

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
March 10, 2020

City Building
55 South State Street
Clearfield City, Utah

PRESIDING:	Vern Phipps	Mayor Pro Tem
EXCUSED:	Mark Shepherd	Mayor
PRESENT:	Kent Bush Tim Roper Karece Thompson	Councilmember Councilmember Councilmember
EXCUSED:	Nike Peterson	Councilmember
STAFF PRESENT:	JJ Allen Summer Palmer Stuart Williams Kelly Bennett Braden Felix Spencer Brimley Nancy Dean	City Manager Assistant City Manager City Attorney Police Chief City Engineer / PW Deputy Director Community Development Director City Recorder

VISITORS: Shirley Cooper-Aguilar, Eugene Aguilar, Denise Sly, Mary Velasquez, Jesse Aranda, Don Beatty, Kayden Rawson, Gabriel Loveless, Jarmyne Olson, Colton Reynolds, Ashlyn Saunders, Fred Blorre, Haley Schaeffer, Shane Sanders, Brett Stephens, Richard Hendrickson – Lifetime Products, Scott Dixon, Mary Neisen-Wiser, Hanna Neisen, Drake Carrion, Zach Carrion, Ashton O'brien, Bob Bercher, Kathy Bjarnason, Leon Bjarnason, Annie Speth, Emma Stubbs, BJ Haacke, RyLeigh Bybee, Jennifer Bybee, Nate Rorertsim / Lyns, Paige Monson, Ruth Jones, Roger Timmerman – Utah Infrastructure Agency, Josh Chandler – Utah Infrastructure Agency

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

Mayor Pro Tem Phipps informed the audience that if they would like to comment during the Public Hearing or Open Comment Period there were forms to fill out by the door.

Councilmember Thompson invited Don Beatty to participate in the opening ceremonies.

APPROVAL OF THE MINUTES FROM THE FEBRUARY 11, 2020 WORK SESSION;
FEBRUARY 11, 2020 POLICY SESSION; FEBRUARY 25, 2020 WORK SESSION; AND
THE FEBRUARY 25, 2020 POLICY SESSION;

Councilmember Thompson moved to approve the minutes from the February 11, 2020 work session; February 11, 2020 policy session; February 25, 2020 work session; and the February 25, 2020 policy session; as written, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper, and Thompson. Voting NO – None. Councilmember Peterson was not present for the vote.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON REZONING A SPECIFIC SET OF PROPERTIES IDENTIFIED IN THE CITY'S FORM BASED CODE LOCATED IN THE VICINITY OF THE CORRIDOR OF STATE ROUTE 126 (STATE AND MAIN STREET) FROM 800 NORTH TO 1000 SOUTH AND IN THE VICINITY OF THE CORRIDOR OF STATE ROUTE 193 (700 SOUTH) FROM 1000 EAST TO THE RAIL CORRIDOR – TABLED

Spencer Brimley, Community Development Director, explained on February 11, 2020 the City Council approved amendments to the Form Based Code. He reported the zoning map of the Form Based Code was included with the amendments adopted, so in order to align the zoning districts, rezones were being considered for a specific set of properties. He mentioned the implementation of the zones came as a result of a recommendation from the Downtown Clearfield Small Area Plan adopted by the Clearfield City Council in March of 2017, as well as part of the amendments to the Form Based Code.

He reviewed the area maps and highlighted the proposed properties for rezone located along the corridor of State Route 126 (State and Main Street) from 800 North to 1000 South and the corridor of State Route 193 (700 South) from 1000 East to the rail corridor.

Mr. Brimley explained there were a few property owners that attended the Planning Commission meeting and asked for changes to the proposed zoning amendments:

- 869 East 700 South – Staff proposal was to change the zoning to Gateway Corridor Commerce (CC), but the property owner wanted to keep it Town Mixed Commerce (TC) or change it to Town Neighborhood Residential (TR) to allow for residential development.
- 270 East 200 South – Staff proposal was to change it to Town Neighborhood Residential (TR), but the property owner mentioned it had been a commercial use for many years so she proposed rezoning it to Urban Core Commerce (UC) to have the use and zoning match.
- 671 East 700 South – Staff proposal was to change the zoning to Town Neighborhood Residential (TR), but the property owner wanted to keep it Town Mixed Commerce (TC).

