels, reduce reliance on reserves, and remain consistent with the public notices provided throughout the budget process.

Mayor Shepherd suggested revising the explanatory language within the PTIS to better clarify that the City had completed the public hearing process, adopted a budget based on the prior year's tax increase, and later lost that revenue due to a procedural issue rather than a policy decision by the City Council. Councilmember Peterson agreed that the language should more accurately describe the circumstances surrounding the prior year's tax rate issue and suggested avoiding terminology implying that the Utah State Tax Commission had rejected a Council-approved decision. Councilmember Peterson emphasized that the issue arose from procedural requirements rather than the merits of the tax increase itself and supported providing residents with additional context regarding the budget impacts. Commissioner Danielle King expressed concern about the cumulative financial impact of tax increases on residents facing rising costs due to inflation, fuel prices, and other economic pressures. Commissioner King suggested considering whether a slight reduction in the proposed tax increase could be achieved while still maintaining service levels. Mayor Shepherd reiterated concerns about reserve levels and stated that although the City had intentionally reduced reserves in recent years to fund major projects and avoid larger tax increases, reserves were approaching the minimum level the Council had previously determined was appropriate. The Mayor stated that retaining the additional revenue would provide greater financial stability. Councilmember Peterson discussed the importance of maintaining adequate reserves, citing lessons learned during the COVID-19 pandemic, recent inflationary pressures, and unexpected revenue fluctuations. She stated that preserving the additional revenue would improve the City's ability to respond to future financial uncertainties and help avoid larger tax increases in the future. Councilmember King stated support for maintaining the proposed amount if the Council believed it represented the most responsible financial decision.

Councilmember Wurth stated that clear communication and transparency with residents would be important and suggested continuing to explain how the proposed increase would support operational sustainability and maintain service levels while addressing inflationary and legislative pressures affecting local governments. Councilmember Peterson referenced comments frequently made by municipal leaders regarding differences between state and local government finances and noted that cities often face increasing service obligations without the same financial flexibility available at the state level.

Mr. Allen reminded the Council that the Truth in Taxation advertisement would appear somewhat differently from the PTIS due to statutory requirements and formatting prescribed by state law. He explained that the City had no discretion over certain values displayed in the

advertisement and reiterated that the additional explanatory information included in the PTIS was intended to improve public understanding.

No further changes were directed regarding the proposed tax rate amount, and consensus was reached to proceed with the proposed rate of 0.001253.

APPROVAL OF RESOLUTION 2026R-14 ADOPTING THE PROPOSED TAX RATE FOR REAL AND PERSONAL PROPERTY FOR FISCAL YEAR 2027

Councilmember Peterson moved to approve Resolution 2026R-14 setting the proposed tax rate for real and personal property tax at .001253 for fiscal year 2027 and authorize the mayor's signature to any necessary documents, seconded by Councilmember King.

RESULT: Passed [4 TO 0]

YES: Councilmember Peterson, Councilmember Ratchford, Councilmember Wurth, Councilmember King

NO: None

ABSENT: Councilmember Karece Thompson

Councilmember Peterson moved to adjourn at 6:21 p.m., seconded by Councilmember King.

RESULT: Passed [4 TO 0]

YES: Councilmember Peterson, Councilmember Ratchford, Councilmember Wurth, Voting Member King

NO: None

ABSENT: Councilmember Karece Thompson

**APPROVED AND ADOPTED
This day of 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, June 16, 2026.

/s/ Nancy R. Dean, City Recorder

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 PM POLICY MEETING
June 23, 2026

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 Mark Shepherd

PRESENT: Mayor Mark Shepherd, Councilmember Karece Thompson, Councilmember Dakota Wurth, Councilmember Megan Ratchford, Councilmember Danielle King

ABSENT: Councilmember Nike Peterson

STAFF PRESENT: City Manager JJ Allen, Assistant City Manager Spencer Brimley, City Attorney Stuart Williams, IT Manager Jeff Soper, Deputy City Attorney Amy Jones, Police Chief Kelly Bennett, Lieutenant Scott Manookin, Community Services Director Eric Howes, Finance Manager Rich Knapp, Senior Accountant Lee Naylor, Public Works Director Adam Favero, Deputy Public Works Director Braden Felix, Community Development Director Stacy Millgate, Communications Manager Shaundra Rushton, City Recorder Nancy Dean, Deputy City Recorder Chersty Titensor,

VISITORS: Macy McCormack, Ambri Huffaker, Tony DeMille, Michael Christensen

Mayor Shepherd called the meeting to order at 7:01 p.m.

Councilmember Wurth led the opening ceremonies.

APPROVAL OF MINUTES

May 26, 2026 – work meeting

June 9, 2026 – work meeting

May 26, 2026 – policy meeting

June 9, 2026 – policy meeting

Councilmember Thompson moved to approve the minutes as presented, seconded by Councilmember Wurth.

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

YES: Councilmember Thompson, Councilmember Wurth, Councilmember Ratchford, Councilmember King

NO: None

ABSENT: Councilmember Nike Peterson

SWEARING IN OF NEW CLEARFIELD CITY POLICE OFFICER JOVANI GARCIA

Kelly Bennett, Police Chief, introduced Officer Jovani Garcia, who recently completed the Utah POST Academy and previously served with the Utah Department of Corrections. Chief Bennett welcomed Officer Garcia to the department and expressed appreciation for the officers and command staff in attendance to support the new officer. Nancy Dean, City Recorder, administered the oath of office to Officer Garcia. Mayor Shepherd welcomed Officer Garcia and thanked the police department members for their support and service.

RECOGNITION OF THE MONTH OF JUNE DESIGNATED AS LGBTQ+ PRIDE MONTH IN CLEARFIELD CITY

Mayor Shepherd introduced the recognition of LGBTQ+ Pride Month. Councilmember Wurth noted that Clearfield City had previously issued a proclamation recognizing Pride Month and invited Macy McCormack to address the Council. Ms. McCormack discussed the importance of visibility and recognition for LGBTQ+ residents, particularly youth, and expressed appreciation to the City Council for its continued recognition efforts. Mayor Shepherd thanked Ms. McCormack for her remarks and participation.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT REGARDING THE AMENDING OF GREEN WASTE COLLECTION FEES IN CLEARFIELD CITY'S CONSOLIDATED FEE SCHEDULE

Rich Knapp, Finance Manager, reviewed the proposed amendment to the green waste collection fee. He explained that annual increases from the City's waste hauler had increased the City's cost to approximately \$11.30 per month per customer. Staff proposed increasing the monthly green waste fee from \$10.50 to \$11.35, reflecting an \$0.85 monthly increase while accounting for diversion credits received from Wasatch Integrated Waste Management District.

Mayor Shepherd opened the public hearing. No public comments were received.

Councilmember Wurth moved to close the public hearing at 7:13 p.m., seconded by Councilmember Ratchford.

RESULT: Passed [4 TO 0]

YES: Councilmember Thompson, Councilmember Wurth, Councilmember Ratchford, Councilmember King

NO: None

ABSENT: Councilmember Nike Peterson

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT REGARDING THE PROPOSED AMENDMENTS OF EXCAVATION/STREET CUT PERMIT FEES IN CLEARFIELD CITY'S CONSOLIDATED FEE SCHEDULE

Braden Felix, Deputy Public Works Director, presented proposed amendments to excavation street cut permit fees. Staff proposed increasing curb and gutter degradation fees from \$0.30 per linear foot to \$4.00 per linear foot and increasing open trench and sidewalk degradation fees from \$0.30 per linear foot to \$4.00 per square foot. Mr. Felix explained the changes were intended to better reflect the City's inspection and administrative costs associated with larger excavation projects.

Mayor Shepherd opened the public hearing.

PUBLIC COMMENT

Michael Christensen addressed the Council and stated that additional data should be reviewed before adopting the fee increases. Mr. Christensen expressed concern that only a single example had been provided and suggested the matter be tabled until additional fee comparisons and projections could be evaluated.

There being no further comments, **Councilmember Ratchford moved to close the public hearing at 7:16 p.m., seconded by Councilmember King.**

RESULT: Passed [4 TO 0]

YES: Councilmember Thompson, Councilmember Wurth, Councilmember Ratchford, Councilmember King

NO: None

ABSENT: Councilmember Nike Peterson

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON PROPOSED AMENDMENTS TO THE FISCAL YEAR 2026 BUDGET

Rich Knapp, Finance Manager, presented proposed amendments to the Fiscal Year 2026 budget. The amendments included use of unrestricted fund balance for increased Aquatic and Fitness Center payroll costs, communication and texting services, and a Utah Retirement Systems back-pay obligation. Additional amendments included grant-funded Art Center microphones, reimbursement transfers from RDA funds for the 500 West project, impact-fee-funded expenditures associated with the All Abilities Park project, donated funds for a basketball court at Bicentennial Park, transfers associated with Clearfield Station, and authority to cover higher-than-anticipated insurance claims pending reimbursement. The total use of unrestricted fund balance was approximately \$174,000.

Mayor Shepherd opened the public hearing. No public comments were received.

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

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

YES: Councilmember Thompson, Councilmember Wurth, Councilmember Ratchford, Councilmember King

NO: None

ABSENT: Councilmember Nike Peterson

OPEN COMMENT PERIOD

There were no public comments received.

