

CLEARFIELD CITY COUNCIL
AGENDA AND SUMMARY REPORT
June 8, 2021 – POLICY SESSION

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.

Multipurpose Room
55 South State Street
Second Floor
Clearfield, Utah

6:00 P.M. WORK SESSION

Discussion on the Assignment of “Agreement for Indigent Defense Services” Contract and Addendum

Discussion on Establishing a Formal Audit Committee

Discussion on Clearfield Park at Antelope Development Agreement Elements

(Any item not fully addressed prior to the Policy Session will be addressed in a Work Session immediately following the Policy Session)

City Council Chambers
55 South State Street
Third Floor
Clearfield, Utah

7:00 P.M. POLICY SESSION

CALL TO ORDER:

Mayor Shepherd

OPENING CEREMONY:

Councilmember Bush

APPROVAL OF MINUTES:

May 11, 2021 – Policy Session

PUBLIC HEARING:

1. PUBLIC HEARING TO ALLOW PUBLIC INPUT REGARDING (A) THE ISSUANCE AND SALE OF NOT MORE THAN \$19,500,000 AGGREGATE PRINCIPAL AMOUNT OF SALES TAX REVENUE BONDS, SERIES 2021 (THE “BONDS”) AND (B) ANY POTENTIAL ECONOMIC IMPACT THAT THE PROJECT DESCRIBED HEREIN TO BE FINANCED WITH THE PROCEEDS OF THE BONDS ISSUED UNDER THE ACT MAY HAVE ON THE PRIVATE SECTOR; AND ALL RELATED MATTERS

BACKGROUND: On May 11, 2021, the City Council adopted Resolution 2021R-08 announcing the intent to issue and sale not more than \$19,500,000 aggregate principal amount of Sales Tax Revenue Bonds, Series 2021. The Resolution called for a public hearing to provide an opportunity for the public to comment on the proposed issuance and sale of bonds. The notice requirements necessary before holding the public hearing have been met.

RECOMMENDATION: Receive public comment.

SCHEDULED ITEMS:

2. OPEN COMMENT PERIOD

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

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

3. CONSIDER APPROVAL OF AND CONSENT TO THE MAYOR'S PROPOSED APPOINTMENTS TO FILL THE VACANCIES ON THE PLANNING COMMISSION

BACKGROUND: Planning Commissioner Brett McAllister resigned in April 2021 creating a vacancy for a regular member and Commissioner Brogan Fullmer was recently appointed as a regular member which created a vacancy for an alternate position. The City Council interviewed individuals to fill the Planning Commission vacancies on May 25, 2021. Mayor Shepherd recommends appointing Megan Ratchford to fill the regular member vacancy and Michael Bybee to fill the remaining term for the alternate member vacancy.

RECOMMENDATION: Approve and consent to the Mayor's appointment of Megan Ratchford as a regular member of the Planning Commission with a term expiring February 2025 and Michael Bybee as an alternate member of the Planning Commission with a term expiring February 2022; and authorize the Mayor's signature to any necessary documents.

4. CONSIDER APPROVAL OF AND CONSENT TO THE MAYOR'S PROPOSED APPOINTMENTS TO FILL THE VACANCIES ON THE PARKS AND RECREATION COMMISSION

BACKGROUND: The Parks and Recreation Commission currently has three regular member vacancies and one alternate member as well as a vacancy of the Youth Commission representative. The City Council interviewed individuals to fill the Parks and Recreation Commission vacancies on May 25, 2021. Mayor Shepherd recommends appointing Alyssa Belford, Matthew Mangum and Anthony DeMille to fill the regular members vacancies; Paul Nielson to fill the alternate member vacancy; and Leanna Bucio as the Youth Commission representative.

RECOMMENDATION: Approve and consent to the Mayor's appointment of Alyssa Belford as a regular member of the Parks and Recreation Commission with a term expiring December 31, 2022; Matthew Mangum with a term expiring December 31, 2023, and Anthony DeMille with a term expiring December 31, 2023 as regular members

of the Parks & Recreation Commission; Paul Nielson as an alternate member of the Parks & Recreation Commission with a term expiring December 31, 2023; and Leanna Bucio as the new Youth Commission representative with a term expiring December 31, 2022; and authorize the Mayor's signature to any necessary documents.

5. CONSIDER APPROVAL OF ORDINANCE 2021-08 AMENDING THE CITY'S CONSOLIDATED FEE SCHEDULE TO ADJUST THE WATER UTILITY RATES AND THE CURBSIDE RECYCLING FEE

BACKGROUND: During budget discussions with the Council, staff identified fees where the City's subsidy was growing year over year and to keep up with increased costs the fees for water utility rates and curbside recycling fees are proposed to be increased beginning July 1, 2021.

RECOMMENDATION: Approve Ordinance 2021-08 amending the City's Consolidated Fee Schedule to amend fees for water utility rates and curbside recycling fees; and authorize the Mayor's signature to any necessary documents.

6. CONSIDER THE AWARD OF BID FOR THE RESTROOM FACILITIES AT STEED PARK PROJECT

BACKGROUND: The City's capital budget for FY21 recently was amended to reappropriate monies to install a new restroom at the pickleball complex at Steed Park. Staff solicited bids to install the sewer line and make connection to the main line at 300 North and three bids were submitted. The lowest responsible bidder was Thurgood Construction with a bid amount of \$104,998. The City Council discussed the project during its work session on June 1, 2021. Mayor Shepherd and the City Council felt it was in the best interest of the City to fund the project using the remaining budgeted funds as well as PARAT Tax funds to complete the Pickleball Restroom Facilities at Steed Park project.

RECOMMENDATION: Approve the award of bid for the Restroom Facilities at Steed Park Project to Thurgood Construction for the amount of \$104,998 with a contingency of \$21,002 for a total project cost of \$126,000; and authorize the Mayor's signature to any necessary documents.

COMMUNICATION ITEMS:

Mayor's Report
City Councils' Reports
City Manager's Report
Staffs' Reports

****ADJOURN AS THE CITY COUNCIL AND RECONVENE AS THE COMMUNITY DEVELOPMENT AND RENEWAL AGENCY (CDRA)****

COMMUNITY DEVELOPMENT AND RENEWAL AGENCY (CDRA) AGENDA

1. CONSIDER APPROVAL OF THE MINUTES FROM THE JANUARY 5, 2021 WORK SESSION AND MAY 11, 2021 POLICY SESSION

PUBLIC HEARING:

2. PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE PROPOSED 2022 FISCAL YEAR BUDGET

BACKGROUND: Utah Code requires a public hearing regarding the adoption of the upcoming fiscal year budget. City staff prepared and submitted to the Board a balanced budget for the fiscal year 2022 which begins July 1, 2021 and ends June 30, 2022. The submitted tentative budget was adopted on May 11, 2021.

RECOMMENDATION: Receive public comment.

SCHEDULED ITEMS:

3. CONSIDER APPROVAL OF RESOLUTION 2021R-02 ADOPTING THE 2022 FISCAL YEAR BUDGET

RECOMMENDATION: Approve Resolution 2021R-02 adopting the 2022 fiscal year budget and authorize the Chair's signature to any necessary documents.

*****ADJOURN AS THE CDRA*****

Dated this 2nd day of June, 2021.

/s/Nancy R. Dean, 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 525-2714, giving her 48-hour notice.



STAFF REPORT

TO: Mayor Shepherd and City Council Members
FROM: JJ Allen, City Manager
MEETING DATE: June 8, 2021
SUBJECT: Assignment of “Agreement for Indigent Defense Services” Contract & Addendum

RECOMMENDED ACTION

Staff recommends assigning the current “Agreement for Indigent Defense Services” contract with the law firm of “Skeen & Robinson” to “Skeen & Associates” and begin a new term of services with “Skeen & Associates” under the same obligations set forth in the original agreement.

DESCRIPTION / BACKGROUND

On October 26, 2016, the City entered an “Agreement for Indigent Defense Services” with the law firm of Skeen & Robinson to provide assistance of counsel as required by law.

On May 27, 2021, Shawn Robinson, the “Robinson” from the “Skeen & Robinson” law firm accepted a job offer from the City to be the Assistant City Attorney. As such, the law firm of “Skeen & Robinson” will no longer exist. The remaining attorneys that performed the indigent defense services under the law firm of “Skeen & Robinson” will now perform their same duties under the law firm name of “Skeen & Associates.”

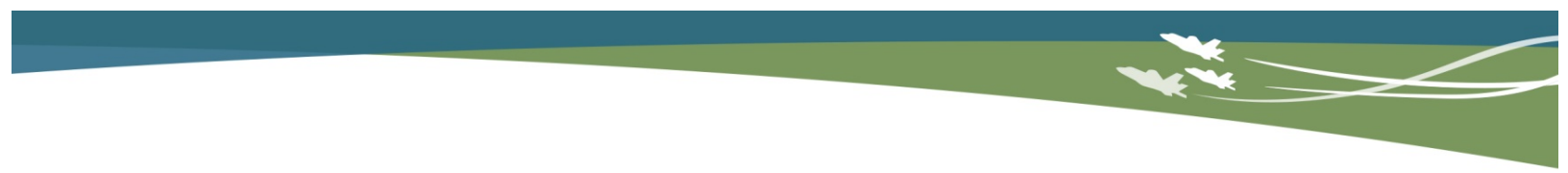
Pursuant to the current contract, the parties may assign the contract with the written consent of the parties, with all terms of the original agreement to be binding. All parties agree to the proposed assignment and first addendum. The Court, although not a party to the agreement, is also supportive of this assignment and first addendum. It should be noted that either party can terminate the agreement with proper notice (90 days).