He reviewed the Planning Commission's recommended changes to the staff proposals:

- The property located at 270 East 200 South was recommended to be included in the UC (Urban Core Commerce) zone instead of the TR (Town Neighborhood Residential) zone; and,
- The properties located from 800 East to 657 East 700 South were recommended to be included in the CC (Gateway Corridor Commerce) zone instead of the TR (Town Neighborhood Residential) zone.

Mr. Brimley reported the City Council discussed the proposed rezones in work session on March 3, 2020 resulting in some proposed changes to the Planning Commission's recommendation:

- The properties located from 709 East 700 South to 800 East were to be included in the CC (Gateway Corridor Commerce) zone instead of the TR (Town Neighborhood Residential) zone; and
- The properties located from 657 East 700 South to 699 East 700 South were to be included in the TC (Town Mixed Commerce) zone instead of the TR (Town Neighborhood Residential) zone.

Mayor Pro Tem Phipps opened the public hearing at 7:19 p.m.

Mayor Pro Tem Phipps asked for public comments.

PUBLIC COMMENT

Shirley Cooper-Aguilar, resident and business owner, explained she was the property owner of 270 East 200 South. She requested the Urban Core Commerce (UC) zone for the property. She stated making the property into a residential use would be a major renovation to the building if the zone were approved as Town Neighborhood Residential (TR). She also believed the change to UC would not adversely affect Clearfield. She also commented that the business had no intention of leaving Clearfield any time soon.

Denise Sly, resident, mentioned the Form Based Code (FBC) indicated there would need to be an intersection at 450 South and 500 East. She asked why the street was necessary since one already existed. She also asked what the City planned to do with the road through Lakeside Square and her property located nearby. JJ Allen, City Manager, explained if the property were redeveloped in the future there might be a need to include a new street in the area as indicated in the FBC. Spencer Brimley, Community Development Director, further explained that in the FBC the Lakeside Square area was envisioned as a downtown area and if there were any redevelopment there might need to be a street added in that area. He indicated the street would be similar to a neighborhood street with less impact. Mr. Allen explained identifying the need for a street was similar to the transportation element in the City's General Plan that identified potential streets that might or might not be realized at some point in the future, contingent on development.

Mayor Pro Tem Phipps mentioned that Councilmember Peterson and Mayor Shepherd were out of town on City business. He commented the issue was important to them so he wondered if the public hearing could be tabled until they were able to attend. Mr. Allen added that if the Council chose to table the public hearing it would be important to identify the date when the issue would

be revisited for the benefit of the public. Councilmember Thompson asked if delaying the decision would adversely affect potential developments. Councilmember Roper suggested the discussion resume as soon as possible so that potential developments were not adversely affected. There was consensus from the Council for a special session on Tuesday, March 17, 2020 to continue the discussion.

Councilmember Bush moved to table the public hearing at 7:32 p.m. and continue the discussion in special session on Tuesday, March 17, 2020 at 6:00 p.m., seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper, and Thompson. Voting NO – None. Councilmember Peterson was not present for the vote.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON AMENDMENTS TO TITLE 11, CHAPTER 11D, SECTION 11F RELATED TO EXTERIOR BUILDING STANDARDS AND ENACTING MANUFACTURING AND INDUSTRIAL DEVELOPMENT STANDARDS TO TITLE 11, CHAPTER 18 IN THE CITY'S CODE

Spencer Brimley, Community Development Director, indicated as part of the development and design of the proposed Lifetime Products distribution building, the project architect had requested changes to the City's standards that would create separate industrial site and building standards. He stated the City Code current design standards were geared more toward commercial site and building standards. He added the project architect was proposing the same standards that Syracuse City had adopted for its industrial areas and staff had made adjustments to those proposed standards before presenting them to the Planning Commission. He noted the Planning Commission reviewed the staff proposal at its meeting on March 4, 2020, and recommended approval with some additional adjustments to building placement, parking, colors and materials, and dumpster screening. The Planning Commission also had a desire to require additional articulation on the corners of the building to enhance its presence.