APPROVAL OF ORDINANCE 2026-10 AMENDING THE GREEN WASTE FEES AND EXCAVATION/STREET CUT PERMIT FEES IN THE CITY'S CONSOLIDATED FEE SCHEDULE

The Council considered Ordinance 2026-10 amending green waste fees and excavation street cut permit fees. Councilmember Thompson requested additional discussion regarding the concerns raised during the public hearing. Deputy Public Works Director Felix explained that larger projects require substantially greater inspection and administrative resources and that the proposed fee structure was intended to more accurately recover those costs. Mr. Felix indicated he could provide additional analysis if the Council wished to table the item. Councilmember Thompson stated that additional data would be beneficial and expressed concern regarding the lack of multiple comparison points. Councilmember Thompson voted against the motion due to a desire for additional supporting data.

Councilmember Ratchford moved to approve Ordinance 2026-10 amending the Green Waste Fees and Excavation/Street Cut Permit Fees in the City's Consolidated Fee Schedule and authorize the mayor's signature to any necessary documents, seconded by Councilmember King.

RESULT: **Passed [3 TO 1]**

YES: Councilmember Wurth, Councilmember Ratchford, Councilmember King

NO: Councilmember Thompson

ABSENT: Councilmember Nike Peterson

APPROVAL OF RESOLUTION 2026R-17 AUTHORIZING AND ADOPTING AMENDMENTS TO THE FISCAL YEAR (FY26) BUDGET AND APPROPRIATING FUNDS FOR THE PURPOSES SET FORTH THEREIN

Councilmember Wurth moved to approve Resolution 2026R-17 authorizing and adopting amendments to the FY26 budget and appropriating funds for the purposes set forth therein and authorize the mayor's signature to any necessary documents, seconded by Councilmember Ratchford.

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

YES: Councilmember Thompson, Councilmember Wurth, Councilmember Ratchford, Councilmember King

NO: None

ABSENT: Councilmember Nike Peterson

PRESENTATION AND DISCUSSION ON THE PROPOSED PROPERTY TAX IMPACT SCHEDULE (PTIS)

JJ Allen, City Manager, presented the Fiscal Year 2027 Property Tax Impact Schedule as required under recently adopted state legislation. The schedule identified a proposed property tax revenue increase of \$233,106, representing a 6.59% increase over the certified tax rate. Mr. Allen explained that the increase would result in an estimated annual increase of \$21.60 for the average residential property valued at \$510,000 and outlined how the additional revenue would be allocated to facilities maintenance, police equipment, street maintenance, parks maintenance and equipment, and communications services. He further explained that these expenditures would remain restricted until completion of the Truth in Taxation process and final budget adoption. Nancy Dean, City Recorder, clarified that the estimated residential impact was an annual, not monthly, increase.

Mayor Shepherd commented on rising residential property valuations throughout Davis County and the effect property values had on municipal revenue generation.

APPROVAL OF RESOLUTION 2026R-18 ACKNOWLEDGING A PROPOSED TAX RATE IN EXCESS OF THE CERTIFIED TAX RATE AND ADOPTING THE FINAL PROPERTY TAX IMPACT SCHEDULE FOR CLEARFIELD CITY'S FISCAL YEAR 2027 (FY27) INTERIM BUDGET

Councilmember King moved to approve Resolution 2026R-18 acknowledging a proposed tax rate in excess of the certified tax rate and adopting the final property tax impact schedule for Clearfield City's FY27 interim budget, and authorize the mayor's signature to any necessary documents, seconded by Councilmember Ratchford.

RESULT: Passed [4 TO 0]

YES: Councilmember Thompson, Councilmember Wurth, Councilmember Ratchford, Councilmember King

NO: None

ABSENT: Councilmember Nike Peterson

PRESENTATION OF THE FISCAL YEAR 2027 INTERIM BUDGET

Rich Knapp, Finance Manager, presented the Fiscal Year 2027 Interim Budget. He explained that new state legislation required entities proposing a property tax increase above the certified rate to adopt an interim budget effective July 1 until final budget adoption following the Truth in Taxation process. Mr. Knapp reviewed major revenue and expenditure changes, including projected sales tax increases, utility rate adjustments, staffing modifications, reductions in dispatch costs, transfer of emergency planning responsibilities to North Davis Fire District, and planned capital investments in utility systems, streets, facilities, and parks. He also reported that approximately \$1.8 million in requested capital projects had been deferred or

eliminated to maintain fiscal sustainability. Staff projected ending Fiscal Year 2027 with approximately 66 days of operating reserves.

APPROVAL OF RESOLUTION 2026R-13 ADOPTING THE CLEARFIELD CITY FISCAL YEAR 2027 INTERIM BUDGET FOR THE PERIOD BEGINNING JULY 1, 2026 AND ENDING AUGUST 11, 2026

Councilmember Ratchford moved to approve Resolution 2026R-13 adopting the Clearfield City fiscal year 2027 Interim budget for the period beginning July 1, 2026 and ending August 11, 2026 and authorize the mayor's signature to any necessary documents, seconded by Councilmember Wurth.

RESULT: Passed [4 TO 0]

YES: Councilmember Thompson, Councilmember Wurth, Councilmember Ratchford, Councilmember King

NO: None

ABSENT: Councilmember Nike Peterson

APPROVAL OF RESOLUTION 2026R-10 APPROVING A TELECOMMUNICATIONS FRANCHISE AGREEMENT BETWEEN CLEARFIELD CITY AND CONNEXT NETWORK, LLC

Amy Jones, Deputy City Attorney, discussed the proposed telecommunications franchise agreement with Connex Network LLC. The agreement would grant Connex non-exclusive authority to utilize City rights-of-way to provide internet services while requiring compliance with applicable City ordinances and federal telecommunications laws.

Councilmember Wurth moved to approve Resolution 2026R-10 authorizing the execution by the mayor or a Franchise Agreement between Clearfield City and Connex Network, LLC, and authorize the mayor's signature to any necessary documents, seconded by Councilmember Ratchford.

RESULT: Passed [4 TO 0]

YES: Councilmember Thompson, Councilmember Wurth, Councilmember Ratchford, Councilmember King

NO: None

ABSENT: Councilmember Nike Peterson

APPROVAL OF RESOLUTION 2026R-19 APPROVING AN INTERLOCAL AGREEMENT WITH LAYTON CITY AND DAVIS COUNTY REGARDING THE JOINT APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (2025 BYRNE JAG)

Kelly Bennett, Police Chief, presented the Interlocal Agreement with Layton City and Davis County regarding administration of the Edward Byrne Memorial Justice Assistance Grant. Chief Bennett reported that Clearfield City had been awarded \$9,551 through the grant

program. The funds would be used to improve security at Barlow Park through the installation of additional cameras following recent incidents involving criminal mischief and property damage. Layton City would serve as the fiscal agent for the grant.

Councilmember King expressed appreciation for staff efforts in securing grant funding and noted concerns received from residents regarding activity at Barlow Park.

Councilmember King moved to approve Resolution 2026R-19 approving the Interlocal Agreement with Layton City and Davis County regarding the joint application for the Edward Byrne Memorial Justice Assistance Grant, and authorize the mayor's signature to any necessary documents, seconded by Councilmember Thompson.

RESULT: Passed [3 TO 0]

YES: Councilmember Thompson, Councilmember Ratchford, Councilmember King

NO: None

ABSENT: Councilmember Nike Peterson

COMMUNICATION ITEMS

MAYOR'S REPORT

Mayor Mark R. Shepherd

- Mayor Shepherd encouraged Council participation in upcoming Fourth of July events and float decorating activities.

CITY COUNCIL'S REPORTS

Councilmember Megan Ratchford

- Councilmember Ratchford reported that the North Davis Fire District budget had been approved without a tax increase and noted concerns regarding rising health insurance costs.

Councilmember Danielle King

- Councilmember King reported volunteering at the Aquatic and Fitness Center during Davis School District swim lessons and expressed appreciation for the facility's role in providing aquatic instruction opportunities.

Councilmember Karece Thompson

- Councilmember Thompson reported that installation of a new digester lid at the North Davis Sewer District was nearing completion and would improve operational efficiency.

CITY MANAGER'S REPORT

JJ Allen, City Manager

- Mr. Allen thanked Finance staff and department personnel for their extensive work on the Fiscal Year 2027 budget and encouraged participation in upcoming community events. He also extended well wishes to Councilmember Wurth and recognized upcoming national America250 celebrations.

STAFF REPORTS

Nancy R. Dean, City Recorder

- Ms. Dean announced that the next City Council meeting would be held on July 14, 2026, with the next policy session scheduled for July 28, 2026. She also reminded Councilmember King that, as vice chair, she would preside over the upcoming CDRA meeting in Councilmember Peterson's absence.

Eric Howes, Community Services Director

- Mr. Howes reviewed upcoming community events, including Search the City, Movie in the Park, Paint the Bridge, the Patriotic Concert, Pool Bash, Independence Day activities, the parade, flyovers, entertainment, vendors, and fireworks celebrations.

Shaundra Rushton, Communications

- Ms. Rushton reported strong participation in Search the City and provided information regarding Fourth of July VIP event materials.

Councilmember Thompson moved to adjourn the policy meeting and reconvene as the Community Development and Renewal Agency Board at 7:49 p.m., seconded by Councilmember Ratchford.