HEDGEHOG ANALYSIS

The City is required by law, both the 6th Amendment to the Constitution of the United States, as well as Utah State Code Ann. §77-32-301 and §77-32-304 to provide assistance of counsel to those qualifying individuals that are prosecuted within the Clearfield City Justice Court.

CORRESPONDING POLICY PRIORITY (OR PRIORITIES)

Providing Quality Municipal Services



FISCAL IMPACT

The assignment and first addendum will have no additional fiscal impact on the City.

ALTERNATIVES

Subject to alternative direction given by Council, Staff presents the following alternatives:

1. Agree to the assignment and first addendum as drafted.
2. Agree to the assignment and first addendum, with modifications.
3. Disagree to the assignment and first addendum and provide direction to Staff.

SCHEDULE / TIME CONSTRAINTS

Shawn Robinson is scheduled to begin employment with the City on June 28, 2021. As such, assignment ideally would take place prior to June 28, 2021.

LIST OF ATTACHMENTS

- Consent of Assignment and First Addendum to the Indigent Defense Services (Draft)

**CONSENT OF ASSIGNMENT AND FIRST ADDENDUM
TO THE AGREEMENT FOR INDIGENT DEFENSE SERVICES**

This Consent of Assignment and First Addendum to the Indigent Defense Services (“Assignment and First Addendum”) is made effective this ___ day of June, 2021 (the “Effective Date”) and is being entered into by and among **Skeen & Robinson**, a Utah limited liability company (the “Assignor”), with its principal place of address located at 5788 South 900 East, Salt Lake City, Utah 84121, **Skeen & Associates**, a Utah limited liability company (the “Assignee”), with its principal place of address located at 5788 South 900 East, Salt Lake City, Utah 84121, and, **Clearfield City**, a Utah municipality (the “City”), hereinafter referred to collectively as, the “Parties.”

RECITALS

WHEREAS, Assignor and the City entered into an Agreement for Indigent Defense Services on October 26, 2016 (“Original Agreement”).

WHEREAS, Section 12 of the Original Agreement states, “this Agreement (Original Agreement) shall not be assignable except at the written consent of the parties, and if so assigned, shall be binding upon the successors and assigns of the parties.”

WHEREAS, Assignor desires to assign to Assignee the Original Agreement pursuant to Section 12.

WHEREAS, contemporaneously with the assignment between Assignor and Assignee, the City the Assignee desires to amend certain terms of the Original Agreement.

NOW, THEREFORE, in consideration of the mutual promises, covenants and representations contained herein, Assignor, Assignee, and the City hereto agree as follows:

AGREEMENT

- (1) Recitals. The foregoing recitals are incorporated and made an integral part of this Assignment and First Addendum by this reference.
- (2) Assignment. Assignor assigns to Assignee all legal obligations, terms, and conditions outlined in the Original Agreement, apart from those contemporaneously amended terms of the Original Agreement contained in Section 4 of this Assignment and First Addendum.
- (3) Consent to Assignment. Pursuant to Section 12 of the Original Agreement, the City hereby gives its consent and approval to the assignment of the Original Agreement from Assignor to Assignee, apart from those contemporaneously amended terms of the Original Agreement contained in Section 4 of this Assignment and First Addendum.

- (4) Amended Language/Cause for Addendum. The Assignee and the City agree to replace the language of Section 6 of the Original Agreement with the following:

This Agreement shall commence between the Assignee and the City on the Effective Date and terminate on the same date five years after the Effective Date unless renewed or terminated pursuant to those existing provisions within the Original Agreement.

- (5) Original Agreement. Except for the assignment from Assignor to Assignee and the changes to Section 6 of the Original Agreement reflected in paragraph 4 above, all other terms and conditions within the Original Agreement shall remain in place and applicable to the Parties.
- (6) Binding Effect. The provisions of this Assignment and First Addendum shall inure to the benefit of and be binding upon the successors and assigns of the Parties hereto.
- (7) Severability. If any part or provision of this Assignment and First Addendum shall be determined to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, then such a decision shall not affect any other part or provision of this Assignment and First Addendum except that condition, covenant or other provision of this Assignment and First Addendum shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.
- (8) Miscellaneous.
- a. Legal Fees. Should any party default in any of the covenants or agreements herein contained, that defaulting party shall pay all costs and expenses, including a reasonable attorney's fee, which may arise or accrue from enforcing this Assignment and First Addendum or in pursuing any remedy provided hereunder or any applicable law, whether such remedy is pursued by filing suit or otherwise. This obligation of the defaulting party to pay costs and expenses includes, without limitation, all costs and expenses, including a reasonable attorney's fee, incurred on appeal and in bankruptcy proceedings.
 - b. Survival. It is expressly agreed that the terms, covenants and conditions of this Assignment and First Addendum shall survive any legal act or conveyance required under this Assignment and First Addendum.
 - c. Headings. The section and other headings contained in this Assignment and First Addendum are for reference purposes only and shall not in any way affect the meaning or interpretation of this Assignment and First Addendum.

IN WITNESS WHEREOF, the Parties hereto have executed this Consent of Assignment and First Addendum to the Original Agreement.

SKEEN & ROBINSON

By: Randall Skeen
Its Managing Member
Assignor

STATE OF UTAH)
 :ss)
SALT LAKE COUNTY)

The above Consent of Assignment and First Addendum to the Indigent Defense Services was acknowledged before me by _____, this __ day of June, 2021.

Notary Public
Residing in _____

SKEEN & Associates

By: Randall Skeen
Its Managing Member
Assignee

STATE OF UTAH)
 :ss)
SALT LAKE COUNTY)

The above Consent of Assignment and First Addendum to the Indigent Defense Services was acknowledged before me by _____, this __ day of June, 2021.

Notary Public
Residing in _____

CLEARFIELD CITY

Attest:

Legal Review:

By: Mark Shepherd
Mayor

City Recorder

City Attorney



STAFF REPORT

To: Mayor Shepherd and City Council Members
From: Rich Knapp, Finance Manager
Meeting Date: June 8, 2021
Subject: Establish an Audit Committee

Recommended Action

Staff recommends the City Council establish a formal Audit Committee. The Committee's primary function is to assist the Mayor and City Council in its oversight responsibilities.

Description / Background

Mission & Objective

The Audit Committee will provide independent advice, assistance, and recommendations to the Mayor and City Council in the oversight of the internal and external audit functions of the City. The Committee will help reduce the risk of undetected fraud, abuse, and noncompliance.

Composition and Meetings

The Committee will have no more than two City Council members. If a unanimous decision is not reached the Mayor will cast the tie-breaking vote. The Committee will be assigned a staff liaison but is not a member of the Committee.

The Committee will meet as necessary. At minimum, meetings will take place to discuss the selection of the external auditor, and the review of the annual audit.

Reporting

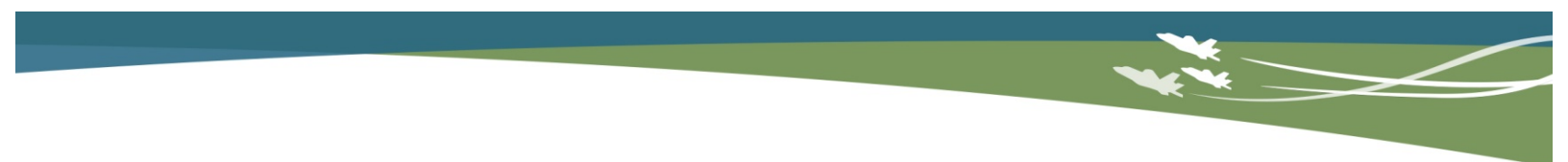
The Committee reports its activities to the Mayor and Council as needed, but not less than annually. Items reported include their 1) review of the annual audit report, 2) suspected fraud, waste or abuse, or significant internal control issues, and 3) material non-compliances with laws or City policy.

Hedgehog Analysis

The hoglet score is 15. Much of the push to establish the Audit Committee is externally driven. There is benefit to the City, and it is a recommend best practice. The use of time and money is minimal.

Corresponding Policy Priorities

An Audit Committee enhances quality municipal services by reducing fraud, inefficient use of resources, and/or financial mismanagement.



Fiscal Impact

As proposed, no additional direct cost is needed to establish and run the Committee.

Schedule / Time Constraints

To receive a better fraud risk score for FY21, ideally the Committee will be established before the end of the fiscal year—June 30.

Alternatives

Wait and review further.

List of Attachments

- Proposed Resolution and Enabling Charter

Audit Committee Charter

Audit Committee Authority

Pursuant to resolution number [number of resolution], dated [insert date of resolution], the Mayor and City Council of Clearfield City has established the Clearfield City Audit Committee ("Audit Committee") to assist the Mayor and City Council in the oversight of both the internal and external audit functions.

Mission

The Mayor and City Council of Clearfield City has established the Audit Committee to provide independent advice, assistance, and recommendations to the Mayor and City Council in the oversight of the internal and external audit functions of the City.

Composition and Requisite Skills

The Audit Committee is comprised of no more than two members of the City Council. The composition of the Audit Committee is intended to ensure that investigations regarding the work of the Audit Committee remains confidential until reports are made public to the governing body, or until such time records are subject to the Utah Governmental Records Access Management Act.