Mr. Brimley stated the City Council reviewed the project architect's proposed amendments in work session on March 3, 2020, and the Planning Commission's recommendations in work session on March 10, 2020. He noted the Council's main discussion was regarding the Architectural Form and Detail section. He presented the Council's suggested changes:

- Facades of large buildings visible from a street shall include:
 - Architectural features such as reveals;
 - Windows and openings; and
 - Changes in color and either, texture, or material to add interest to the building elevation and reduce its visual mass.
- Materials that contribute to the aesthetics of the community over the long term shall be required for all buildings.
- Expanses of primary materials, or other uniform material shall be broken up with pop outs, recesses, awnings, staggered facades, metal structures, change in material or texture, or the addition of other designed three dimensional architectural features, every 100 feet.

- The ends or corners of buildings shall be articulated with a prominent architectural feature such as a change in primary material (i.e. change from tilt-up concrete panel to brick), increased roof projection of parapet, or increased transparency.
- Primary Materials. Each exterior wall façade shall include two of the following primary materials: brick, tilt-up concrete, architectural block, stone, or glass. Unfinished gray concrete block is not permitted. The use of non-insulated metal siding exclusively on any wall is prohibited. All finish material shall be durable to the effects of weather and soiling.

Mayor Pro Tem Phipps opened the public hearing at 7:43 p.m.

Mayor Pro Tem Phipps asked for public comments.

PUBLIC COMMENT

Ruth Jones, resident, referred to the proposed ordinance Section 11-18-7(C)(8) addressing colors and materials. She understood it was important for the City to make changes to the ordinance that would encourage development to make it cost effective for businesses to locate in the City. She wanted to set the standards high enough that Clearfield felt more like home rather than an industrial community. She agreed there needed to be a cohesiveness between residential, commercial, and industrial. She expressed her desire to have the ordinance specifically address the corners of the buildings by including at least two prominent architectural features. She expressed her opinion that type of treatment would provide a better visual aesthetic.

Councilmember Roper moved to close the public hearing at 7:49 p.m. seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper, and Thompson. Voting NO – None. Councilmember Peterson was not present for the vote.

OPEN COMMENT PERIOD

There were no public comments during the original time allotted for open comment period. A resident came later in the meeting; therefore, **Councilmember Thompson moved to suspend the rules and allow Mary Velasquez the opportunity to address the Council; seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper and Thompson. Voting NO – None.** Councilmember Peterson was not present for the vote.

Mary Velasquez, resident, expressed concern regarding possible illegal activities taking place at 878 East 450 South. She expressed concern for the safety of her neighborhood. She also noted the property was unkempt. She asked the City to put some pressure on the landlord and improve the safety for the benefit of other properties in the area.

Jesse Aranda, resident, referenced the same property as Ms. Velasquez. He expressed his concern for the safety of his neighborhood and asked the City to help protect residents and resolve the issues.

CONSIDERATION OF ORDINANCE 2020-08 REZONING A SPECIFIC SET OF PROPERTIES IDENTIFIED IN THE CITY'S FORM BASED CODE LOCATED IN THE VICINITY OF THE CORRIDOR OF STATE ROUTE 126 (STATE AND MAIN STREET) FROM 800 NORTH TO 1000 SOUTH AND IN THE VICINITY OF THE CORRIDOR OF STATE ROUTE 193 (700 SOUTH) FROM 1000 EAST TO THE RAIL CORRIDOR – TABLED

Councilmember Bush moved to table consideration of Ordinance 2020-08 until after the public hearing scheduled for special session on March 17, 2020 at 6:00 p.m., seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper, and Thompson. Voting NO – None. Councilmember Peterson was not present for the vote.

APPROVAL OF ORDINANCE 2020-09 AMENDING TITLE 11, CHAPTER 11, ARTICLE D, SECTION 11 – MANUFACTURING ZONE, OTHER REQUIREMENTS; AND CHAPTER 18 – DESIGN STANDARDS, BY AMENDING DESIGN STANDARDS FOR THE M-1 (MANUFACTURING) ZONE

Councilmember Bush commented it was important to remember that changes to an ordinance needed to be considered for the City as a whole and not just one particular property. He emphasized the Council needed to assess the impact the ordinance would have on any property that was currently zoned M-1 (Manufacturing). He expressed his support for the recommendation from Ruth Jones, resident, requiring two prominent architectural features on the corners of buildings. He also liked the idea of creating separate standards for industrial properties.