RESULT: Passed [4 TO 0]

YES: Councilmember Thompson, Councilmember Wurth, Councilmember Ratchford, Councilmember King

NO: None

ABSENT: Councilmember Nike Peterson

APPROVED AND ADOPTED
This day of 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, June 23, 2026.

/s/ Nancy R. Dean, City Recorder

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:30 PM WORK MEETING
June 23, 2026

City Building
55 South State Street
Clearfield City, Utah

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PRESIDING: Mayor Mark Shepherd

PRESENT: Mayor Mark Shepherd, Councilmember Karece Thompson, Councilmember Megan Ratchford, Councilmember Dakota Wurth, Councilmember Danielle King

ABSENT: Councilmember Nike Peterson

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, Finance Department Lee Naylor, Community Development Director Stacy Millgate, Community Relations Director Shaundra Rushton, City Recorder Nancy Dean, Deputy City Recorder Chersty Titensor

VISITORS: Michael Christensen

DISCUSSION OF PROPOSED AMENDMENTS ON EXCAVATION/STREET CUT PERMIT FEES WITHIN THE CONSOLIDATED FEE SCHEDULE

Braden Felix, Deputy Public Works Director, presented proposed amendments to the excavation permit fee schedule. He explained that excavation permits are required for work within the public right-of-way, including utility connections, and are intended to recover the City's costs associated with inspections and ensuring compliance with City standards. He stated that recent review of the fee schedule identified several fees that did not adequately reflect inspection and administrative costs.

Mr. Felix proposed changing the curb and gutter removal fee from \$0.30 per linear foot to \$4.00 per linear foot and converting the open trench and sidewalk/concrete fees from a linear-foot basis to a square-foot basis at \$4.00 per square foot. He explained that the existing methodology did not accurately account for the size and scope of excavations. Using a sewer lateral replacement as an example, Mr. Felix reported that the current fee would total approximately \$257.50, while the proposed fee structure would increase the total to approximately \$418. Mr. Felix stated that the revisions would better compensate the City for staff inspection time and administrative efforts.

Mr. Felix also reported that language was revised from “surety bond” to “cash deposit” to align with existing City Code requirements. He noted that additional ordinance updates would be forthcoming to further improve fairness and consistency within the permit process. Mr. Felix compared the proposed fees with neighboring cities and reported that the proposed rates remained comparable to those charged by surrounding jurisdictions.

JJ Allen, City Manager, advised the Council that the proposed fee amendments were included in the Consolidated Fee Schedule item scheduled for action during the evening policy session. Mr. Allen noted that if the Council desired additional discussion, the excavation fee amendments could be separated from the remaining fee schedule changes.

Mayor Shepherd indicated support for the proposed changes and no concerns or objections were raised by councilmembers.

DISCUSSION OF FISCAL YEAR 2026 BUDGET AMENDMENTS

Rich Knapp, Finance Manager, presented the proposed Fiscal Year 2026 budget amendments and advised that the item was included on the evening agenda in case any final revisions were needed. He reported a last-minute amendment involving personnel costs at the Aquatic and Fitness Center. Due to payroll projections exceeding the adopted budget, staff recommended increasing the personnel budget to avoid a potential audit finding for exceeding appropriated expenditures. Mr. Knapp stated that the proposed amendment represented staff’s best estimate of costs through June 30.

Councilmember Ratchford asked whether the estimate could vary significantly. Mr. Knapp and Lee Naylor, Senior Accountant, explained that the amendment reflected the most accurate payroll projection available through the end of the fiscal year. Mr. Knapp noted that while personnel costs were the primary concern, other operating expenses could still require additional adjustments once final invoices and credit card transactions were received. Mr. Allen suggested increasing the amendment amount to provide an adequate buffer and avoid any audit findings.

Mr. Allen provided additional context regarding staffing changes at the Aquatic and Fitness Center. He explained that employee departures resulted in accrued leave payouts that could not be anticipated during budget preparation. He also noted that remaining full-time employees had been required to cover extended operating hours, increasing personnel costs. Mr. Allen stated that operations were still adjusting to staffing changes and expected expenses should normalize within three to six months.

Mayor Shepherd asked whether the personnel overage would affect Fiscal Year 2027 budget projections. Mr. Allen and Mr. Knapp responded that the additional costs were primarily one-time and unanticipated expenses and were not expected to significantly impact Fiscal Year 2027 projections.

DISCUSSION OF THE FISCAL YEAR 2027 INTERIM BUDGET

Rich Knapp, Finance Manager, reported that staff had received updated liability insurance

pricing and planned to transition from Munich to Travelers Insurance. Mr. Knapp explained that Travelers conducted a comprehensive audit of City operations and ultimately provided a lower premium. Lee Naylor, Senior Accountant, reported that the overall impact would be a reduction of approximately \$24,000 across all funds and approximately \$32,000 within the General Fund. Mr. Naylor further explained that insurance costs for water tanks increased substantially under a separate rider, resulting in a larger allocation to the Water Fund.

Mr. Naylor also reported adjustments to long-term disability and life insurance costs paid by the City. Mr. Knapp advised that additional budget refinements would be completed before adoption of the final Fiscal Year 2027 budget, including potential adjustments to bank fees, utility cost allocations, and the rollover of unfinished projects from Fiscal Year 2026 into Fiscal Year 2027. Mr. Knapp stated that the changes did not affect available cash but would affect project timing and budget presentation. Mr. Knapp also noted that the revisions slightly increased the City's days cash on hand.

Councilmember Ratchford asked whether staff had experienced similar insurance premium decreases in previous years and expressed concern regarding potential impacts in future years. Mayor Shepherd responded that insurance providers evaluate risks differently and noted that higher costs associated with water infrastructure likely reflected the insurer's assessment of those assets.

Mr. Allen confirmed that the insurance and benefit adjustments shown during the work session were incorporated into the interim budget presented for consideration that evening and that additional project roll-forwards and adjustments would be included in the final budget scheduled for adoption in August.

Councilmember Wurth moved to adjourn at 6:47 p.m., seconded by Councilmember King.

RESULT: Passed [4 TO 0]

YES: Councilmember Thompson, Councilmember Ratchford, Councilmember Wurth, Councilmember King

NO: None

ABSENT: Councilmember Nike Peterson

APPROVED AND ADOPTED
This day of 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, June 23, 2026.

/s/ Nancy R. Dean, City Recorder

DRAFT

FACILITIES/PARKING LOT ADMINISTRATION LICENSE AGREEMENT

This Parking Lot Administration License Agreement ("Agreement") is entered into effective as of _____, 2026, by and between CLEARFIELD CITY, a Utah municipal corporation ("City"), and the BOARD OF EDUCATION OF DAVIS SCHOOL DISTRICT ("District").

RECITALS

A. City owns certain parking areas adjacent to or serving Clearfield High School ("Fisher Park Parking Lot").

B. District desires to administer student parking within the Parking Lot for the benefit of students, staff, and school operations.

C. City desires to authorize District to administer student parking within the Parking Lot during school operations, excluding the following areas of the parking lot*:

The stretch of the most westerly parking stalls that are directly adjacent to the sidewalk bordering the 3rd base side of the city's baseball field known as Feld 1 or Green Field.

The stretch of parking stalls along the North side of the East entrance to the parking lot, adjacent to the All-Abilities Playground.

The stretch of parking stalls along the driveway connecting the South Clearfield Elementary Parking Lot and the Fisher Park Parking lot that are located South of the City's storage shed and the Fisher Park parking lot.

***See attached Map**

AGREEMENT

1. License. City Grants District a revocable, non-exclusive license to administer student parking within the Parking Lot during school days. Schools days being defined as: Days students are required to be in class. District Holidays, Professional Development Days, and Contract Days would be excluded. Enforcement would be from 6:00 am until 3:00 pm on school days.
2. Parking Administration. District may establish and administer a student parking program for Clearfield High School, including establishing parking rules, issuing and revoking parking permits, assigning parking spaces, regulating student parking, and taking reasonable measures to enforce compliance with District parking requirements.

3. Parking Revenues. District may charge for parking permits and may assess parking violation penalties pursuant to District parking regulations. All revenues generated from parking permits and parking violation penalties shall be retained by District and used for lawful school or District purposes.
4. District will allow the City use of the Clearfield High School Old Gym on Monday and Thursday evenings from 5:30 pm to 10:00 pm for city recreation programs. This will start the first Monday after Thanksgiving and end the 3rd Thursday of March. Excluded will be March 1st for tryouts for District Spring Sports. Other dates may apply, but will be coordinated directly between the School and the City
5. No Transfer of Ownership or Governmental Authority. This Agreement does not transfer ownership of the Parking Lot to District and does not grant District municipal law-enforcement authority or authority to issue municipal citations. City retains ownership and ultimate control of the Parking Lot.
6. Liability. Each party shall be responsible for its own acts and omissions and those of its officers, employees, and agents to the extent provided by the Utah Governmental Immunity Act and other applicable law.
7. Term and Termination. This Agreement shall remain in effect until terminated by either party upon thirty (30) days' written notice to the other party.
8. Entire Agreement. This Agreement constitutes the entire agreement between the parties concerning the administration of student parking within the Parking Lot and may be amended only by a written agreement signed by both parties.