The Committee members collectively should possess the knowledge in accounting, auditing, and financial reporting needed to understand and evaluate Clearfield City's financial statements, the external audit, and the entity's internal audit activities. Accordingly, the Audit Committee's members, collectively, should:

- 1) Possess the requisite knowledge necessary to understand technical and complex financial reporting issues.
- 2) Have the ability to communicate with auditors, public finance officers and the governing body.
- 3) Be knowledgeable about internal controls, financial statement audits and management/operational audits.
 - a. If no Audit Committee members have sufficient personal internal control or finance knowledge, the committee may gain this knowledge via a financial expert (either volunteer or paid) advisor.
 - i. The financial expert advisor must:
 1. Be independent of management
 2. Be present for meetings
 3. Not be a member of the Audit Committee
 4. Not vote on committee actions

Duties and Responsibilities

The duties and responsibilities of the Audit Committee include the following:

1) External Audit Focus

- a. Provide recommendations regarding the selection of the external auditor.
- b. Meet with the external auditor prior to commencement of the audit to, among other things, review the engagement letter.
- c. Review and discuss with the external auditor any risk assessment of the entity's fiscal operations developed as part of the auditor's responsibilities under governmental auditing standards for a financial statement audit and federal single audit standards, if applicable.
- d. Receive and review the draft annual audit report and accompanying draft management letter, including the external auditor's assessment of the entity's system of internal controls, and, working directly with the external auditor, assist the governing body in interpreting such documents.
- e. Make a recommendation to the governing body on accepting the annual audit report.
- f. Review every corrective action plan developed by management and assist the governing body in the implementation of such plans.

2) Internal Audit Focus

- a. Make recommendations to the governing body regarding internal audit best practices.
- b. Assist in the oversight of the internal audit function, including reviewing the annual internal audit plan to ensure that high risk areas and key control activities are periodically evaluated and tested, and reviewing the results of internal audit activities.
- c. Review significant recommendations and findings of any internal audits.
- d. Monitor management's implementation of internal audit recommendations and the internal audit work plan.
- e. Participate in the evaluation of the performance of the internal audit function.
- f. Oversee fraud hotline complaints.

3) Administrative Matters

- a. Hold regularly scheduled meetings.
- b. Review and revise the Audit Committee Charter, as necessary.

Membership

The membership duties of the Audit Committee include the following:

- 1) Good Faith – Members of the Audit Committee shall perform their duties in good faith, in a manner they reasonably believe to be in the best interests of the Audit Committee and the City with such care as a generally prudent person in a similar position would use under similar circumstances.

- 2) Independence – An individual may not serve on the Audit Committee if he or she:
 - a. Is employed by the entity (other than governing board members or City staff liaison).
 - b. Currently provides, or within the prior two years, has provided, goods or services to the entity.
 - c. Is a family member of an employee or officer.
 - d. Is the owner of or has a direct and material interest in a company providing goods or services to the entity.
- 3) Confidentiality – During the exercise of duties and responsibilities, the Audit Committee members may have access to confidential information. The Audit Committee shall have an obligation to the City to maintain the confidentiality of such information.

Meetings

The Audit Committee shall meet as often as necessary to advise the Mayor and City Council concerning selection of the external auditor, the review of the annual audit, and other items under their oversight.

Decision-Making Process

All decisions shall be reached by vote of a simple majority of the total membership of the committee. A quorum constitutes a simple majority of the total membership and meetings will not be conducted unless a quorum is present. In the case that a quorum consists of two Audit Committee members and a unanimous decision is not reached, a subsequent meeting shall be held as soon as reasonably possible with the Mayor, who shall consider the issue(s) and cast the tie-breaking vote.

The City staff liaison is assigned to the Audit Committee primarily to ensure access by the Audit Committee to all necessary City records. The City staff liaison is not considered an Audit Committee member, is not counted towards the establishment of a quorum, and does not vote on matters before the Audit Committee.

Reporting Requirements

The Audit Committee has the duty and responsibility to report its activities to the Mayor and City Council as needed, but not less than annually. Periodic written reports of Audit Committee activities are an important communication link between the Audit Committee and the Mayor and City Council on key decisions and responsibilities. The Audit Committee's reporting requirements are to:

- 1) Report on the scope and breadth of committee activities so that the Mayor and City Council is kept informed of its work.
- 2) Report on their review of the City's draft annual audit report and accompanying management letter and their review of significant findings.

- 3) Report on suspected fraud, waste or abuse, or significant internal control findings and activities of the internal control function.
- 4) Report on indications of material or significant non-compliances with laws or City policies and regulations.
- 5) Report on any other matters that the committee believes should be disclosed to the Mayor and City Council.

Charter Review

The Audit Committee shall assess and report to the Mayor and City Council on the adequacy of this Charter no less than an annual basis or as necessary. Charter modifications, as recommended by the Audit Committee, should be presented to the Mayor and City Council in writing for their review and action.



STAFF REPORT

TO: Mayor Shepherd and City Council Members
FROM: Spencer W. Brimley, Comm. Dev. Director
MEETING DATE: Tuesday, June 8, 2021
SUBJECT: Discussion on Clearfield Park at Antelope - Development Agreement

RECOMMENDED ACTION

Staff recommends that Council engage in discussion regarding certain specific items/issues presented by Developer and give Staff direction prior to engaging in the drafting of a formal Development Agreement.

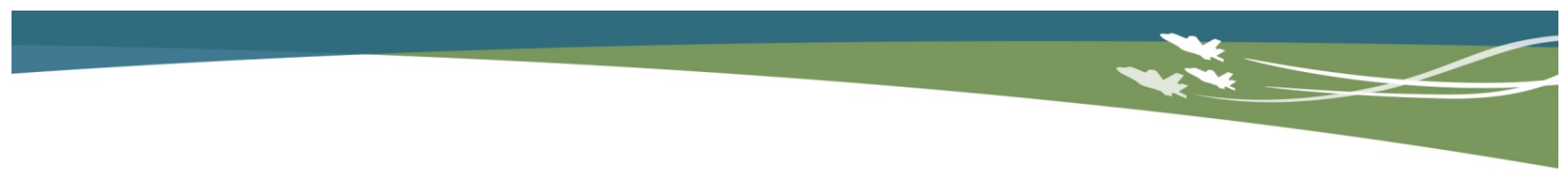
DESCRIPTION / BACKGROUND

On March 23, 2021, the City Council reviewed the application for the proposed general plan and zoning amendments. After conducting two open meetings to discuss the application, the City Council ultimately approved the rezone request of 5.739 acres of the properties from A-1 (Agricultural) to R-3 (Residential) and a general plan amendment to change the future land use designation from commercial to residential subject to a development agreement. During the presentation to Council, Developer included as part of their proposal, the conversion of an existing storm water basin into a city park. This presented to be of benefit to the City in that the proposed park was not intended to substitute or fulfill the open space/landscaping required for the proposal but was something Developer thought would be enticing to the City and would be an amenity for both their project and the City. Further, during the presentation to Council on March 23rd Developer stated that they would, "...build the park, supply all the gear and provide for the park's maintenance so it would not be a burden on the City."

Developer has now provided the City with detailed plans for the proposed development, as well as a draft-development agreement. In response, and in conjunction with multiple conversations with Developer, staff believes it is necessary to gain further Council input and direction prior to engaging in contract drafting to ensure that the will of the Council is accurately reflected in the positions staff takes with the Developer.

DEVELOPMENT AGREEMENT DISCUSSION - DEVELOPER REQUESTS

Staff finds that the following items/issues proposed by Developer, at a minimum, merit a discussion with the Council prior to it engaging in the formal process of drafting a development agreement:

- 
1. City will provide approximately 3 acres of the regional storm basin to the development to be developed as the City park.
 2. City to include this park in their liability insurance policy coverage.
 3. City to provide water for the irrigation of this park.
 4. City staff and parks department to work with the developer (US Development) on the final design and development of the amenities to be included in the park.
 5. City to agree to apply 90% of the park impact fees from this Antelope Park development to be put into amenities in the park described in further detail in the Development Agreement.

DEVELOPMENT AGREEMENT - DEVELOPER PROPOSAL

It is worth noting the developer has also provided some of their proposed commitments as it relates to the items listed above that the developer is requesting.

1. Developer (US Development) will commit to the development agreement as follows:
2. Developer will provide landscape architecture for the park.
3. Developer will provide topsoil, irrigation, hydroseed and trees (approx. \$300,000 of cost)
4. Developer will provide public access through the Antelope Park Development.
5. Developer HOA or Management Company of the Antelope Park Development will maintain the park.
6. Developer to work with the City design to extend trail system on south end of park.

CORRESPONDING POLICY PRIORITY (OR PRIORITIES)

Providing Quality Municipal Services - Improving Clearfield's Image, Livability and Economy

FISCAL IMPACT

N/A

ALTERNATIVES

N/A

SCHEDULE / TIME CONSTRAINTS

The City has no timeframe or constraints for this project.

Developer has expressed a desire to expedite the process due to property acquisition requirements.

LIST OF ATTACHMENTS

- None

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
May 11, 2020

City Building
55 South State Street
Clearfield City, Utah

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
	Stuart Williams	City Attorney
	Kelly Bennett	Police Chief
	Adam Favero	Public Works Director
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Spencer Brimley	Community Development Director
	Brad McIlrath	Senior Planner
	Lee Naylor	Accountant
	Trevor Cahoon	Communications Coordinator
	Wendy Page	Deputy Recorder
EXCUSED:	Nancy Dean	City Recorder

VISITORS: Kathryn Murray, Mike LeBaron, Debbie LeBaron, Scotlyn LeBaron, Kyle Weaver, Shelly Eskelson

VISITORS PRESENT VIA ZOOM: Jonathan Ward – Zions Public Finance

Mayor Shepherd called the meeting to order at 7:00 p.m.

Mayor Shepherd 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 led the opening ceremonies.