JJ Allen, City Manager, conveyed some comments from Councilmember Peterson, who was not able to attend the meeting because she was out of town on City business. He noted many of the concerns were discussed in work session earlier. She asked for additional language to address the following:

- Requiring two colors and two textures on tilt-up concrete usage.
- Including additional language when buildings didn't front the main right-of-way.
- Full screening on dumpster enclosures rather than partial screening.

Spencer Brimley, Community Development Director, explained staff had prepared a plan that provided language regarding the screening of dumpsters. He noted the dumpsters would be on the east end of the building and would be properly screened on the north and east sides while allowing Lifetime to access the dumpsters as needed. He added the dumpster enclosures were currently not proposed to be four-sided enclosures. He also explained there would be landscaping required along the perimeter of the property that would assist in screening those areas.

Councilmember Bush commented the only way to fully screen the dumpster enclosures would be to use gates, which would need to be left open for access. He expressed his opinion that screening on three sides was adequate. Mr. Brimley explained the proposal was for screening on two sides. Councilmember Bush was comfortable with that proposal. He commented that Councilmember Peterson's other concerns were addressed during the work session.

Shane Sanders, architect, provided the background on Lifetime's proposed text amendments. He stated the size of the building required a review of the economy of scale and building systems and their affordability to keep the project viable. He stated that similar facilities used tilt-up concrete for their primary building material because other materials became a larger cost to the owner and a maintenance issue. He noted the footprint of the facility would cover the equivalent square footage of thirteen (13) acres. He asked the Council to consider adding windows as an option that could be used as one of the two primary materials required every 100 feet. He stated the current design used windows to break up the façade. Mr. Brimley explained the proposal did allow glass as a primary material in item number six in the Colors and Materials section of Architectural Form and Detail. Mr. Sanders asked that glass also be added to item number seven in that same section so the design could use glass to break up the façade every 100 feet not just as a primary material. There appeared to be consensus to add glass to item number seven.

Mr. Sanders spoke to the dumpster screening. He explained that Lifetime needed to have the ability to haul them away from the short end while accessing them from the long end of the enclosures. He added it was a different use than what would be seen from a commercial use. Mr. Sanders also expressed concern with the request for two architectural features on the corners. He stated Lifetime did not want to take away from the entrances as a focal point for the building. He noted the primary entrance was on the south of the building. Councilmember Roper explained the Council wanted to have standards that would enhance the building's aesthetics on more than the south side because it was on one of the main corridors of the City.

Councilmember Bush expressed concern for allowing windows to break up the façade every 100 feet. Councilmember Roper wondered if the ordinance needed to address a size requirement for the glass. Mr. Sanders expressed a willingness to use a percentage or size for the glass being used.

Mr. Sanders commented Lifetime would also like to be able to use color as one of the articulations breaking up the façade of the building every 100 feet. He asked why the Council struck color as a material to break up the façade. Councilmember Bush explained that the Council did not want to have only color used to break up the façade every 100 feet. Mr. Sanders explained the intent was not to diminish the design level, and acknowledged the materials were driving the cost because of the size of the building being proposed. He stated that Lifetime was a reputable company and wanted its presence in the community and across the industry to be attractive.

Mr. Allen explained the concerns the Council had for the design of the building. He noted the design of the structure included flat exterior walls and the change in color was only paint. He stated there was concerns expressed from the Council that the north side was the most visible side of the building and appeared to have no design features to improve its aesthetics. There was

a discussion on the specific design elements planned for the building. Mayor Pro Tem Phipps cautioned the Council to remember the action before them was an ordinance that would govern industrial development overall in the City not the specific design of the Lifetime building. He expressed appreciation for Lifetime and its presence in the City.