CLEARFIELD CITY

By: _____

Name: _____

Title: _____

Date: _____

BOARD OF EDUCATION OF DAVIS SCHOOL DISTRICT

By: _____

Tim Leffel

Business Administrator

Date: _____

Attachments





STAFF REPORT

TO: Mayor Shepherd and City Council Members

FROM: Nancy R. Dean, City Recorder

MEETING DATE: July 28, 2026

SUBJECT: DISCUSSION ON PROPOSED AMENDMENTS TO THE COUNCIL RULES OF ORDER AND THE PLANNING COMMISSION BYLAWS

RECOMMENDED ACTION

Discuss the proposed amendments to the Council Rules of Order and the Planning Commission Bylaws.

DESCRIPTION / BACKGROUND

Staff have identified proposed amendments to the City Council's Rules of Order, originally adopted on August 27, 2019, in accordance with Utah Code Annotated § 10-3-606, to ensure continued compliance with statutory requirements governing parliamentary procedure, ethical conduct, and civil discourse. In addition, recent City Council action adjusting Planning Commission member terms to three years necessitates corresponding updates to the Planning Commission Bylaws, which serve as the body's governing document under Utah Code Annotated § 10-20-301. Staff have prepared draft amendments for both the Council's Rules of Order and the Planning Commission Bylaws for review and discussion.

CORRESPONDING POLICY PRIORITIES

- Improving Clearfield's Image, Livability, and Economy

FISCAL IMPACT

N/A

LIST OF ATTACHMENTS

- Draft City Council Rules of Order
- Draft PC Rules Regulations

Clearfield City Council

Rules of Order and Procedure

The Clearfield City Council hereby adopts, pursuant to the Utah Code Annotated § 10-3-606, as amended, the following rules of order and procedure to govern the meetings of the City Council and the elected official thereon. The City Council has not adopted the formality of the Robert's Rules of Order. However, the following rules are based on Robert's Rules of Order, with modifications, and more fully suit the needs of the Clearfield City Council. These are not the only rules followed by the City Council. They are in addition to rules set forth in Utah Code Annotated (Title 10, Utah Municipal Code, and Title 52, Chapter 4, Open and Public Meetings). All rules and procedures of the Clearfield City Council must remain consistent with the Utah Code. These rules shall be made available to the public at each public meeting held by the Council, and shall be posted on the City's website.

I. PURPOSE.

The policies and procedures in this document provides guidelines and direction for the members of the Clearfield City Council and the Mayor in the performance of their duties and conducting their meetings. In addition to these rules, the city council and mayor shall be governed by the provisions of all applicable city ordinances and state statutes.

II. SCHEDULING AND CALLING OF MEETINGS.

Pursuant to Utah Code Annotated § 52-4-202(2)(a), as amended, and City Code § 1-6-4, the city council shall give public notice of its annual policy meeting schedule. Any additional meeting of the city council shall be called or scheduled in accordance with Utah Code Annotated § 52-4-201, *et. seq.*

- A. Place. Unless identified otherwise in the notice and agenda, meetings of the city council will be held at City Hall, 55 South State, Clearfield, Utah.
- B. Policy Meeting. Policy meetings are formal meetings wherein the city council may consider and take formal action on items properly presented before them pursuant to these Rules of Order and Procedure, city ordinance, and state law. All policy meetings of the city council shall be open to the public and include the opportunity for the public to provide comment during a scheduled "Open Comment Period" of the meeting. Policy meetings of the city council are generally scheduled for the second and fourth Tuesday of each month, beginning at 7:00 p.m.
- C. Work Meetings. Work meetings may be held in addition to policy meetings, as determined by the mayor or two city council members for the purpose of discussion or study of issues or topics that may or may not come before the city council for action in a future policy meeting. All work meetings of the city

council shall be open to the public. A work meeting is a less formal meeting than a policy meeting, and shall not include an “Open Comment Period” during the meeting. However, at the discretion of the mayor, limited public comment may be allowed to assist in the furtherance of discussion on a properly noticed and scheduled item. After discussion, items may be referred to a future policy meeting for final action or to a future work meeting if the matter needs further discussion. No action (vote) on items discussed will be taken at a work meeting.

- D. Special Meetings. Pursuant to Utah Code Ann. § 10-3-502, as amended, and City Code § 1-6-4, the mayor or two city council members may order the convening of a special meeting, if the business of the city requires it. Under this circumstance, the city recorder shall provide notice of the special meeting to each city council member ~~who did not sign the order~~ by delivering the notice personally or by leaving it at each council member’s usual place of abode (Utah Code Annotated § 10-3-502, as amended). Notice of the special meeting may also be conveyed by a telephone conversation, voice mail, or electronic notice if personal delivery is not accomplished. All other notice and voting requirements shall be as required by Utah Code Annotated § 52-4-202, as amended.
- E. Emergency Meetings. Pursuant to Utah Code Ann. § 52-4-202, as amended, and City Code § 1-6-4, the mayor or two city council members may call an emergency meeting for matters of an emergency or urgent nature. An attempt will be made to notify all city council members of the emergency meeting and the best notice practicable shall be given. Pursuant to Utah Code Ann. 52-4-202(5) a majority of the city council members must vote in the affirmative to hold the meeting.
- F. Closed Meetings. ~~Pursuant to Utah Code Annotated § 52-4-204~~~~In certain circumstances,~~ the mayor or two city council members may deem it advisable to take certain matters under discussion into a closed meeting with only the mayor, city council members, and city staff essential to the meeting present. Such meetings may be held upon the affirmative vote of 2/3 of the city council members present at such a meeting. The vote must be taken in open meeting. Closed meetings may only be held for purposes deemed lawful under Utah Code Annotated § 52-4-205, as amended.
- G. Quorum. Pursuant to City Code § 1-6-3, three (3) city council members shall constitute a quorum thereof for the transaction of all business except where otherwise required. The mayor and each city council member shall attend policy and work meetings of the city council unless duly excused or unable to attend because of extenuating circumstances. Any member desiring to be excused shall notify the mayor and the city recorder’s office. ~~The city recorder’s office shall call the same to the attention of the mayor.~~ In accordance with the procedures set forth in City Code § 1-6-4(H), the mayor and city council members may request to participate in a meeting via electronic means prior to publication of the agenda. If for any reason a city council member must leave prior to the adjournment of a regularly scheduled policy or work meeting, excluding extenuating emergency

circumstances, said city council member must first gain permission from the mayor. If for any reason the mayor must leave prior to the adjournment of a regularly scheduled policy or work meeting, excluding extenuating emergency circumstances, said mayor must first gain permission from two city council members. The mayor and city council members may not ask to be excused from all or part of a policy meeting to avoid voting on an item lawfully before the elected body. If there is a recess during a policy meeting, the mayor and the city council members should not discuss any item on the policy meeting agenda until the policy meeting resumes.

- H. Content. Discussion during city council meetings is to be limited to agenda items and issues reasonably related thereto.
- I. Open Comment Period. The Open Comment Period shall be scheduled to take place during each policy meeting, and is intended to provide the public with the opportunity to address the mayor and city council regarding concerns or ideas on any topic. ~~All comments and presentations are limited to~~ relevant ~~issues~~ to the city, and each participating individual shall state his or her name for the record. In order to ensure that the meetings proceed in a timely and orderly manner, a three-minute time frame will be provided for such comments or presentations. Additional time may be granted by a majority vote of the city council. Pursuant to Utah Code Ann. § 52-4-301, any person who willfully disrupts the meeting by exceeding a time limit, discussing irrelevant issues, or otherwise, may be removed at the direction of the mayor. The Open Comment Period is not intended, nor shall it be, the forum in which the public and elected officials or city staff engage in dialogue or debate. At the discretion of the mayor, limited clarifying questions or dialogue between the public and elected officials may occur through the mayor, with special care given by the mayor to ensure that the intent of the Open Comment Period is not compromised.
- J. Recess. The mayor, or two council members may call a recess to any city council meeting. All recesses should attempt to minimize disruption, be limited in time, and include an expression of when the meeting will be reconvened into order.
- K. Additional Guidelines. In addition to these Rules of Order and Procedures, the city council may invoke additional guidelines as necessary to address issues as they arise, so long as they are consistent with the nature and intent with the content herein.

III. PREPARATION OF THE AGENDA AND DELIVERY OF INFORMATION PACKETS TO THE CITY COUNCIL MEMBERS

For each city council meeting, the city recorder's office will prepare an agenda under the direction of the mayor and city manager. Under usual circumstances, the mayor and city council members will receive a packet containing the agenda of such meeting and information pertaining to items on the agenda. To allow the mayor and city council

members adequate time to study the items for consideration at the upcoming meeting, all information for the agenda and packet will typically be delivered or made available electronically by the City Recorder's office as soon as reasonably possible but no later than 24 hours prior to a scheduled meeting. ~~office no later than noon on the Thursday preceding the Tuesday meeting.~~

The agenda and packet is also published online, at the city's webpage, www.clearfieldcity.org, clearfieldcityut.gov and online at the Utah Public Notice Website, www.utah.gov/pmn/.