APPROVAL OF THE MINUTES FROM THE APRIL 13, 2021 POLICY SESSION

Councilmember Bush moved to approve the minutes from the April 13, 2021 policy session; as written, seconded by Councilmember Roper. The motion carried upon the following

**vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson.
Voting NO – None.**

**PRESENTATION TO SCOTLYN LEBARON FOR RECOGNITION OF RECEIVING THE
CITY’S 2021 SCHOLARSHIP AWARD**

Mayor Shepherd stated each year the City awarded a \$1,000 scholarship to a student within the City and typically that award was presented during an awards assembly at Clearfield High School (CHS). He noted due to the COVID-19 pandemic, the school was not holding its traditional event. He explained a qualified applicant was selected by CHS on the City’s behalf. Mayor Shepherd announced Scotlyn LeBaron had been selected to receive the City’s scholarship for her academic excellence and contribution of service provided to the City. He presented her with a certificate and letter about obtaining her scholarship award. Mayor Shepherd and the City Council congratulated Scotlyn LeBaron on her achievement.

**PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE 2021/2022 COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) ONE-YEAR ACTION PLAN**

Brad McIlrath, Senior Planner, stated the One-Year Action Plan was necessary for Clearfield City to qualify for Community Development Block Grant (CDBG) funds through the Department of Housing and Urban Development (HUD). He acknowledged the plan covered the program year July 1, 2021 to June 30, 2022. He reviewed the 2021/2022 One-Year Action Plan.

Mr. McIlrath indicated the entitlement amount for the program year was \$206,947 and along with \$120,467.36 from prior years that would be reprogrammed; a total of \$327,414.36 would be allocated to programs in the 2021/2022 plan year. He highlighted the following funding summary for the 2021/2022 plan year:

- Open Doors - \$14,042; Circles Program for low-income families to obtain job skills.
- Davis Community Learning Center - \$12,000; The funds would help fund two part-time Family Support Specialists (FSS) at Holt and Wasatch Elementary. Those positions work directly with school principals and families in need or crisis to address needs and provide assistance.
- Safe Harbor - \$5,000; Case management, self-sufficiency support, educational and supportive groups, life skills classes, and connections to other resource agencies.
- Open Doors - \$10,000; The funds would support upgrades to the Family Support Program playground. Funds were also being provided by Davis County and Layton City for the upgrades.
- Housing Rehabilitation - \$122,492; Funds would be used towards a housing rehabilitation program for Clearfield residents.
- Down Payment Assistance - \$122,491.36; Funds would be used towards the down payment assistance program for Clearfield residents.
- Administration - \$41,389; Administrative expenses for staffing, noticing, and advertising of programs.

Mr. McIlrath mentioned the four goals and objectives of the 2020-2024 Five Year Consolidated Plan included housing affordability and rehabilitation; facility improvements; public services;

and administration. He explained a 30-day comment period commenced April 11, 2021 and residents were given the opportunity to review and comment, though no written comments had been received.

Councilmember Peterson asked him to speak to the high dollar amount allocated for the Down Payment Assistance Program. Mr. McIlrath responded because there was a large amount of funding that needed to be reprogrammed from the prior year plus the new requests received which the committee reviewed. He stated the committee allocated the funds to help create a smooth transition of the CDBG program into the City's legal department where the housing advocate could assist and have oversight, making sure the funds were utilized and better advertised. He noted there had been shifts in the housing market in recent months and the City had amended its Down Payment Assistance Program to help applicants; however, there were still challenges that had been noticed. He pointed out that the City would continue to work with Davis County as it administered the program and additional changes might be necessary to reduce barriers allowing the needed funds to be utilized. There was a discussion about the possibility of amending the City's Down Payment Assistance Program again after a review of the challenges and barriers so any could be addressed.

Councilmember Peterson wondered if it would be good to look at the City's internal thresholds for the programs. Mr. McIlrath commented that would be good to evaluate; however, the more people knew about what programs were available the better the City would be able to distribute the funding it received. There was a discussion about how the limits might need to change so more people could qualify for assistance. Councilmember Peterson agreed with the higher allocation and funding available advertising would be necessary to help distribute the funds. Mr. McIlrath remarked the transition of grant oversight to the legal department would also help in utilizing the City's expertise with housing advocacy.

Councilmember Thompson wondered if there was flexibility to receive funding for purchasing homes other than single-family. Mr. McIlrath answered the City's policy was funding could be applied to purchasing single-family detached. He mentioned if this were a concern it could be addressed when other modifications were reviewed. Councilmember Thompson suggested it would be good to address barriers to entry.

Councilmember Phipps recognized there was a cap on the amount of funding which could be donated towards public services. He wondered if the donation of \$10,000 for playground equipment to Open Doors impacted the City's ability to fund other public services. Mr. McIlrath responded the City had a cap of donating 15 percent towards public services and Open Doors, Davis Community Learning Center and Safe Harbor received those funds. He noted the \$10,000 donation for the playground equipment was separated from the public services because it was for facility improvements.

Mayor Shepherd opened the public hearing at 7:18 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember Bush moved to close the public hearing at 7:19 p.m. seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.

OPEN COMMENT PERIOD

There were no public comments.

APPROVAL OF THE 2021/2022 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ONE-YEAR ACTION PLAN

Councilmember Peterson moved to approve the 2021/2022 Community Development Block Grant (CDBG) One-Year Action Plan 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.

APPROVAL OF RESOLUTION 2021R-08 OF THE CITY COUNCIL OF CLEARFIELD CITY, UTAH AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$19,500,000 AGGREGATE PRINCIPAL AMOUNT OF SALES TAX REVENUE BONDS, SERIES 2021; AND RELATED MATTERS

JJ Allen, City Manager, stated the City desired to start the process to issue “Series 2021” Sales Tax Revenue Bonds in the future for infrastructure at Clearfield Station and some funds would be used towards beautification of the interchanges located in the City. He noted Resolution 2021R-08 would authorize designated officers to proceed with the bond issuance process under certain parameters. He explained the bonds would be tax-exempt. He reviewed the parameters that were set by Resolution 2021R-08. Mr. Allen indicated the debt for the infrastructure would be paid back using tax increment collected from the Clearfield Station project and the debt for the beautification of the interchanges would be paid using monies from the General Fund.

Jonathan Ward, Zions Public Finance, mentioned the parameters set the outside limits and it also authorized a designated person to finalize the terms and conditions that fit within the set parameters. He noted the best rates would be utilized within the parameters set and finalized at a later date.

Mayor Shepherd pointed out that there was a lengthy discussion during the Council’s work session on May 4, 2021.

Councilmember Roper moved to approve Resolution 2021R-08 of the City Council of Clearfield City, Utah authorizing the issuance and sale of not more than \$19,500,000 aggregate principal amount of Sales Tax Revenue Bonds, Series 2021; and related matters; and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

APPROVAL OF RESOLUTION 2021R-09 OF THE CITY COUNCIL OF CLEARFIELD, UTAH DECLARING ITS INTENTION TO ISSUE ITS REVENUE BONDS TO BE USED TO FINANCE ISSUER UTILITY INFRASTRUCTURE IMPROVEMENTS AND ALL RELATED IMPROVEMENTS, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$10,000,000; AND RELATED MATTERS

JJ Allen, City Manager, stated the City desired to declare its intention to bond for utility capital projects. He mentioned Resolution 2021R-09 would allow the City to reimburse itself with tax exempt bond money. He noted the resolution did not commit the City to sell bonds; however, the City anticipated issuing those type of bonds and then could reimburse itself with a tax advantage. Mr. Allen explained there were current utility capital project needs such as storm, water, and sewer projects; however, the primary purpose would be for water projects to be completed with the tax-exempt funds.

Councilmember Phipps stated he was surprised at the \$10,000,000 amount and wondered why such a large number. Jonathan Ward, Zions Public Finance, responded there was no real precise reasoning for it, but because there was no limit on the amount it would be a nice round number that was wide enough to cover any needs the City might have for utility projects.

Councilmember Peterson expressed her trepidation on having that high of a dollar amount. She wondered if there was an argument for not being more cautious about the high dollar amount. She felt there would not be any scenario where the City could even use half of that amount. Mr. Ward answered the only rationale to argue for the higher amount would be so the City could reimburse itself with tax exempt money up to that amount and choosing a lower threshold may be short sighted. He pointed out that the resolution did not authorize any issuance of bonds or any expenditures of City funds but only addressed the amount of funds the City could reimburse itself for at some point in the future. He noted the Council could choose to reduce the number to \$5,000,000, but in the future the option for reimbursement could only reach that amount even if more were spent.

Mr. Allen asked if there were any time limit to the reimbursement. Mr. Ward explained there was a three-year limit from the time the expense was incurred or 18 months from the time the project was completed. Councilmember Phipps commented based on the City's current fiscal position he could not imagine hitting a situation where that amount of money would be expended and need reimbursement. Councilmember Peterson voiced her opinion spending that amount of money in such a short time period seemed unfathomable.

Councilmember Roper stated he would like to see the City cover its bases and not end up in a position where it regretted not getting additional money to reimburse itself with tax exempt funds. Councilmember Peterson reiterated it would not be likely the City would spend more than \$5,000,000 in three years and that amount was substantially larger than any project the City had done including the Clearfield Station project.

Councilmember Phipps moved to approve Resolution 2021R-09 of the City Council of Clearfield, Utah declaring its intention to issue its revenue bonds to be used to finance issuer utility infrastructure improvements and all related improvements, in a modified

principal amount of not to exceed of \$5,000,000; and related matters; and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Peterson.