Robert Hendrickson, Lifetime President and CEO, expressed his opinion that Lifetime had worked hard to make the facility the most attractive building in the Freeport Center. He acknowledged the Council's concern and assured it that Lifetime was working to design the building to look aesthetically pleasing and benefit Clearfield's future.

Councilmember Roper moved to approve Ordinance 2020-09 amending Title 11, Chapter 11, Article D, Section 11 – Manufacturing Zone, Other Requirements; and Chapter 18 – Design Standards, by amending design standards for the M-1 (Manufacturing) zone as recommended by the Planning Commission with the following changes:

- **Facades of large buildings visible from a street shall include:**
 - **Architectural features such as reveals;**
 - **Windows and openings; and**
 - **Changes in color and either, texture, or material to add interest to the building elevation and reduce its visual mass.**
- **Materials that contribute to the aesthetics of the community over the long term shall be required for all buildings. Permanence in design and construction will add to the overall value and sustainability of the community;**
- **Expanses of primary materials, or other uniform material shall be broken up with pop outs, recesses, awnings, staggered facades, metal structures, change in material or texture, or the addition of other designed three dimensional architectural features, every 100 feet;**
- **The ends or corners of buildings shall be articulated with a prominent architectural feature such as a change in primary material (i.e. change from tilt-up concrete panel to brick), increased roof projection of parapet, or increased transparency;**
- **The addition of windows in number seven of the Colors and Materials section in the Architectural Form and Detail section to break up the materials every 100 feet; and authorize the Mayor's signature to any necessary documents. The motion failed for lack of a second.**

Councilmember Thompson moved to table consideration of Ordinance 2020-09 until special session on March 17, 2020 at 6:00 p.m. The motion failed for lack of a second.

Councilmember Bush moved to approve Ordinance 2020-09 amending Title 11, Chapter 11, Article D, Section 11 – Manufacturing Zone, Other Requirements; and Chapter 18 – Design Standards, by amending design standards for the M-1 (Manufacturing) zone with the following changes:

- **Facades of large buildings visible from a street shall include:**

- Architectural features such as reveals;
- Windows and openings; and
- Changes in color and either, texture, or material to add interest to the building elevation and reduce its visual mass.
- Materials that contribute to the aesthetics of the community over the long term shall be required for all buildings;
- Expanses of primary materials, or other uniform material shall be broken up with pop outs, recesses, awnings, staggered facades, metal structures, glass, change in material or texture, or the addition of other designed three dimensional architectural features, every 100 feet;
- The ends or corners of buildings shall be articulated with at least two (2) prominent architectural feature such as a change in primary material (i.e. change from tilt-up concrete panel to brick), increased roof projection of parapet, or increased transparency;

and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, and Roper. Voting NO – Councilmember Thompson. Councilmember Peterson was not present for the vote.

APPROVAL OF RESOLUTION 2020R-06 AUTHORIZING AND APPROVING A CONTRACT BETWEEN CLEARFIELD CITY AND UTAH INFRASTRUCTURE AGENCY (UIA) FOR THE DEPLOYMENT OF CITYWIDE FIBER TO THE PREMISES (FTTP) PROJECT

Summer Palmer, Assistant City Manager, stated staff recently solicited proposals to build a fiber system in Clearfield City. She mentioned three vendors responded. She indicated staff reviewed the proposals and recommended Utah Infrastructure Agency (UIA) with UTOPIA Fiber as the highest scoring proposal. She explained the contract had been included in the agenda packet and it needed to be authorized by resolution because it was an Interlocal Agreement. Ms. Palmer mentioned it had been discussed during work session on March 3, 2020.

Mayor Pro Tem Phipps mentioned the agreement referred to the term 'huts.' He asked if the location of the needed huts was predetermined or would that be determined through easements. Roger Timmerman, UIA, responded the number of huts was predetermined but not necessarily the locations. He continued the intent was to locate them in areas where they wouldn't be easily noticed. He acknowledged there was flexibility available on the locations. Mr. Timmerman informed the Council that there would be six huts and the intent was to try and locate them in City parks. Ms. Palmer indicated most of the proposed locations were acceptable to the City, but a few would need to be worked through.