IV. COMPUTERS, CELL PHONES AND TABLETS FOR CITY COUNCIL MEMBERS

The mayor and city council members may acquire and maintain computers, tablets, cell phones, etc. for ease of access to all pertinent city information, such as email, city code, web sites, and agenda packets. The cost allotted for such equipment, including maintenance and service, will be addressed and decided by the city council members each year during budget discussions. The amount decided upon will be included as a line item in the general fund.

V. SERIOUS SOLEMN MOMENT FOR REFLECTION

- A. Each city council meeting will begin with a Serious Solemn Moment for Reflection comprised of a prayer, other supplication, moment of silence, inspirational thought, an inspirational reading, etc. The Serious Solemn Moment for Reflection will be led by or under the direction of the mayor, an assigned city council member, or a volunteer community member. The mayor or a city council member may delegate their assigned Serious Solemn Moment for Reflection to an individual or group that agrees to provide the Serious Solemn Moment for Reflection in accordance with Section V, subsection E, of these Rules of Order and Procedure. A volunteer community member may not delegate a scheduled Serious Solemn Moment for Reflection.
- B. Upon timely request, the Serious Solemn Moment for Reflection may be conducted by any person having a significant connection to the Clearfield City community, including residents, city business leaders, city educational leaders, city religious leaders, city civic leaders, etc. The request must be delivered to the city recorder no later than noon on the Tuesday one week prior to the city council meeting for consideration for placement on the next available agenda. The request shall contain the following information:
 - 1. The name and address of the individual requesting to present the Serious Solemn Moment for Reflection;
 - 2. The person's connection to the Clearfield City community; and

3. The general nature of the presentation, i.e., prayer, supplication, inspirational thought, moment of silence, or will specify if other than these types.
- C. Upon receiving the request, if no other person has made an earlier request, the person will be placed on the agenda to present the ~~Serious~~ **Solemn** Moment for Reflection at the next available scheduled city council meeting. If multiple requests are received, each person making a request shall be scheduled to present at an upcoming city council meeting according to the order in which the request is made.
 - D. Each person who files a request with the city recorder's office will be given a copy of the guidelines for presenting the ~~Serious~~ **Solemn** Moment for Reflection outlined below in E.
 - E. The person providing the ~~Serious~~ **Solemn** Moment for Reflection shall adhere to the following:
 1. The purpose of the ~~Serious~~ **Solemn** Moment for Reflection is to set the tone for the proceedings of the city council. It may consist of a prayer, supplication, inspirational thought, inspirational reading, a moment of silence, or other appropriate activity.
 2. It should promote thoughtful attention to public duty and high moral and ethical standards.
 3. It should promote peace, unity, and tolerance in the community.
 4. It is not a time to disparage the beliefs of others or to promote one's own beliefs or point of view.
 5. It should not degrade any person because of religion, race, ethnic background, national origin, sex, sexual orientation, or philosophy.
 6. It should not be crude, vulgar, or offensive to the public sense of decency.
 7. It is not a time to demean or criticize local leaders.
 8. If it is the person's intent to argue, complain, criticize, etc., the Open Comment Period of each city council meeting is the time to do so, not the ~~Serious~~ **Solemn** Moment for Reflection.
 9. The presentation may not exceed three minutes.
 10. The presenter must be in attendance and prepared to proceed on time.

11. A presenter may only present once in a six-month period of time.
 12. The presenter must abide by the City Council's rules of decorum as set forth in Section IX of these Rules of Order and Procedure.
- F. To provide equal access to participate, the opportunity to present the ~~Serious~~ **Solemn** Moment for Reflection at city council meetings will be advertised to the community by the following methods:
1. An invitation to the public to participate will be posted at city hall outside the city council chambers.
 2. An invitation to the public to participate will be posted on the city's website.
 3. The invitation will be substantially in this form:
"The Clearfield City Council invites all city residents, city business leaders, city education leaders, city civic leaders, city religious leaders, or any other person with a significant connection to the Clearfield City community to participate at an upcoming city council meeting by presenting during the ~~Serious~~ **Solemn** Moment for Reflection at the commencement of the meeting. Persons interested in volunteering for this public service should contact the city recorder's office no later than noon on the Tuesday preceding a scheduled city council meeting."
- G. If an interested community member fails to timely volunteer, or, having volunteered, fails to timely appear, ~~the mayor will assign~~ a city council member will be assigned to present the ~~Serious~~ **Solemn** Moment for Reflection.

VI. ORDER OF BUSINESS AND ORGANIZATION OF CITY COUNCIL AGENDA

The City Council generally considers business at its scheduled Policy Meetings in the following order:

- A. Opening Ceremonies.
1. Welcome/Introductions – Acknowledge Visitors. The mayor will call the meeting to order and welcome those in attendance and acknowledge visitors.
 2. ~~Serious~~ **Solemn** Moment for Reflection/Pledge of Allegiance. The mayor will announce the name of the person scheduled to present during the ~~Serious~~ **Solemn** Moment for Reflection and pledge of allegiance. As outlined in Section V of these Rules of Order and Procedure, a person may volunteer and be scheduled to present the ~~Serious~~ **Solemn** Moment for Reflection and/or pledge of allegiance by notifying the city recorder.

- B. Approval of the Minutes. The mayor will ask if there are any changes or corrections for the draft minutes. When changes and corrections have been made, the mayor will call for a motion and second to adopt the minutes. Once the minutes have been adopted, no alterations may be made and they become the official record of the meeting.
- C. Special Presentations. Occasionally, ceremonial tasks or presentations from outside agencies are needed at the beginning of the city council meeting. Normally, such items do not require a motion.
- D. Public Hearings. Some legislative items require public hearings for the city council to receive public comment prior to taking action on the items. Public comment during a public hearing may only be received after proper notice has been made by the city recorder. The mayor will declare the public hearing open, call for public comments, and give all individuals desiring to comment the opportunity to address the city council on the matter. A public hearing shall only take place during a policy meeting, and is intended to provide the public with the opportunity to provide limited comments, testimony, or opinion. The public hearing portion of a policy meeting is not intended, nor shall it be, the forum in which the public and elected officials or city staff engage in dialogue or debate on the specific item scheduled for a public hearing. At the discretion of the mayor, limited clarifying questions or dialogue between the public and elected officials may occur through the mayor, with special care given by the mayor to ensure that the intent of a public hearing is not compromised.
- E. Consent Items. If the agenda item is routine and likely non-controversial, it may be placed on the formal council meeting agenda, under "Consent Items." The mayor should ask if there are any questions concerning the consent items. The mayor should identify and briefly explain each of the consent items appearing on the agenda to all those present, viewing, or reviewing the record of the meeting. The items appearing as consent, generally, shall consist of matters which require no further discussion or which are routine in nature. Usually, all items appearing as a consent item shall be adopted by a single motion, second and vote. However, prior to the motion to adopt the consent items, a council member may have an item removed from the consent items without a motion for further discussion. Items moved from the consent portion of the agenda will be addressed in that section of the agenda ahead of agenda items listed for discussion. A motion, second and vote will be called for the adoption of the remaining consent items.
- F. Scheduled Items. The city council may use this time to discuss matters identified on the agenda. The mayor may call for a motion on the matter then 1) announce the author of the motion, 2) restate the motion, 3) announce who seconded the motion, 4) ask if there is a question on the motion, and, 4) call for a vote on the motion. The author of a motion may amend or withdraw that motion before it has

been voted on with the concurrence of the person who seconded the motion and a vote of the city council.

- G. Communication Items/Council Reports. The mayor and city council members may update, report, and communicate items of interest as well as report on their assignments on various boards. No action may be taken by the city council during communication items/council reports. The mayor and city council shall not use this time to thwart any section within these Rules of Order and Procedure, city ordinances, or state laws. The communication items portion of the agenda shall not be used in a manner to perform any act that would otherwise not be allowed. For example, the mayor and city council should not participate in discussions, debates, or engage with the public or act on issues not properly before the city council.

VII. MOTIONS.

- A. Making of Motions. Any city council member may make or second a motion. Motions should state findings for denial or approval within the motion.
1. Motions should state findings at the beginning.
 2. The staff reports should be in sufficient detail to assist the council in stating findings.
- B. Second Required. Each motion of the city council must be seconded to proceed to a vote. A motion that receives no second shall fail.
- C. Motion to Amend. After a motion has been seconded, another city council member may offer an amendment to the original motion author, which he or she, together with the seconder of the motion, may accept or reject. Incidental amendments are informal and are not counted toward motions to amend. To retain clarity, the main motion should be amended no more than two times.
- D. Withdrawing a Motion. A motion may be withdrawn at any time before decision or amendment by the unanimous consent of the city council.
- E. Motion to Table Continue. A motion to table continue an agenda item for further study should be accompanied by specific reasons for tabling the matter. When possible, a specific date to rehear the matter should be scheduled, followed by a second. The mayor will call for a vote on the motion.
- F. Motion to Close Public Hearings. The mayor will declare public hearings open. Following the conclusion of receiving any public comment, a motion shall be made to close the public hearing followed by a second. The mayor will call for a vote on the motion.

- G. Motion to Recess. A motion shall be made to break for a specific purpose followed by a second. The mayor will call for a vote on the motion.
- H. Motion to Adjourn. A motion to adjourn the meeting shall be made at the end of each city council meeting, followed by a second.

VIII. VOTING.

Except as otherwise specifically provided in these rules, a majority vote of the city council shall be required and shall be sufficient to transact any business before the city council.