Councilmember Thompson commented his issue with a decision was that it would be difficult to make a judgment for either amount without data to support what amount might be needed. Mr. Allen explained it would give the City time to determine which projects should be included in the bond package and what the costs might be which would help to better determine how much the bond issuance should be. He noted some projects were already in design but it would allow time to look at all the projects and costs and know what amount could be utilized. He acknowledged the City would need to reimburse itself but currently was not sure how much; therefore, the upper limit would be set by the Council's Reimbursement Resolution.

Councilmember Roper noted the number was a moving target. Mr. Ward agreed the number was very preliminary. He explained there was a lack of data, but the purpose of the reimbursement resolution was to mark the limit and then do the planning and engineering to further determine what needed to be done. Mr. Allen suggested if the resolution were not passed and the City continued to spend money in designing projects, it would not be able to reimburse itself for the cost of the project from bond proceeds.

Councilmember Thompson questioned if the \$5,000,000 would take into consideration the costs of inflation and related aspects. Mr. Allen answered the \$5,000,000 was not the amount of debt that would be issued; rather, it was only that amount the City could reimburse itself. He pointed out that the debt issuance actual amount would be determined at a future date and would be a separate issue to come before the Council once that data could be compiled and reviewed. Councilmember Roper clarified debt, projects, and bids would all come to the Council for consideration. Mr. Allen confirmed any capital projects and all bid processes would need to be considered by the Council.

Mayor Shepherd called for a vote on the motion. **The motion failed upon the following vote: Voting AYE – Councilmembers Peterson and Phipps. Voting NO – Councilmembers Bush, Roper, and Thompson.**

Mayor Shepherd acknowledged the motion failed and wondered if it was due to the reduced dollar amount. Councilmember Thompson stated yes and expressed his comfort in having the dollar amount set around \$7,000,000.

Councilmember Peterson moved to approve Resolution 2021R-09 of the City Council of Clearfield, Utah declaring its intention to issue its revenue bonds to be used to finance issuer utility infrastructure improvements and all related improvements, in the principal amount of not to exceed modify to \$10,000,000; and related matters; 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, Peterson, Phipps, and Roper. Voting NO – Councilmember Thompson.

APPROVAL OF THE FINAL SUBDIVISION PLAT FOR WEAVER MEADOWS LOCATED AT APPROXIMATELY 50 WEST 200 SOUTH (TIN: 12-020-0062)

Brad McIlrath, Senior Planner, stated the Weaver Meadows Subdivision was located at 50 West 200 South next to Hamblin Park. He indicated the property was recently rezoned from R-1-8 to R-1-6 and it was a nine-lot single-family subdivision. He mentioned preliminary subdivision approval was granted in April of 2020.

Mr. McIlrath acknowledged the Planning Commission reviewed the plat at its meeting on April 7, 2021 and recommended approval based on the following six conditions which were included with the staff report:

- 1) Plans shall be revised to address Clearfield City engineering requirements prior to the resubmittal of the plat and plans for final land use approval.
- 2) Lots 5 and 6 shall be revised to have a minimum frontage width of fifty feet (50') as required by ordinance.
- 3) A six foot (6') tall non-climbable fence shall be installed along the railroad right-of-way as required by ordinance.
- 4) If a retaining wall for the grade change is necessary, the wall shall be engineered and constructed in accordance with approved engineering and construction standards.
- 5) The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to curb and gutter, sidewalks, landscaping park strip improvements, driveways, etc.
- 6) An Escrow agreement will be subject to approval by the City Engineer and City Attorney and an escrow account shall be established prior to obtaining any permits being issued for the properties or plat being recorded. Installation of required improvements or an escrow account shall be established prior to recordation of the Final Plat as outlined in City Code § 12-4-6.

Mr. McIlrath reviewed the zoning and subdivision plat. He stated a work session discussion was held with the Council on April 27, 2021 and as discussed, the lot frontages of lots five and six had already been amended by the developer but those would be submitted for engineering and public works approvals once final subdivision plat approval was received by the Council. He mentioned a six-foot non-climbable fence would need to be installed on the east property lines adjacent to the railroad tracks and what that entailed had also been discussed but mainly it would be an attempt to provide safety because unfortunately there was not guarantee a fence of any type was not climbable.

Councilmember Bush asked if the developer had redrawn another plat with the proper frontages for lots five and six. Mr. McIlrath answered yes the developer had shown staff those plans and some of the lot lines for others lots were also adjusted so that each met the 50 foot requirement.

Councilmember Bush wondered if all of the engineer's concerns had been addressed. Mr. McIlrath responded staff had met with the developer after the work session discussion to review

the concerns line by line. He noted the developer was very close to completely addressing all the concerns. He mentioned staff also had time to review the new plans with lot width updates during that meeting.

Mayor Shepherd acknowledged it was good to see that the square footages were well under the requirements that were allowed in the R-1-6 Zone.

Councilmember Peterson moved to approve the Final Subdivision Plat for Weaver Meadows located at approximately 50 West 200 South with the six conditions recommended by the Planning Commission 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, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

APPROVAL THE AWARD OF BID FOR THE PARK OUTDOOR COURT RESURFACING PROJECT

Curtis Dickson, Community Services Deputy Director, stated the City's capital budget for FY21 had monies budgeted to resurface the tennis and basketball courts at Kiwanis Park and basketball courts at Fisher Park. He noted staff solicited bids for costs to resurface all outdoor courts and one bid was submitted by Parkin Tennis Courts. He acknowledged the Council discussed the project during its work session on May 4, 2021. Mr. Dickson pointed out that Mayor Shepherd and the City Council felt it was in the best interest of the City to resurface all of the basketball and tennis courts in the parks system and utilize PARAT Tax revenue towards costs that exceeded the budgeted amount. He reviewed the parks that would have courts resurfaced.

Mr. Dickson noted staff recommended to award the bid for the Park Outdoor Court Resurfacing Project to C&C Contractor's Inc. dba Parkin Tennis Courts for the amount of \$76,500 with a contingency of \$3,500 for a total project cost of \$80,000. He explained it would be necessary to amend the budget prior to the end of the fiscal year so PARAT Tax revenue could be allocated appropriately to the project.

Councilmember Peterson expressed her excitement for the project.

Councilmember Roper moved to approve the award of bid for the Park Outdoor Court Resurfacing Project to C&C Contractor's Inc. dba Parkin Tennis Courts for the amount of \$76,500 with a contingency of \$3,500 for a total project cost of \$80,000; and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

APPROVAL OF THE AWARD OF BID FOR THE CLEARFIELD CITY COMMUNITY ARTS CENTER REMODEL PROJECT

Curtis Dickson, Community Services Deputy Director, stated the Arts Center Remodel had been a phased project over the last eight years. He reviewed past phases and indicated the current phase would be the third phase. He noted staff solicited bids to remodel the first and second floors and replace the roof.

He mentioned the City received four bids and the lowest responsible bid was from Cinnamon Creek Construction for \$512,108. Mr. Dickson acknowledged the Council discussed the project during work session on May 4, 2021 and planned to use budgeted funds as well as PARAT Tax revenue to help finance the entire project. He explained a budget amendment could be necessary to allow for additional funds to be allocated for contingency purposes.

Councilmember Phipps asked if the bid award included the work for the roof. Mr. Dickson answered yes. He explained the construction period would be about five months; therefore, arts staff had been working hard to coordinate for places and space for the arts classes and programs to be held during the construction period.

Councilmember Phipps moved to approve the award of bid for the Clearfield City Community Arts Center Remodel Project to Cinnamon Creek Construction for the amount of \$512,108 with a contingency of \$81,522 for a total project cost of \$593,630; and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

APPROVAL OF RESOLUTION 2021R-10 AUTHORIZING THE 2021 POLLING LOCATION AND VOTE CENTERS FOR THE UPCOMING MUNICIPAL ELECTIONS

Wendy Page, Deputy City Recorder, explained the City was holding its Municipal Election by mail; however, polling locations and vote centers would be available for those wishing to vote or deliver ballots in person. She explained the City contracted with Davis County for its election services. She noted Utah Code required the County to designate any changes to the designated polling location and vote centers since last year's election at least 90 days prior to an election. Ms. Page mentioned Resolution 2021R-10 authorized the 2021 Polling Location at Clearfield City Hall and vote centers throughout the County for the upcoming municipal elections. She apologized there had not been time to have a work session discussion since the County had recently asked the cities to designate the polling location and vote centers no later than May 12, 2021 because there might be a need to hold primary elections in August. She asked if there were any questions.

Councilmember Phipps moved to approve Resolution 2021R-10 authorizing the 2021 Polling Location and vote centers for the upcoming Municipal Election 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.

ADOPTION OF THE TENTATIVE BUDGET FOR FISCAL YEAR 2022 AND SET A PUBLIC HEARING FOR AUGUST 10, 2021 TO RECEIVE PUBLIC INPUT ON THE BUDGET

Lee Naylor, accountant, noted there were many hours and budget meetings that had been ongoing since January to prepare for the tentative budget adoption. He reviewed the Tentative Budget for Fiscal Year 2022 with the Council. He explained State law required a tentative budget be adopted; however, the following items were still unknown:

- Certified tax rate and assessed valuation
- Final property and liability insurance
- Final bond amounts for infrastructure and water
- American Rescue Plan uncertain when funds would arrive either FY21 or FY22
- FY21 projects that might need to be reallocated to FY22
- Beginning fund balances

Mr. Naylor highlighted where the City's money came from and how funds were spent. He reviewed the revenues, operating expenditures, capital expenditures, and the changes in available cash for the General Fund, Community Development Renewal Agency (CDRA), Debt Service Funds, Capital Projects, Enterprise/Utility Funds for Water, Sewer, Storm Water, and Garbage. He acknowledged the American Rescue Plan (ARP) funds currently were not included in the amounts of available cash for the Enterprise/Utility Funds; however, the expenditures for the Maintenance and Operation Center Phase 3 were included.

