

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
November 24, 2020

City Building
55 South State Street
Clearfield City, Utah

No physical meeting location was available for the public due to the statewide public health emergency which might present a substantial risk to the health and safety of others. The meeting was held for the public electronically via Zoom Meeting address:

Zoom Meeting
<https://us02web.zoom.us/j/82303790462>
Meeting ID: 823 0379 0462

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush	Councilmember
	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
	Tim Roper	Councilmember
	Karece Thompson	Councilmember
STAFF PRESENT:	JJ Allen	City Manager
	Summer Palmer	Assistant City Manager
	Kelly Bennett	Police Chief
	Adam Favero	Public Works Director
	Spencer Brimley	Community Development Director
	Trevor Cahoon	Communications Coordinator
	Nancy Dean	City Recorder
STAFF PRESENT VIA ZOOM:	Stuart Williams	City Attorney
	Braden Felix	Engineer/PW Deputy Director
	Brad McIlrath	Senior Planner
	Rich Knapp	Finance Manager

VISITORS VIA ZOOM: Ken Shields – Hamilton Partners, Paul Drake – Utah Transit Authority (UTA), Doug Thimm – Arch Nexus, Bruce Bingham – Hamilton Partners, Timothy Merrill - UTA, Trevor Evans– Stack Real Estate, George Arnold – Hamilton Partners, Alex Likens, Nathan Ricks – Stake Real Estate

Mayor Shepherd called the meeting to order at 7:04 p.m.

Pursuant to the State of Utah Public Health Order 2020-17, dated October 14, 2020, and in conjunction with the State of Utah's ongoing declaration of a statewide public health emergency, Mayor Shepherd read a declaration made on November 10, 2020 that resulted in the following: (1) the City would not be providing an anchor location for City Council or other board meetings for the next 30 days, (2) Although no other physical meeting location would be available for the general public, the City Council or other board members might or might not appear in person at the City building subject to compliance of social distancing and mask requirements, (3) the public's participation in the City Council or other board meetings might present a substantial risk to the health and safety of others, and (4) the public's participation in the City Council or other board meetings would only be available through Zoom and/or Facebook Live.

Councilmember Thompson led the opening ceremonies.

Mayor Shepherd informed those present via the Zoom meeting if they wanted to comment during the Public Hearing or Open Comment Period they could do so through the Zoom meeting chat option as outlined on the agenda from 7:00 p.m. until 7:15 p.m. He explained all comments would be shared during the meeting once the public had been allowed sufficient time to participate.

APPROVAL OF THE MINUTES FROM THE OCTOBER 30, 2020, WORK SESSION AND NOVEMBER 10, 2020, POLICY SESSION

Councilmember Roper moved to approve the minutes from the October 30, 2020 work session and the November 10, 2020 policy session; as written, seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON ZONING TEXT AMENDMENT (ZTA) 2020-100028 A REQUEST BY CLEARFIELD STATION PARTNERS, LLC, TO ADOPT THE MASTER DEVELOPMENT PLAN (MDP) FOR 56 ACRES LOCATED AT APPROXIMATELY 1250 SOUTH STATE STREET (TINs: 12-066-0138, 12-882-0001, 12-882-0005)

Mayor Shepherd stated the public hearing was opened on November 10, 2020 at 7:11 p.m. and had been continued until November 24, 2020 at 7:00 p.m. He asked if there had been any public comments submitted online prior to the meeting. Nancy Dean, City Recorder, confirmed there had been no public comments provided online. Mayor Shepherd explained the public hearing would be left open so that the public could comment while the other items on the agenda were discussed.

Mayor Shepherd asked for public comments.

There were no further comments received from the public.

Councilmember Peterson moved to close the public hearing at 7:10 p.m., seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.

OPEN COMMENT PERIOD

Mayor Shepherd acknowledged time had been provided for the open comment period and asked if any comments had been submitted. Trevor Cahoon, Communications Coordinator, replied there had been no comments received on Zoom or Facebook.

There were no public comments.

APPROVAL OF ORDINANCE 2020-14 APPROVING THE CLEARFIELD STATION MASTER DEVELOPMENT AGREEMENT (MDA) AND ADOPTING THE MASTER DEVELOPMENT PLAN (MDP) FOR PROPERTIES LOCATED AT APPROXIMATELY 1250 SOUTH STATE

Spencer Brimley, Community Development Director, reviewed the aspects of the project for the Clearfield Station site. He reviewed the elements and exhibits that would be part of the Master Development Agreement (MDA). He noted the Master Development Plan (MDP) was an exhibit to the MDA and the regulatory document for the site. Mr. Brimley explained the City was expecting to bond so the infrastructure could be constructed over time. He mentioned there was public comment received on November 10, 2020 by Alex Likens regarding the acquisition of property to construct the extension of 1450 South Street.