- A. Form of Vote. Voting shall be in the form of “yes” or “aye,” “no” or “nay,” and “abstain,” and the names of those voting for, against, or abstaining entered in the city council minutes.
- B. Roll Call. “Roll Call” means that each city council member verbally gives his or her vote when called upon to vote. A roll call vote is required for all ordinances and resolutions and may occur for other votes. Any member of the city council has the discretion to call for a roll call vote. The act of the roll call vote itself and subsequent accounting shall be performed by the city recorder.
- C. Voice Vote. If a roll call vote is not required, a voice vote may occur. A voice vote is conducted by the mayor calling for a vote in turn of those in favor of the motion and those against with city council members responding simultaneously.
- D. Changing a Vote. No member shall be permitted to change his/her vote after the decision is announced by the mayor.
- E. Tie Votes. Tie votes shall be broken by the mayor casting a vote.
- F. Conflict of Interest/Disqualification. The mayor and city council members are required by Utah Code Annotated § 10-3-1301 ~~1304~~ **1305**, as amended, to disclose actual or potential conflicts of interest between their public duties and their personal interests. Under most conflict of interest situations, city council members (and ~~M~~mayor, if placed in voting situation) should abstain from voting on a matter if they have a substantial interest in the item, and avoid participating in the discussion as well. Pursuant to Utah Code Annotated § 10-3-1303(9)~~(10)~~, “Substantial interest” means the ownership, either legally or equitably, by an individual, the individual’s spouse, or the individual’s minor children, of at least ten percent (10%) of the outstanding shares of a corporation or ten percent (10%) interest in any other business entity. Pursuant to Utah Code Annotated § 10-3-1313 the mayor and city council members are required to file with the city recorder’s office a Conflict of Interest Disclosure no sooner than January 1 and no later than January 31 of each year during which they hold office.

- G. Minimum Votes Required. Unless otherwise provided herein, a minimum of three (3) affirmative votes are required to make a determination on items presented to the City Council unless otherwise stipulated by law.
- H. Explanation of Vote. A City Council member desiring to explain his or her vote should do so prior to the roll call or voice vote.

IX. DECORUM

- A. Conduct of the Mayor and City Council Members. The Mayor and City Council members shall avoid personal attacks and restrict comments to issues before the body. Violations of decorum or conduct shall be resolved by the mayor or a majority vote of the city council.

The mayor and city council members should avoid engaging in private discourse or committing any other act which may tend to distract the attention of the city council or the audience from business before the city council, or which might interfere with any person's right to be heard after recognition by the mayor during a meeting.

The mayor and city council members shall avoid using city council meetings as an opportunity to campaign personal views or draw attention to personal websites or social media platforms. The mayor and city council members are serving in official positions and acting on behalf of the city in all open meetings.

- B. Conduct of the Mayor and City Council Members on City Social Media Platforms. The city's image as a professional organization is critical to maintain the respect of its constituents. Although the city recognizes that elected and appointed officials may choose to express themselves by posting personal information upon social media platforms or by making comments on sites hosted by other persons, groups, or organizations, this right of expression should not interfere with the operation of the city. That is, although the mayor and city council acknowledges its officials have the First Amendment right to free speech, the right is not absolute when involving matters of official city business. As such, the mayor, with the consent of the city council, has authorized the city manager or his or her designee(s) to be the authorized individual(s) to speak on behalf of the city on all city social media platforms.

To ensure that the voice of the city is professional and consistent, the mayor and city council members shall ~~not avoid~~ commenting on any city social media platforms. Comments shall include, but ~~is are~~ not limited to "likes," "dislikes," or any other type of written or visual expression of opinion. The mayor and city council members may tag or share a link to a city social media platform, i.e. share the city message with others, but the mayor or a city council member may not link their personal social media platform to any city social media platform.

The mayor and city council members understand that if an elected official conducts any city business or communication as an official from a personal account, professional account, or an account created by a board/committee/commission, officials should assume the city-related communication will be considered (1) a public record subject to the Utah Public Records laws, and (2) communication subject to the Utah Open and Public Meetings Act.

The mayor and city council members shall abide by the city's Social Media Policy, as adopted.

- C. Conduct of Residents and Attendees at City Council Meeting. There is a significant governmental interest in conducting orderly, efficient meetings. The mayor and city council have created limited public forum and comments related to relevant city business. Those in attendance should be admonished to avoid personal attacks, demonstrations, or outbursts without being recognized by the mayor. Individuals should be required to address their remarks directly to the city council as a body concerning any topic relevant to city business. Persons engaged in disruptive behavior making threats, inciting lawlessness, and/or engaging in obscene acts or language shall be removed by a member of the city police department at the direction of the mayor or a majority of the city council members.

When speaking or discussing issues lawfully before the city council, all persons, including the mayor and city council members, shall confine their remarks to the question under discussion, avoiding remarks or discussions related to individual personalities, and not the issues lawfully before the city council. Anyone engaging in discussion beyond the question before the city council shall be ordered to stop by the mayor and no further discussion will be allowed by said person.

X. ORGANIZATION.

- A. Duties of the Mayor.
1. Preside at all meetings of the city council and shall provide general direction for the meetings;
 2. Call the city council to order and to proceed with the order of business;
 3. Receive and submit in the proper manner all motions and propositions presented by city council members;
 4. Put to vote all questions which are properly moved or necessarily arise in the course of proceedings and to announce the result thereof;

5. Inform the city council, when necessary, or when referred to for that purpose, on any point of order of practice. In the course of discharge of this duty, the mayor shall have the right to call upon legal counsel for advice;
 6. Authenticate by signature when necessary, or when directed by the city council, all acts, orders and proceedings of the city council;
 7. Maintain order at city council meetings;
 8. Move the agenda along, hold down redundancy, reference handouts and procedures in a sensitive way during meetings;
 9. Recognize speakers and city council members prior to receiving comments and presentations of physical evidence, i.e. plans and pictures; and
 10. Participate in the voting procedures only when called upon to break a tie vote.
- B. Duties of the Mayor Pro Tem. The mayor may appoint a mayor pro tem with the advice and consent of the city council. The mayor pro tem shall have and perform all the duties and functions of the mayor in the absence of the mayor. Throughout these Rules of Order and Procedure, the role and duties of the mayor may be inferred to apply to the mayor pro tem, as necessary.
- C. Absence of Mayor and Mayor Pro Tem. In the absence of both the mayor and mayor pro tem, when necessary, the city council may elect in an open meeting, one of its members to serve as the mayor pro tem until either the mayor or the appointed mayor pro tem returns.
- D. City Recorder. The city recorder shall serve as secretary to the city council. The city recorder shall have the following duties;
1. ~~Annually, within ten (10) business days after the first meeting of the city council in December of each year,~~ The city recorder shall annually give public notice of the annual policy meeting schedule of the forthcoming year. If during any year the annual policy meeting schedule for that year is revised, the city recorder shall give notice of the revised annual policy meeting schedule.
 2. Give notice of the agenda, date, time and place of each meeting of the city council as follows:
 - a. Post at the principal office of the city council at least twenty four (24) hours prior to the meeting; and

~~b. Provide notice to at least one newspaper of general circulation within the city not less than twenty four (24) hours prior to the meeting, or providing such notice to a local media correspondent; and~~

c. Post on the city's website.

d. Post on the State of Utah's Public Notice website.

e. Copies of the notice shall likewise be furnished at least twenty four (24) hours prior to the meeting to each member of the city council.

3. Keep and record the minutes of the proceedings of all meetings of the city council;

a. Draft minutes will be made available to the public within 30 days following the meeting.

b. Approved minutes will be posted to the Utah Public Notice website and be made available at the primary office of the public body within (3) three business days following approval of said minutes.

c. Audio recordings of the meeting will be made available, ~~upon request,~~ to the public within three business days of the public meeting.

4. Keep and maintain a permanent record file of all documents and papers pertaining to the work of the city council;

5. Prepare the approved written minutes for the Mayor's signature; and

6. Perform such other duties as may be required.

XI. AMENDMENT, REVISION, OR ADDITION TO THE RULES OF ORDER AND PROCEDURE

Any city council member may propose amendments, revisions, or additions to these Rules of Order and Procedure to the mayor.

Each amendment, revision, or addition proposed by a city council member shall be in written form and copies shall be provided to each city council member by the city recorder's office.

Consideration of any amendments, revisions, or additions to these Rules of Order and Procedure shall be noticed on a city council agenda in conformance with the Utah Open and Public Meetings Act.

A majority vote of the city council shall be required for passage and adoption of an amendment, revision, or addition to these Rules of Order and Procedure.

A copy of the Rules of Order and Procedures will be made available to any person who requests the same.

XII. COMPLIANCE AND ENFORCEMENT

The Clearfield City Council Rules of Order and Procedure are intended to be self-enforcing. It therefore becomes most effective when the mayor and all city council members are thoroughly familiar with it and embrace its provisions.