Mr. Naylor reviewed the following major changes from the FY21 Budget to FY22:

- Increase to sales tax projection - \$1,450,000
- Increase to operating property tax - \$440,000
 - Staff recommends the City maintain same rate as last year
- Seven percent increase in health insurance premiums
- Personnel market/merit increases included
- New police officer, new full-time public works inspector
- New part-time parks maintenance and three seasonal
- Part-time to full-time planner, Part-time to full-time facility maintenance
- New part-time community services administrative assistant

He summarized the following major projects that were included in the FY22 Budget:

- Maintenance and Operation Center Phase 3 - \$5,300,000
 - Partially funded with ARP federal funds
- Street surface treatment - \$500,000
- Street reconstruction future projects set aside - \$300,000
- Cemetery expansion - \$795,000
- Arts Center renovation - \$550,000
- Replace Jacobson Park playground - \$130,000
- Restroom in Central Park - \$90,000

Mr. Naylor stated Government Finance Officer Association (GFOA) recommended the City maintain two months of operation expenditures in its unrestricted funds. He noted the available General Fund cash by the end of FY22 was planned to exceed the two months of operating expenditures by \$683,000. He added another security measure would be to have available General Fund cash by the end of FY22 at 19.5 percent of revenues. Mr. Naylor pointed out that the City's measure for sustainability ensured the General Fund ongoing revenue minus operating expenses had a net surplus of \$75,000.

Mr. Naylor thanked Mayor Shepherd, the City Council and staff for their time and efforts that contributed to a successful budgeting process. He stated August 10, 2021 was the date set for a public hearing and final adoption of the budget, but it could be subject to change. Wendy Page, Deputy Recorder, noted if the City were to have a primary election the date would be August 10, 2021; therefore, the public hearing and budget adoption date could be amended if necessary so there were no conflicts. She explained the City would not know if there would be a need to hold a primary election until after the declaration of candidacy period ended on June 7, 2021. She acknowledged if the City were to have a primary election, then the City could amend the date scheduled for the public hearing and meet the County's deadline in July for noticing those municipalities which were having a truth in taxation hearing. She noted the deadline for budget adoption was August 30, 2021. Mr. Naylor asked if there were any questions about the Tentative FY22 budget.

Councilmember Phipps worried that silence would imply consent and people might think he had changed his mind. He indicated there were no questions regarding the budget and expressed appreciation for the work. He acknowledged the City had talented staff and those skills and efforts were apparent when reviewing the budget each year.

Councilmember Phipps mentioned he had reviewed many budgets over the years, and each time there had been something he did not like but generally had dealt with it. He pointed out that in the past he had expressed concerns about maintaining the tax rate. He recognized there were arguments for doing it. He stated he was concerned and intrigued at the presentation provided during a work session discussion recently where it was reported the City was understaffed. He noted following the discussion there was some juggling of funds and a few of the Tier 1 and Tier 2 positions were funded for staffing but it appeared the City would remain understaffed. He expressed his concern that as the City grew it would continually increase that problem of understaffing. He felt the City was taking an approach which was not sustainable with increases in salaries and personnel costs which were seventy percent of the budget. He expressed his struggle with it and did not feel it was fiscally prudent.

Councilmember Bush moved to adopt the Tentative Budget for Fiscal Year 2022 and set a public hearing on the budget for August 10, 2021 at 7:00 p.m., seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Roper, and Thompson. Voting NO – Councilmember Phipps.

COMMUNICATION ITEMS

Mayor Shepherd

1. Received guidance from the US Treasury about what the American Rescue Plan (ARP) funds could be used for and felt it was in line with those things that had been discussed previously. He noted the City's amount of funding was reduced from what was initially anticipated but would be about \$5.1 million. He explained there were some cities which were left out of the initial calculations and so adjustments were made to include them which reduced the City's total amount.
2. Participated in multiple meetings during the week with the National League of Cities and the Council of Mayors.

3. Attended the City's centennial committee meeting on May 10, 2021. He acknowledged there had been a challenge with attendance. He noted during the next meeting on June 10, 2021 the spring event would be finalized so it would be important for those on the committee to attend or replacements might be needed. He acknowledged there were many plans being discussed and there would likely be three major events planned for the centennial year.
4. Reported the North Davis Fire District had sent out notices explaining the tax increases for the District. He felt pleased about the reception of the notice from the Citizens Facebook Page and felt people understood why it was necessary to have the paramedics close by.
5. Held Morning with the Mayor at the Philadelphia Sub Shop.
6. Visited the new site near Jordanelle Reservoir for Military Installation Development Authority's (MIDA's) military recreational facility. He reported the development was moving along quickly for the approximately 6,000-acre project.
7. Announced Nations for Christ had received more food than planned and so if there was anyone that could benefit from it they should let them know. Councilmember Roper stated he would be there at 10 a.m. on May 12, 2021 to help with distributions.

Councilmember Bush

1. Thanked the finance division and staff for their work on the budget.
2. Attended the Utah League of Cities and Towns (ULCT) Conference on April 21 through 23, 2021 and enjoyed it.
3. Participated in the Communities That Care meeting a couple of weeks ago. He reported Sunset, Clinton, and West Point cities had all joined the group. He reported the group wanted to be involved in helping get the word out about the organization by participating with fire district open houses, police department open houses or events and perhaps securing a booth at the City's Fourth of July events.

Councilmember Peterson

1. Echoed Councilmember Bush's sentiments on the budget. She indicated she had some concerns with a few items but was happy to hit the first benchmark with the Tentative Budget adoption.
2. Reported there were some resident issues which had come to her attention recently and she thanked staff of the Parks division and Public Works departments for the quick responses even though short staffed for the season.
3. Thanked the Council for letting her step back for the past few weeks and take care of her family.

Councilmember Phipps

1. Attended the ULCT Conference and felt it was a good use of time. He expressed a willingness to share information obtained from the presentation about the State's current water situation. He felt the community should start paying attention to water conservation efforts because it was a crisis of concern. Mayor Shepherd mentioned Lifetime Products was planning to alter its landscaping plan and would be coordinating with staff to see what could be done to keep it beautiful yet set trends for better water conservation with landscaping efforts. He encouraged community members and businesses to do their best to help with water conservation. He highlighted some of the other classes he learned from at the Conference.
2. Updated the Council on the information received during the Restoration Advisory Board's quarterly meeting. He mentioned there had been some asbestos issues where the ground became contaminated, so mitigation efforts were used to rid the asbestos in the ground that was associated with old railroad shop. He noted ground water contamination was associated with the area near the planned 1800 North freeway off ramp. He explained there were a couple of dozen monitoring wells located where the off ramp and intersection would go so that would need to be addressed.
3. Reported that Wasatch Integrated passed its budget. He mentioned Wasatch Integrated was struggling to sell some recycled materials, so the facility was not producing much in revenues for recycling. He reported Wasatch Integrated was not hurting financially. He added the fees were raised for

commercial haulers because it had been the lowest fee which attracted many outside of the area. He notified staff that the tipping fee was raised to \$38 per ton; however, any municipality that was part of the District would be able to get a cheaper rate of \$30 per ton if identification was known by the landfill either by using a marked City vehicle or making arrangements in advance.

Councilmember Roper

1. Thanked Mayor Shepherd for his recommendation of the Philadelphia Sub Shop in the live stream earlier in the day. He reported having met there earlier in the day for lunch to discuss community building with representatives from CIRCLES and Nations For Christ.
2. Reported the Youth Commission was working hard to get others to participate. He announced recently the Commission had met with Representative Karianne Lisonbee and the next meeting was planned to have Representative Stephen Handy. He noted the Youth Commission was working on fundraising efforts to be able to attend the National League of Cities (NLC) meetings in Washington D.C.
3. Expressed his enthusiasm the paramedic program was moving forward with the North Davis Fire District. He looked forward to it becoming operational.

Councilmember Thompson – helped the Davis Education Foundation do some outreach regarding the new Teen Center at Clearfield High School (CHS) that helped students in a crisis with a place to shower, dress, and launder clothing. He spent Saturday, May 9, 2021 at CHS sharing his story.

STAFF REPORTS

JJ Allen, City Manager

1. Thanked Lee Naylor and Rich Knapp for their hard work on preparing the budget as well as all others involved in the budget preparation process.
2. Mentioned the monthly report was a little late but it should be sent out in the next day or two.

Eric Howes, Community Services Director, informed the Council that there were not many new updates about the Fourth of July events; however, things were going well with the preparations. Mayor Shepherd commented there was still a need for parade entries because currently there were about ten applications that had been received. Mr. Howes acknowledged parade entries were low compared to prior years but that had been expected. He noted generally many entries arrived closer to the deadline.

Trevor Cahoon, Communications Coordinator, reported information was available on the website ccjuly4.com regarding the City's Fourth of July celebration events.

Wendy Page, Deputy City Recorder –reviewed the Council's schedule:

- Joint Work Session with the Planning Commission on Wednesday, May 19, 2021
- Work Session on May 25, 2021
- Work Session on June 1, 2021
- Policy Session on June 8, 2021
- Retreat Work Session on Friday, June 18, 2021

Councilmember Phipps moved to adjourn as the City Council and reconvene as the CDRA in work session at 8:20 p.m., seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper, Shepherd and Thompson. Voting NO – None.