Mr. Brimley acknowledged there were a few items that would need to be addressed which had been discussed in work session prior to the meeting. He explained the Council desired a reduction in the height of the townhomes on the north end of the property so it would not be too imposing on the cemetery. He mentioned there were other items discussed but would defer to the Council for elaboration if additional amendments were desired.

Mr. Brimley indicated staff had reviewed the MDP and MDA and recommended approval.

Mayor Shepherd stated there was a Community Redevelopment Area (CRA) in place for the site with three tranches that had the potential to trigger timeframes for the development. He noted the first tranche was triggered by the development of Clearfield Station Apartments, so the clock was ticking on the 30 years allowing for tax increment revenue to be captured through the CRA. He emphasized the City had been working on the development of the site for at least fifteen years. He reviewed the process to date. Mayor Shepherd indicated the project would be an asset to the City which was needed. He explained there were 800 housing units as part of the plan, potentially 1000. He noted the site had flexibility with a mix of office, residential, and commercial aspects. He pointed out that the site was already sparking interest in the properties around it. Mayor Shepherd stated it was not perfect and it was in an odd place compared to all other stations and locations of transit-oriented developments (TODs) because it was so far off the freeway and not as visible; however, he expressed his excitement for the project.

Councilmember Bush commented the original plan by Utah Transit Authority (UTA) had 3,500 apartments. He appreciated UTA recognized it needed other things to be part of the development. He voiced those things he liked about the plan which included a large amount of green space, connectivity, and access. He noted there were many things about the plan that would be beneficial to the City.

Councilmember Phipps recalled the many designs for the site that had been entertained by the City over the years. He recalled one proposal for 4,000 apartments and the negative reception for that from the City. He acknowledged the current plan was not perfect; however, it was the first one that he was comfortable with. He voiced his opposition with rentals and hoped it would be developed so people would want to live there and make it their home. Mayor Shepherd indicated there were people that wanted to rent rather than own. Councilmember Phipps acknowledged there was a market for it and stated the City was meeting the demand.

Councilmember Phipps voiced he was glad to associate with developers that recognized the business connection to Hill Air Force Base (HAFB). He expressed his belief it would be very successful with office and residential. He felt the commercial would flow with the development. He acknowledged feeling a level of trust with the City's partners that had not been there with prior interested parties. Councilmember Phipps expressed his comfort level with the project even though there was risk because it was a shared risk among the partnership. He noted that during an earlier meeting the partners had expressed the desire to make money but also to build a community at the site. He indicated the development team had convinced him of their sincerity and high level of commitment to the project.

Councilmember Bush pointed out that apartments were not his favorite thing but there were many good people that rented rather than owned especially in bigger cities.

Councilmember Peterson stated there were two huge job centers near the site with a transit center between them. She commented the current configuration supported those aspects that had not been harnessed in prior iterations of the design.

Councilmember Phipps mentioned he had always hoped for the day when those visiting the area from out of state could be transported by transit to Clearfield Station and have everything there to support their needs rather than renting a car at the airport to then drive and stay in Layton.

Mayor Shepherd acknowledged UTA's contribution to the project was the land and aiding with the design; however, UTA needed to address the transit to help with the development's success. He stated the City needed connectivity between the transit station and Hill Air Force Base, Falcon Hill, the Freeport Center, and other areas of the community. He challenged UTA to consider its role in getting people to and from the station while the site was being developed.

Councilmember Roper expressed his excitement to see the City transform.

Councilmember Thompson voiced his opinion the project was one of the biggest pieces of economic development for the City. He indicated he had been persistent in wanting aspects of the future addressed for the site. He stated there were diverse people out there looking for a

chance and he believed Clearfield Station could be that opportunity. He expressed his trust in the development team and felt that as the City invested in the project and began the infrastructure improvements the collaboration would grow. He acknowledged he was a Clearfield Job Corps graduate and was excited to see other students have opportunities for quality of life and the future because of the development at the station.