Mayor Pro Tem Phipps asked if there would need to be easements negotiated for the locations of the huts. Mr. Timmerman responded the huts were typically 10' X 12' but needed a slightly larger easement around the structure. Councilmember Bush asked how the structures would be

protected. Mr. Timmerman responded if the huts were located in areas prone to vandalism they could be fenced.

Councilmember Roper moved to approve Resolution 2020R-06 authorizing and approving a contract between Clearfield City and Utah Infrastructure Agency (UIA) for the deployment of citywide fiber to the premises project and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper, and Thompson. Voting NO – None. Councilmember Peterson was not present for the vote.

APPROVAL OF AND CONSENT TO THE MAYOR'S PROPOSED REAPPOINTMENT OF BRETT McALLISTER TO THE PLANNING COMMISSION

JJ Allen, City Manager, stated Brett McAllister had been appointed to fill the remainder of a term that was left vacant after the resignation of another member. Mr. Allen indicated Mayor Shepherd desired to recommend reappointing Brett McAllister as a regular member of the Planning Commission for a term expiring February 2025.

Councilmember Thompson moved to approve and consent to the Mayor's reappointment of Brett McAllister as a regular member of the Planning Commission with a term expiring in February 2025; and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper, and Thompson. Voting NO – None. Councilmember Peterson was not present for the vote.

APPROVAL OF RESOLUTION 2020R-03 AUTHORIZING AMENDMENT NO. 4 TO THE INTERLOCAL COOPERATION AGREEMENT WITH DAVIS COUNTY FOR ANIMAL CONTROL SERVICES

Kelly Bennett, Police Chief, stated Animal Care of Davis County provided animal control services for the City. He indicated the service was essential to the residents of Clearfield City in order to promote public health, safety and improve the City's image and livability. He explained each year the services and fees were reviewed and the agreement amended as necessary. Chief Bennett mentioned Amendment No. 4 increased the fee for the services for the 2020 calendar year. He pointed out Amendment 4 to the Interlocal Agreement was discussed during work session on March 3, 2020. He mentioned the increases would likely result in an upcoming budget amendment because the actual cost for the services was not known during the City's budgeting period.

Councilmember Thompson moved to approve Resolution 2020R-03 authorizing Amendment No. 4 to the Interlocal Cooperation Agreement with Davis County for animal control services and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper, and Thompson. Voting NO – None. Councilmember Peterson was not present for the vote.

**APPROVAL OF RESOLUTION 2020R-04 AUTHORIZING THE INTERLOCAL
COOPERATION AGREEMENT BETWEEN CLEARFIELD CITY AND SYRACUSE CITY
REGARDING COST SHARING OF A ROAD CONSTRUCTION PROJECT FOR 1000 WEST**

Braden Felix, City Engineer / Public Works Deputy Director, stated the road at 1000 West was shared between Syracuse City and Clearfield City in various locations. He noted the road was in need of many improvements including road resurfacing, smoother transitions across the railroad tracks, new curb and gutter, new ADA-compliant pedestrian ramps on sidewalks, and a new asphalt surface treatment. He pointed out that the Interlocal Cooperation Agreement with Syracuse City outlined the details of cost sharing for a road construction project along 1000 West.

Councilmember Bush moved to approve Resolution 2020R-04 authorizing the Interlocal Cooperation Agreement between Clearfield City and Syracuse City regarding cost sharing of a road construction project for 1000 West and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper, and Thompson. Voting NO – None. Councilmember Peterson was not present for the vote.

**APPROVAL OF THE AWARD OF BID FOR THE TOWERS AT LEGEND HILLS
CULINARY WATER AND STORM WATER PIPING PROJECT**

Braden Felix, City Engineer / Public Works Deputy Director, indicated staff solicited bids to make upgrades to the City's Culinary Water System and add additional storm drain lines to the City's Storm Drain System for current and future growth. He noted seven companies provided bids and the lowest responsible bidder was Great Basin Development with a bid of \$428,129.

Councilmember Bush asked if the project intended to take the storm water line north to service the Bravada 193 project. Mr. Felix explained the proposed project was the first phase and would not extend that far. JJ Allen, City Manager, explained the City hoped to be able use the abandoned waterline on the north to service storm water for Bravada 193 and the developer would be responsible for that improvement.