*****The minutes for the CDRA are in a separate location*****



STAFF REPORT

To: Mayor Shepherd and City Council Members
From: Rich Knapp, Finance Manager
Meeting Date: June 8, 2021
Subject: Public Hearing for 2021 Sales Tax Revenue Bonds - Infrastructure

Recommended Action

Receive public comment on the issuance and sale of not more than \$19,500,000 aggregate principal amount of Sales Tax Revenue Bonds, Series 2021.

Description / Background

The City Council adopted a parameters resolution regarding the issuance of not more than \$19,500,000 of sales tax revenue bonds on May 11, 2021. The resolution called for a public hearing to be held for the City Council to receive comment on the issuance of the bonds. The purposes of issuing these “Series 2021” bonds are as follows:

- Finance the project—Clearfield Station and I-15 interchange beautification.
- Fund a debt service reserve (if needed).
- Pay cost of issuance.

The Resolution authorizes “Designated Officers” to proceed with the bond issuance process under the following parameters:

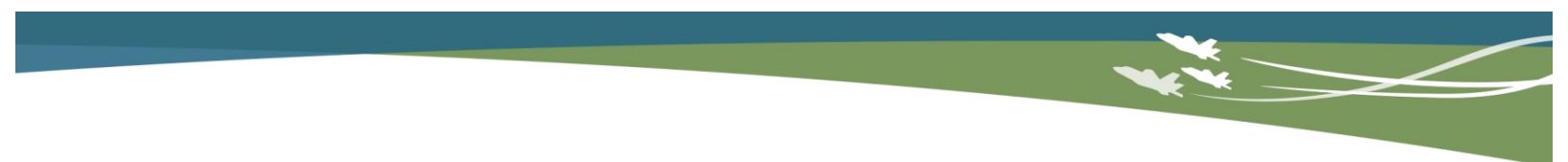
- Not to exceed \$19,500,000.
- Maturity in not more than 25 years.
- Sold at a price not less than 98% of total principal.
- Interest not to exceed 5%.

The notice of the hearing identifies local sales and use tax as the pledged source of revenue to service the debt.

These will be tax exempt bonds.

Hedgehog Analysis

This hearing is legally required to issue debt, and the Master Development Agreement for the Clearfield Station project obligates the City to pursue bonding for the public infrastructure. Landscaping the interchanges scored high (20) when discussed by the City Council at the 2021 kickoff retreat.



Corresponding Policy Priorities

Improve Clearfield's image, livability, and Economy.

Fiscal Impact

The exact amount issued, and the payment schedule will be negotiated and determined before issuance of the bonds. One scenario, as referenced the work session, would start with no payments for the first three years (capitalized interest), then interest only for the next two years. The yearly payment would ramp up from there averaging about \$1.25M. Though sales tax would be the pledge guaranteeing payment of the bonds, the portion of debt service attributable to Clearfield Station infrastructure will be paid from tax increment generated from the project. The portion attributable to interchange landscaping will be paid from the City's General Fund.

Schedule / Time Constraints

We hope to have the bond proceeds by late June or July—the approximate timing of awarding the Clearfield Station infrastructure construction project.

Alternatives

Delay or stop the projects.



STAFF REPORT

TO: Mayor Shepherd and City Council Members
FROM: Spencer W. Brimley, Community Development Director
MEETING DATE: Tuesday, June 8, 2021
SUBJECT: Clearfield City Planning Commission Appointments

RECOMMENDED ACTION

After consideration of all applicants, the staff proposes the following appointments are made to the Clearfield City Planning Commission.

- Megan Ratchford – To fulfill the remainder of Commissioner Brett McAllister’s position as a regular member with a term expiring February 2025.
- Michael Bybee – To fulfill the remaining term of Commissioner Brogan Fullmer who was appointed as a full member. The term of Commissioner Bybee, as an alternate member, will have a term expiring in February 2022.

DESCRIPTION / BACKGROUND

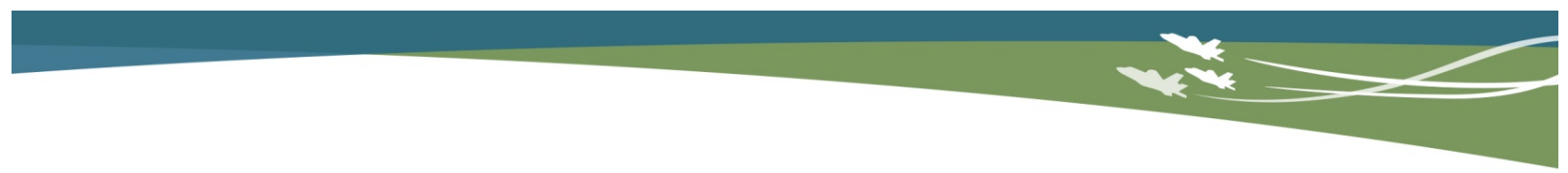
Commissioner Brett McAllister resigned from the commission in April of this year just after the recent appoint of Commissioner Fullmer as a regular member of the Commission to fill the duration of Nicole Bigelow’s term, which would end in February of 2023. Commissioner Bobby Austin has been acting in the role of alternate since his appointment to the Commission. The resignation of Commissioner McAllister along with the appointment of Commissioner Fullmer as regular member has created the need for two appointments to the Commission. The Clearfield City Council conducted interviews on Tuesday May 25, 2021 to fill two current vacancies on the Planning Commission. The names identified above are those individuals the Council has selected to be appointed to the Commission. They will serve for the duration of their term, outlined above. Additionally, it is required that all new planning commissioners receive annual training to act in their role as a commissioner. Staff will need to meet with two new commissioners and provide them with the required training, prior to them participating in a meeting.

CORRESPONDING POLICY PRIORITY (IES)

The appointments to the Planning Commission supports the Policy Priority of “Providing Quality Municipal Services” by placing interested and involved community members in positions of responsibility. These residents provide feedback and input that will have a direct impact in the City.

ALTERNATIVES

As the council elects, they may vary from the recommendation and choose to appoint the new candidates as alternate members and appoint Commissioner Austin as a regular member of the Commission.



ATTACHMENTS

Current PC Members Roster

TERM EXPIRATION	NAME - Status	Proposed Action
February 2024	Chris Uccardi - Chair	
February 2024	Kathryn Murray - Member	
February 2026	Karen Blackwood - Member	
February 2022	David Bloomfield - Vice-Chair	
February 2023	Brogan Fullmer - Member	
February 2022	Robert Browning - Member	
February 2025	Appoint Megan Ratchford	Brett McAllister – Position vacant April 2021 – need appointment from alternate
March 2022	Amber Brink	
February 2026	Bobby Austin - Alternate	
February 2022	Appoint Michael Bybee	Vacancy created by Commissioner Fullmer's appointment as a regular member



STAFF REPORT

TO: Mayor Shepherd and City Council Members
FROM: Eric Howes, Community Services Director
MEETING DATE: June 8, 2021
SUBJECT: Parks & Recreation Commission Appointments

RECOMMENDED ACTION

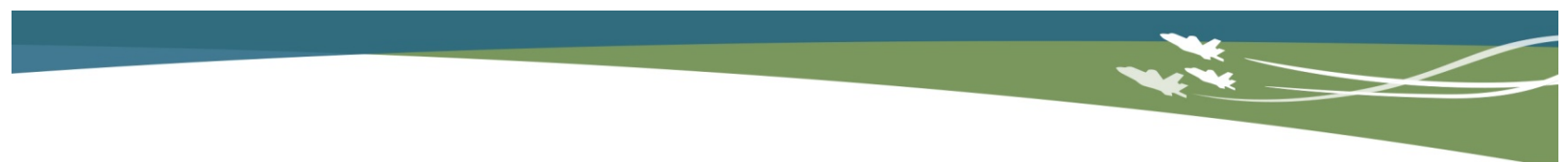
Consider appointing Alyssa Belford with a term expiring December 31, 2022, Matthew Mangum with a term expiring December 31, 2023, and Anthony DeMille with a term expiring December 31, 2022 as regular members of the Parks & Recreation Commission; Paul Nielson as an alternate member of the Parks & Recreation Commission with a term expiring December 31, 2023; and Leanna Bucio as the new Youth Commission representative with a term expiring December 31, 2022.

DESCRIPTION / BACKGROUND

There are currently four vacant positions on the Parks & Recreation Commission (PRC). Although Alyssa Belford has continued serving on the PRC as a representative of the Youth Commission, she is no longer a member of that body. She has indicated an interest and willingness to continue to serve on the PRC as a regular member. Alyssa has been a consistent participant and staff would recommend that she be appointed to fill one of the three regular member vacant positions.

This change would leave the position filled by a member of the Youth Commission vacant. Councilmember Roper and the Youth Commission is recommending Leanna Bucio to fill that role on the PRC.

If these two changes are made, then there will be two regular positions and one alternate position available needing to be filled. Based on the work session interviews and discussion on May 25, 2021, it was recommended Matthew Mangum and Anthony DeMille be appointed as regular members of the PRC. Paul Nielson was contacted by staff following the work session discussion to see if he would be interested in filling the alternate vacancy on the PRC since his initial application was for the Planning Commission. He responded expressing his willingness to serve in that capacity on the PRC; therefore, staff recommends he be appointed as an alternate member of the PRC.



HEDGEHOG ANALYSIS

While these appointments have not been officially scored on the hedgehog tool, filling these positions is critical to the continued success of the Parks & Recreation Commission.