The Clearfield City Council Rules of Order and Procedure expresses standards for ethical conduct expected of the elected officials of Clearfield City. Individuals themselves have the primary responsibility to ensure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. The elected officials of Clearfield City have the responsibility to intervene when actions of members appear to be in violation of the Rules of Order and Procedure, any city ordinance, or state or federal laws, whether if they are witnessed or brought to their attention. The city council by majority vote may also impose sanctions on those individuals whose conduct does not comply with the city's ethical or professional standards. Sanctions may include:

- Official verbal reprimand in an open meeting
- Formal public letter of censure by the mayor or majority of the city council
- Loss of committee assignment(s)
- In accordance with Utah Code Annotated § 52-4-301 or 10-3-607, any member of the city council, including the mayor, acting in violation of these Rules of Order and Procedure, city ordinance, or state or federal law may be removed from meetings
- Other courses of action as they are made available by state statute and legal means and agreed upon by a majority of the Clearfield City Council.

CLEARFIELD CITY PLANNING COMMISSION RULES
AND REGULATIONS
(Rev. 4/15/2020)

Article 1: Planning Commissioners, Youth Ambassador, and Alternate Commissioners

A. Planning Commissioners

1. Number of Commissioners:
 - a. The city ~~will attempt at all times intends~~ to have seven appointed commissioners, and a single youth ambassador.
2. Appointment:
 - a. Pursuant to Clearfield City Code, Title 3, Chapter 2, each of the Commissioners shall be appointed by the mayor, subject to the advice and consent of the city council.
3. Training:
 - a. ~~Planning Commissioners shall complete the necessary training to fulfill their appointment as stipulated in Utah Code Annotated § 10-20-302. Said required training shall be determined, in collaboration, by the Planning Commission and mayor, subject to the advice and consent of the city council.~~

B. Commissioners

1. Commissioners:
 - a. The city ~~will attempt at all times intends~~ to have ~~a minimum of~~ seven ~~membersecommissioners~~ appointed to the Planning Commission.
2. Appointment:
 - a. Pursuant to Clearfield City Code, Title 3, Chapter 2, ~~a minimum of~~ seven ~~members Commissioners~~ shall be appointed by the mayor, subject to the advice and consent of the city council.
3. Minimum Qualifications:
 - a. Commissioners must reside within the jurisdictional boundaries of the City.
 - b. Commissioners shall be selected for appointment based on those qualities determined by the mayor and city council to best serve the needs of the city.
4. Length of Appointment:
 - a. Commissioners are appointed for three-year terms with a maximum number of three (3) terms or nine (9) years (consecutive or nonconsecutive).
5. Unexpired Terms of Appointment:
 - a. Should a Commissioner no longer be able to fulfill their responsibilities during the term of appointment due to death, resignation, removal, disqualification, etc., the mayor, subject to the advice and consent of the city council, may elect to appoint an Alternative Commissioner, or any other qualified individual to

fulfill the unexpired portion of the term.

6. Oath of Office:

- a. Duly appointed commissioners shall take the oath of office prior to sitting on the Planning Commission.

C. Youth Ambassador

1. Youth Ambassador:

- a. A Youth Ambassador may be appointed to the Planning Commission.
- b. The Youth Ambassador shall carry the same responsibilities and participate in the meetings as all Planning Commissioners.

2. Appointment:

- a. A Youth Ambassador may be appointed by the mayor, subject to the advice and consent of the city council.

3. Minimum Qualifications:

- a. The Youth Ambassador shall be selected for appointment based on those qualities determined by the mayor and city council to best serve the needs of the city.
- b. The Youth Ambassador is not required to be a duly qualified elector.
- c. The Youth Ambassador should be an eleventh or twelfth grade student or between the age of fifteen and eighteen years at the time of appointment.
- d. The Youth Ambassador must primarily (at least fifty-percent or greater) reside within the jurisdictional boundary of the City during the term of appointment.

4. Length of Appointment:

- a. The term of a Youth Ambassador appointment shall be for a minimum term of one year with a maximum term of two years. The term shall begin and expire as determined to be in the best interest of the City.
- b. A Youth Ambassador may finish a term of appointment past the age of eighteen.

5. Unexpired Terms of Appointment:

- a. Should a Youth Ambassador no longer be able to fulfill their responsibilities during the term of appointment due to death, resignation, removal, disqualification, etc., the mayor, subject to the advice and consent of the city council may elect to appoint a new Youth Ambassador to fulfill the unexpired portion of the term.

6. Oath of Office:

- a. A duly appointed Youth Ambassador shall take the oath of office prior to sitting on the Planning Commission.

D. Alternate Commissioners

1. Number of Alternate Commissioners:

- a. The city ~~should attempt at all times~~ intends to have two appointed

Alternate Commissioners.

2. Appointment:

- a. Pursuant to Clearfield City Code, Title 3, Chapter 2, each of the two Alternate Commissioners shall be appointed by the Mayor, subject to the advice and consent of the City Council.

3. Minimum Qualifications:

- a. In addition to those qualities determined by the mayor and city council to be in the best interest of the city, the two Alternate Commissioners must reside within the city.

4. Length of Appointment:

- a. Alternate Commissioners are appointed for ~~five~~three-year terms.

5. Unexpired Terms of Appointment:

- a. Should an Alternate Commissioner no longer be able to fulfill their responsibilities during the term of appointment due to death, resignation, removal, disqualification, etc., the mayor, subject to the advice and consent of the city council may elect to appoint an Alternate Commissioner, or any other qualified individual to fulfill the unexpired portion of the term.

6. Oath of Office:

- a. Duly appointed Alternate Qualified Elector Commissioners shall take the oath of office prior to sitting on the Planning Commission.

7. Miscellaneous

- a. Although Alternate Commissioners do not vote on or participate in the deliberation of issues as regular commissioners unless the alternate member is filling the position of a regular member due to absence, excused or otherwise, during that meeting, alternate members may of course address the Planning Commission on issues when appropriate as would the general public or other residents.
- b. When an Alternate Commissioner is sitting as a regular member of the Planning Commission due to an absence, then that Alternate Commissioner assumes all the duties and responsibilities of a regular Commissioner during that meeting.

E. Attendance Requirements for Planning Commissioners, Youth Ambassador, and Alternative Qualified Elector Commissioners

1. Commissioners, Youth Ambassadors, and Alternate Commissioners are expected to attend Planning Commission meetings regularly. Any commissioner may be removed by the city council for cause, including but not limited to, a poor attendance record.

~~2. Pursuant to Title 3, Chapter 2, Section 8 of the Clearfield City Code, any member of~~

~~the Planning Commission may be removed for three consecutive unexcused absences.~~

F. Election of Chairperson and Vice-Chairperson

1. Selection Process:

- a. The Planning Commission shall annually elect a chairperson and vice-chairperson at the first regularly scheduled meeting in January by majority vote after taking nominations from the body.

2. Term as Chairperson or Vice-Chair:

- a. The term will be for a period of one year, with a maximum of five terms.

3. Unexpired Term of Chairperson or Vice-Chair

- a. If the chairperson is no longer able to fulfill the responsibilities of their position, for any reason, the vice-chairperson shall serve as the acting chair until a new chairperson is elected by the body to fulfill the remaining portion of the chair's unexpired term.
- b. The Planning Commission need not wait until the annual election in January in order to replace a the chairperson.
- c. If the vice-chairperson is no longer able to fulfill the responsibilities of their position, for any reason, the chairperson shall select an acting vice-chair until a new vice-chairperson is elected by the body to fulfill the remaining portion of the vice-chair's unexpired term.
- d. The Planning Commission need not wait until the annual election in January in order to replace a vice-chairperson.

4. Minimum Qualifications:

a. Chairperson

- (i) A commissioner must serve on the Planning Commission for at least one year before being eligible to be elected as the chairperson.
- (ii) Time spent serving as an alternate member of the Planning Commission does not count as time served as a regular member of the Planning Commission for the purpose of qualifying to serve as the chairperson.
- (iii) A Youth Ambassador is not eligible to serve as the chairperson.

b. Vice-Chairperson

- i. All commissioners, except Alternate Commissioners and the Youth Ambassador are eligible to serve as the vice-chairperson.

G. Duties of the Chairperson

The Chairperson has the following duties and responsibilities:

1. To preside at all meetings of the Planning Commission and provide general direction for the meetings;
2. To call the Planning Commission to order and proceed with the order of business;

3. To announce the business before the Planning Commission in the order in which it is to be acted upon;
4. To receive and submit, in the proper manner, all motions and propositions presented by the members of the Planning Commission;
5. To put to vote all questions which are properly moved, or necessarily arise in the course of proceedings, and to announce the result thereof;
6. To inform the Planning Commission, when necessary or when referred to for that purpose, on any point of order or practice. In the course of discharge of this duty the chair shall have the right to call upon legal counsel for advice.
7. To authenticate by signature when necessary or when directed by the Planning Commission, all acts, orders, and proceedings of the Planning Commission;
8. To maintain order at meetings of the Planning Commission;
9. To move the agenda along, hold down redundancy, reference handouts and procedures in a sensitive way during meeting; and
10. Recognize speakers and commissioners prior to receiving comments and presentation of physical evidence, i.e., plans and pictures.
11. Recognize the Youth Ambassador and solicit input from them regarding items on the agenda.
12. It is recommended that the chair attend city council meetings when items that have been recommended by the Planning Commission to the city council for a final decision are being considered.

H. Vice-Chair~~person~~

When the chair~~person~~ is absent, the vice-chair~~person~~ assumes the duties and responsibilities of the chair for that meeting.