Councilmember Thompson moved to approve the award of bid for the Towers at Legend Hills Culinary Water and Storm Water Piping Project to Great Basin Development from Mantua, Utah, for the bid amount of \$428,129.00, with contingency and engineering cost of \$86,625.80 for a total project cost of \$514,754.80; and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper, and Thompson. Voting NO – None. Councilmember Peterson was not present for the vote.

APPROVAL OF RESOLUTION 2020R-05 AUTHORIZING AN INDUCEMENT
RESOLUTION EXPRESSING THE INTENT TO ISSUE PRIVATE ACTIVITY BONDS TO
LOTUS MARQ LLC FOR ITS DEVELOPMENT PROJECT LOCATED AT
APPROXIMATELY 442 SOUTH STATE STREET

Summer Palmer, Assistant City Manager, stated the City had entered into a Development Agreement with Lotus for redevelopment of a portion of downtown Clearfield in the vicinity of 442 South State Street. She pointed out that in order to finance the acquisition and rehabilitation of the Lotus Project, the developer had asked the City to partner with them and issue \$35,000,000 worth of Private Activity Bonds (PAB) to reimburse certain qualified expenditures incurred by the developer with respect to the acquisition and construction of the project. Ms. Palmer reported the action would not impede the City's ability to bond for other issues nor was the City the guarantor for the bonds.

Councilmember Thompson asked if the City being asked to issue the bonds had anything to do with the City's credit rating. Ms. Palmer explained it had nothing to do with the City's credit rating, but rather just allowed access to certain types of bonds.

Mayor Pro Tem Phipps asked who would be paying the costs of issuance. Stuart Williams, City Attorney, explained that Lotus was using its own bond attorney and bearing the cost of issuance.

Councilmember Thompson moved to approve Resolution 2020R-05 authorizing an Inducement Resolution expressing intent to issue Private Activity Bonds to Lotus Marq LLC for its development project located at approximately 442 South State Street and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper, and Thompson. Voting NO – None. Councilmember Peterson was not present for the vote.

COMMUNICATION ITEMS

Mayor Pro Tem Phipps expressed his excitement for bringing UTOPIA fiber to Clearfield City and its residents.

Councilmember Bush reported he attended the Hope Center Open House on Saturday, March 7, 2020.

Councilmember Roper also expressed his excitement for bringing UTOPIA fiber to Clearfield City and its residents.

Councilmember Thompson – nothing to report.

STAFF REPORTS

JJ Allen, City Manager

1. Reported he attended the Hope Center Grand Opening on Saturday, March 7, 2020.
2. Reported the monthly report contained information regarding the City's efforts to comply with restrictions specific to limiting the spread of COVID-19. He commented the City was attempting to take appropriate measures without panicking.

3. Announced Davis County was planning on holding its groundbreaking for the new library on Friday, March 13, 2020.

Spencer Brimley, Community Development Director updated the Council on the efforts to move forward with the development at Clearfield Station.

Kelly Bennett, Police Chief, reported Clearfield City recently began participating in the Davis County Receipting Center. The program was a treatment center for adults who committed low misdemeanor crimes with a drug nexus or had mental health issues. He stated the program was located just outside the Davis County Jail. There were specific requirements that needed to be met in order to qualify to participate in the program. Councilmember Thompson expressed his encouragement for the program.

Nancy Dean, City Recorder –reviewed the Council’s schedule:

- Special and Work Session on March 17, 2020
- No meeting on March 24, 2020 – Cancelled due to caucus meetings
- Joint Meeting with Parks and Recreation Commission on March 31, 2020
- Joint Meeting / Recognition Dinner with all Commissions on April 9, 2020
- Work Session on April 7, 2020
- Policy Session on April 14, 2020
- Work Session on April 21, 2020
- Policy Session on April 28, 2020

Councilmember Thompson moved to adjourn at 9:11 p.m., seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Phipps, Roper, and Thompson. Voting NO – None. Councilmember Peterson was not present for the vote.

**APPROVED AND ADOPTED
This 12th day of May, 2020**

/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, March 10, 2020.

/s/Nancy R. Dean, City Recorder