Councilmember Peterson indicated there appeared to be consensus from the Council with having a step down on the north end of the development adjacent to the cemetery as expressed in the earlier work session. She questioned how best to make the proposed change in the language on page 58 of the MDP. There was a discussion about how to amend the language and capture the vision desired for the tiered or stepped approach on the north end adjacent to the cemetery for building heights. Mayor Shepherd suggested there could be a step back in the stories along the north end. Councilmember Bush wondered if it should be designated in feet since it was currently identified as feet in the MDP. Mayor Shepherd recommended the language reference a stepped or tiered approach from north to south would capture the vision of the desired aesthetics for housing next to the cemetery. Councilmember Bush mentioned there should also be an acknowledgement added of all the current Planning Commission members. Councilmember Peterson agreed.

Councilmember Bush asked if there were any changes to the MDA that the Council wanted to consider. Mayor Shepherd responded there were none that had not already been addressed during the earlier work session.

Councilmember Peterson moved to approve Ordinance 2020-14 approving the Clearfield Station Master Development Agreement (MDA) and adopting the Master Development Plan (MDP) for properties located at approximately 1250 South State with the noted changes to page 58 of the MDP addressing step back in building height along the northern property line by the cemetery and addressing the ancillary changes to the MDA discussed in the work session held November 24, 2020 at 6:00 p.m. 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, Peterson, Phipps, Roper and Thompson. Voting NO – None.

Mayor Shepherd noted it had been a journey to get to the current point. He thanked the development partners and expressed his excitement to move forward with the project. Bruce Bingham, Hamilton Partners, thanked the Council for the partnership and collaboration. He commented the development team was very open to another name for the project other than Clearfield Station.

COMMUNICATION ITEMS

Mayor Shepherd

1. Attended the recent National League of Cities (NLC) meetings and found them to be informative.
2. Recently participated in the Love, Listen, and Lead task force meetings working on legislation acceptable for police and training efforts.
3. Reviewed Ray Ward's legislative bill regarding accessory dwelling units (ADUs). He mentioned some aspects of the bill and encouraged the Council to review it.

Councilmember Bush

1. Thanked the Public Works department for fixing a couple of potholes in his cul-de-sac.
2. Reported the Uniform Building Code Commission met and finalized the changes to the National Electrical Code (NEC) that would be considered for adoption by State legislators in January. He indicated the public hearing would be held in December. He mentioned the rest of the building codes would need to be reviewed and amended next year so there would be many more meetings scheduled.

Councilmember Peterson

1. Announced a local church was sponsoring an early Thanksgiving dinner on November 25, 2020 for City employees. She noted meals would be delivered to each of the City's facilities.
2. Thanked all those in any capacity who would be working through the Thanksgiving holiday.
3. Wished residents a safe and happy Thanksgiving.

Councilmember Phipps – announced the Parks and Recreation Commission planned on having its holiday decorating contest. He welcomed everyone to submit nominations.

Councilmember Roper

1. Announced the Youth Commission was accepting donations for its Sub for Santa projects.
2. Wished everyone a happy and safe Thanksgiving holiday.

Councilmember Thompson

1. Announced he would become the chair on the Utah Black Roundtable (UBR). He thanked the current chair, Darlene McDonald, for her efforts on issues that minorities faced in the State. He reviewed some of the responsibilities associated with the new position. He expressed his hope the League would do a strong job on police reform legislation to improve the future. He voiced appreciation to the law enforcement community. He suggested there needed to be a better balance and communication needed to improve between all parties as efforts continued with legislation reform.
2. Reported he would be meeting with Beth Holbrook, UTA, to discuss his transit concerns. He indicated his desire was to ensure people of the community were being served regarding first mile, last mile.

STAFF REPORTS

JJ Allen, City Manager

1. Reported having worked for the City for nine years and since day one he had been working on the development of Clearfield Station. He recognized staff and others who had worked tirelessly to bring the development to fruition. He thanked the Council for its support.
2. Wished a happy Thanksgiving to all.

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

- Work session on December 1, 2020
- Policy session on December 8, 2020
- Potential Special Session on December 15, 2020

Trevor Cahoon, Communication Coordinator – announced the City's virtual tree lighting event would be held on Monday, November 30 at 5:30 p.m. He explained Mayor Shepherd would be hosting the event on Facebook live and hang the first ornament on the tree. He invited the Council to come with an ornament to add to the tree. Mayor Shepherd mentioned receiving a suggestion the ornaments be hung again next year and there be a contest to see who could find their ornament.

Councilmember Bush moved to adjourn the policy session and reconvene in work session at 7:59 p.m., seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

**APPROVED AND ADOPTED
This 26th day of January, 2021**

/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, November 24, 2020.

/s/Nancy R. Dean, City Recorder