I. Chairperson Pro-Tem

In extraordinary cases where both the chair~~person~~ and vice-chair~~person~~ are absent from the meeting or hearing, the remainder of the commissioners shall elect a chair~~person~~ pro-tem, by majority vote, to act as the chair for that meeting. A youth ambassador shall not be permitted to serve as chair pro-tem.

J. Gifts and Favors

Gifts, favors, or advantages must not be accepted if they are offered because the receiver holds a position of public responsibility. It is very important that Planning Commissioners are fair and impartial in their dealings with the public and that they serve

all citizens equally. It is not enough to avoid favoritism. They should strive to avoid even the appearance of giving preference to one citizen or business over any other.

K. Treatment of Information

It is important to differentiate between planning information that belongs to the public and planning information that does not:

1. Reports and official records of a public planning agency must be open on equal basis to all inquiries.
2. Information considered private, controlled, or protected, that is learned in the course of performing planning duties, must be treated in confidence if specifically requested by the applicant. Such information becomes public when an application for official action, such as a change in zone classification or approval of a plat is submitted.
3. Pre-arranged private meetings between a commissioner and applicants, their agents, or other interested parties, are prohibited. Partisan information or communications on any application received by a commissioner, whether by mail, telephone, or other communication, shall be made part of the public record.

Article 2: Planning Commission Staff Duties

A. Community Development Office

Serve as staff of the Planning Commission and Chief Administrative Officers regarding planning, development, and redevelopment; coordinate and supervise work by staff; prepare all documents for presentation to the Planning Commission; assist the chairperson of the Planning Commission in the exercise of duties.

B. Legal Counsel

The City Attorney, or designee, should serve as legal counsel; prepare memoranda of law as requested by the Planning Commission; review drafts of ordinances, resolutions, and guideline amendments regarding planning and development.

Article 3: Meetings of the Commission

A. Place

~~All m~~Meetings of the Planning Commission shall be held in the Clearfield City Council Chambers, 55 South State Street, Clearfield, Utah (Third Floor) or at such other place ~~in Clearfield City~~ as the Planning Commission may designate.

B. Agenda Setting

The chair~~person~~ may change the order of the business or consider matters out of order, if

there is no objection from any member of the Planning Commission, or by a majority vote of the Planning Commission.

C. Regular Meetings

Regular meetings of the Planning Commission are anticipated to be held ~~twice~~once a month, typically the first ~~and third~~ Wednesdays of each month or at the request of the chair when necessary and pursuant to proper noticing requirements. All noticed official meetings are open to the public. The purpose is to obtain information, deliberate, and vote on specific matters. Written and recorded minutes will be kept. At a minimum, the Planning Commission shall meet once a quarter to review applications, be briefed on development progress, and to receive training.

D. Work Meetings

Work meetings shall be held as needed. Work sessions are noticed, official meetings open to the public to discuss specified matters. The intent of the work meeting is informational. The Planning Commission may not take any formal action or vote during such work meetings. A record will be kept stating the date and general items that are discussed.

E. Public Hearings

A noticed official meeting, the express and limited purpose of which is to provide an opportunity for the public to offer input. The Planning Commission may not vote during the hearing.

F. Field Trips

A noticed official meeting, open to the public, for the purpose of visiting specific sites. Public comment may be taken, but the Planning Commission will take no vote or formal action during the field trip.

G. Training Meetings

A noticed official meeting, open to the public, for the purpose of training planning commissioners.

Article 4: Form and Character of Motions

A. Making of Motions

Upon review of the full public record pertaining to an application or request and following due deliberation among the members of the Planning Commission, any member of the Planning Commission, except the chairperson, may make a motion. The motion shall include not only the direction of the motion, but also specific findings, conditions as applicable, denial, and also the recitation of specific findings supporting such motion.

B. Second to the Motion Required

A second to the motion shall be required for each motion citing compatible findings. A motion shall die in the absence of a second.

C. Withdrawing a Motion

After a motion has been seconded, it shall be deemed in the possession of the Planning Commission, but may be withdrawn at any time before decision or amendment by the unanimous consent of the Commission.

D. Motion to ~~Table~~Continue

A motion to ~~table~~continue an agenda item for further study should be accompanied by specific reasons for continuing the matter, and whenever possible, a specific date to re-hear the matter should be scheduled.

E. Amending Motions

When a motion is pending before the Planning Commission, any member may suggest an amendment, at any time prior to the final vote, ~~in order to~~ amend the stated motion. The author and the second may choose ~~whether or not~~whether to accept the amendment.

F. Substitute Motions

A substitute motion, which when seconded serves to replace the original motion, may be made prior to a vote on the original motion.

G. To Rescind a Motion

A motion to rescind or make void the results of a prior motion may take place when the applicant and other persons directly affected by the motion have not materially changed their position in reliance on the Planning Commission's action on the motion.

H. To Reconsider a Motion

To recall a previous motion for further evaluation and/or action, a motion for reconsideration may be made by a commissioner who voted with the majority. The motion to reconsider must pass with a majority vote. If it is determined that the motion should stand as previously approved, no formal vote is necessary. If the former motion is to be amended or made void, the motion shall be put to a formal vote of the Planning Commission. Motions to reconsider a previous motion must take place during the same meeting the motion was made or when the minutes containing that particular item are approved.

I. Motion to Close Hearings

When the Planning Commission is acting in a quasi-judicial capacity as an appeal authority pursuant to the City Code or state statute, the deliberation portion of a hearing may be closed if authorized by law. ~~In order to~~To close a portion of a hearing for

deliberation by the body, a motion shall be made by a commissioner prior to discussion and voting on the matter. *Open meetings may only be closed pursuant to Utah law and legal counsel should be consulted prior to doing so.*

J. Motion to Recess

A motion shall be made to break for a specific purpose while also stipulating a specific time to reconvene the meeting. The time to reconvene must be during the same day as the meeting in which the motion to recess was made.

K. Motion to Adjourn

A motion to adjourn the meeting shall be made at the end of each planning commission meeting. No second is required to the motion to adjourn.

Article 5: Quorum and Voting Requirements

A. Majority Required

A minimum of the four (4) appointed planning commission members, which may include alternate members when an otherwise insufficient number of regular commissioners are present, shall constitute a quorum for all hearings and meetings. Ex-officio may not be counted as part of the quorum. With all items a simple majority is required to pass, deny, or table an item.

B. Tie-Votes

When there is a tie vote, the Planning Commission must continue to deliberate until a majority vote can be cast.

C. Abstention from Voting

A Commissioner should abstain from deliberation or consideration of an issue when a conflict prevents that Commissioner from being completely fair, unbiased and deciding an issue based wholly on the merits. Abstention from voting shall not be counted in the determination of the motion, but shall be noted on the record.

Article 6: Requirements for Submission of Requests

A. Forms

The Planning Commission shall adopt standard forms for the submission of requests, and these forms shall include advance time requirements.

B. Completion of Forms

The Planning and Zoning Administrator shall certify the completeness, or lack thereof, of all requests.

C. Items Scheduled

Upon a complete submittal and full review, the request(s) will be scheduled for the next available planning commission meeting, after assuring required public notification has been completed.

Article 7: Administrative Calendar

A. Public Notice

Notice for all public hearings, work sessions, and regular meetings shall conform to requirements of the Utah Code.

B. Yearly Meeting Schedule

The regular meeting schedule for the next calendar year shall be determined at a meeting of the Planning Commission in December

Article 8: Conduct of Members of the Planning Commission

A. Meeting Preparation

Members of the Planning Commission shall take such time as necessary to prepare themselves for hearings and meetings.

B. Conflict of Interest

A planning commissioner to whom some private benefit may come as the result of a planning commission action shall not participate in that action.

1. The private benefit may be direct or indirect, create a material or personal gain, or provide an advantage to relations, friends, or to groups and associations which hold some share of a person's loyalty. However, membership itself in a group or organization shall not be considered a conflict of interest as to Planning Commission action concerning such group unless a reasonable person would conclude that such membership by itself would prevent an objective consideration of the matter.
2. A planning commissioner experiencing a conflict of interest shall declare that interest publicly on the record in the meeting where the item or issue creating the conflict will be under consideration. If a conflict of interest is of such a degree that a commissioner will be unable to fairly consider the issue based wholly on the merits and offer an unbiased position on the matter, then that commissioner must abstain from voting on the action and shall be excused from the dais during discussion and consideration of that issue. That commissioner shall not discuss the matter privately

with any other commissioner. An alternate member of the Planning Commission may take the place of a commissioner when the commissioner has been recused for that issue.

3. No planning official shall engage in any transaction in which the official has a financial interest, direct or indirect, with the agency or jurisdiction that the official serves unless the transaction is disclosed publicly and determined to be lawful.

C. Ex-Parte Communication

If there has been communication between commission members outside of the work session and regular meeting, with the applicant, or with any other party regarding an item to be voted upon, such communication shall be disclosed and added to the official record and included as part of the commission deliberations prior to voting.

Article 9: Adoption and Amendment of Guidelines

A. Legal Review

Guideline adoption or amendment may only be made following review by legal counsel to the Planning Commission.

B. Majority Vote

The Planning Commission guidelines shall be adopted or amended upon a vote of a majority of the appointed members. Such shall take effect immediately after successful vote to adopt or amend.