CORRESPONDING POLICY PRIORITY (IES)

Improve Clearfield's Image, Livability, and Economy. Provide for high quality facilities and services. The input received by members of the Parks & Recreation Commission is vital to the process providing the services that are desired by our residents to create a place where people want to be right here in Clearfield.

FISCAL IMPACT

- a. **FISCAL** – N/A
- b. **OPERATIONS / SERVICE DELIVERY**- The Parks & Recreation Commission provides important feedback that is used to guide the decisions of the Community Services Department. This helps to ensure that we provide the services that our residents desire.

ALTERNATIVES

There is a one position to be filled by a member of the Youth Commission. Additionally, there are three regular member vacancies and one alternate vacancy so the Council could appoint Alyssa Belford and any of the others interviewed to the four vacancies.

SCHEDULE / TIME CONSTRAINTS

These positions have been open for several months. If applicants are appointed during the policy session on June 8th, they will be prepared to begin serving on the Parks & Recreation Commission during the regularly scheduled meeting on June 16, 2021.

LIST OF ATTACHMENTS

N/A



STAFF REPORT

To: Mayor Shepherd and City Council Members
From: Rich Knapp, Finance Manager
Meeting Date: June 8, 2021
Subject: Water Base Fees & Curbside Recycling Adjustment – July 2021

Recommended Action

Staff recommends the City Council adjust the Water Base Fees and the curbside recycling fee, effective July 1, by adopting the proposed changes to the Consolidated Fee Schedule.

Description / Background

Water Base Fees

As discussed during several budget meetings for FY22, the Water Fund's ability to cover rising costs is diminishing. Historically, the City has increased water rates 3% every January 1. This yearly increase has not covered the rising cost of water from Weber Basin and increased construction costs on projects necessary for the aging system. Water purchased from Weber Basin accounts for 46% of the total operating cost of the Water Fund. Over the last five years, Weber Basin has increased their fee to the City by an average of 7.3%.

The recommended base fee adjustment of July 1, 2021 is a 7% increase. Some base fees in commercial are not proposed to change. The fees not proposed to change follow the 2016 rate study guidance. The recommendation for now, is to increase the base rates by the normally scheduled 3% in January.

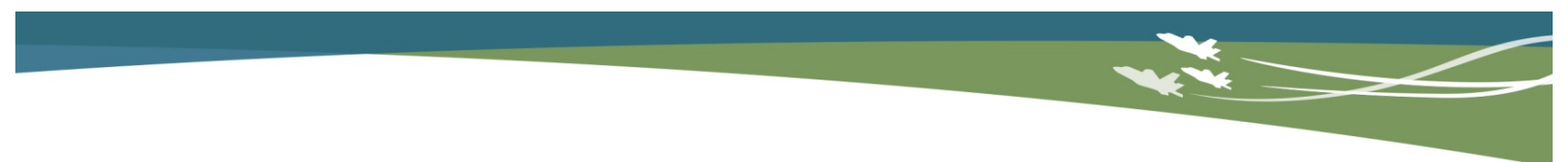
The City has just begun the process for a new rate study. This study will update projected operating and capital costs, account for Weber Basin increases more accurately, anticipate when the utility funds may need to borrow for projects, and recommend new rates. These recommendations will be considered before the normal January fee adjustments.

Curbside Recycling

As discussed in a prior budget meeting this year, Waste Management's July 1 increase of 3.2% will push the cost to the City higher than the charge to the resident. The proposed increase of .15 cents per can will bring the service within 2 cents of break even.

Hedgehog Analysis

The hoglet score is 24. Providing water is the most essential function of a City. It is possible to delay these adjustments, but the costs to provide the service remains.



Corresponding Policy Priorities

A sustainable Water Fund furthers all policy priorities including quality municipal services, image, livability and economy, and a highly motivated and a well-trained workforce.

Fiscal Impact

This proposed July increase will result in an approximate increase of \$155,000 in the Water Fund. However, reduced water consumption, especially from conservation efforts this year, may reduce total revenues. The increased revenue will help the Water Fund borrow for projects, if needed, and help with sustainability.

Schedule / Time Constraints

For the rate to take effect July 1, the adoption of the changes to the fee schedule must occur in June.

Alternatives

Wait to increase the rates. This would probably result in a larger increase all at once.

List of Attachments

- Ordinance 2021-08

CLEARFIELD CITY ORDINANCE 2021-08

AN ORDINANCE AMENDING THE CONSOLIDATED FEE SCHEDULE FOR CLEARFIELD CITY CORPORATION.

PREAMBLE: Ordinance 2008-06 enacted a consolidated fee schedule for utilities, recreation, licensing, permits, impact fees, building rental, etc. for Clearfield City Corporation. The Ordinance makes amendments to Water base fees and the curbside recycling fee.

BE IT ORDAINED BY THE CLEARFIELD CITY COUNCIL:

Section 1. Enactment: Title 2, Chapter 5 of the Clearfield City Code is hereby amended to read as follows:

Section 2. Effective Date: This Ordinance shall become effective immediately upon posting.

Section 3. Repealer: Any Ordinance or sections or portions of ordinances previously enacted by the Clearfield City Council which are in conflict with the provisions of this Ordinance are hereby repealed and replaced by this Ordinance.

Dated this 8th day of June 2021, at the regularly scheduled meeting of the Clearfield City Council.

CLEARFIELD CITY CORPORATION

Mark R. Shepherd, Mayor

ATTEST

Nancy R. Dean, City Recorder

VOTE OF THE COUNCIL

AYE:

NAY:

CONSOLIDATED FEE SCHEDULE CLEARFIELD CITY CORPORATION

UTILITIES

Water

Water rates are from January 1st to December 31st

Single Family Dwellings

	2020	2021	July 1, 2021	2022
Base Fee (5/8" meter) 3% per year	\$13.38	\$13.78	\$14.75	\$15.19
Consumption Charges per 1,000 gallons				
0 - 10,000	\$0.91	\$0.91		\$0.91
10,001 - 40,000	\$1.06	\$1.06		\$1.06
40,001 - 60,000	\$1.21	\$1.21		\$1.21
60,001 - 80,000	\$1.39	\$1.39		\$1.39
80,000 +	\$1.54	\$1.54		\$1.54

Multiple Dwelling Units, Apartment Houses & Mobile Home Parks

(7,000 gallons allowed per unit, then commercial rates apply)

Each Unit	\$14.47	\$14.91	\$15.95	\$16.43
-----------	---------	---------	---------	---------

Commercial

Increase per Year

Base fee, based on meter size

5/8" - 3/4"	2.37%	\$19.16	\$19.62	\$20.99	\$21.49
1" - 1 1/2"	0%	\$81.64	\$81.64		\$81.64
2"	0%	\$107.11	\$107.11		\$107.11
3"	0.12282%	\$274.12	\$274.45		\$274.79
4"	0.62576%	\$417.70	\$420.32		\$422.95
6"	5.41%	\$662.19	\$698.03	\$746.89	\$769.30

Consumption Charges per 1,000 gallons	\$1.11	\$1.11		\$1.11
---------------------------------------	--------	--------	--	--------

Sprinkling lawns, unmetered - base fee from 5/8" commercial rate plus per square foot of lawn area.

Unmetered lawn accounts will be billed monthly for a five (5) month period each from May 1 up to and including September 30.	\$0.006056	\$0.006238		\$0.006425
--	------------	------------	--	------------

Fire Protection Standby Charge:

Sprinkling system standby charge per diameter inch of main pipe supply	\$3.58	\$3.69		\$3.80
--	--------	--------	--	--------

More than one User:

Minimum monthly fee based on meter size. Consumption fee shall be divided equally between users, unless users present a written agreement that fees shall be charged on different basis other than equally.

Unmetered Services

Commercial & industrial users not having metered water service shall be charged for water services based on the number of connections and number of employees

8 or fewer employees minimum 1.0" meter size	\$92.79	\$95.57	\$102.26	\$105.33
9 or more employees, charged at 2.0" meter size	\$121.83	\$125.48	\$134.26	\$138.29

Sewer				2020	2021	2022
Residential						
Single Family Base	Clearfield City	2% per year	beginning Jan 1	\$12.62	\$12.87	\$13.13
	North Davis Sewer District		beginning July 1	\$21.50*	\$21.50*	\$21.50*
Multi-Unit Base	Clearfield City	3% per year	beginning Jan 1	\$9.56	\$9.84	\$10.14
	North Davis Sewer District		beginning July 1	\$21.50*	\$21.50*	\$21.50*
Commercial						
Base Rate	Clearfield City	2% per year	beginning Jan 1	\$15.07	\$15.37	\$15.68
	North Davis Sewer District		beginning July 1	\$21.50*	\$21.50*	\$21.50*
Consumption fee per 1,000 gallons	Clearfield City		beginning Jan 1	\$0.65	\$0.65	\$0.65
	North Davis Sewer District		beginning July 1	\$2.15*	\$2.15*	\$2.15*

*subject to change by the North Davis Sewer District

Note: North Davis Sewer District charges are set by the sewer district and not Clearfield City. These rates may change.

Billing periods beginning May 1st through and including the November 1st bill of each year will be billed on a five month winter average consisting of water consumption from December 1st through April 1st bills.

More than one User:

Minimum monthly fee based on meter size. Consumption fee shall be divided equally between users, unless users present a written agreement that fees shall be charged on different basis other than equally.

Unmetered Services

Commercial & industrial users not having metered water service shall be charged for water services based on the number of connections and number of employees

8 or fewer employees minimum 1.0" meter size

Commercial Monthly Base Fee

9 or more employees, charged at 2.0" meter size

Commercial Monthly Base Fee + \$1.00/employee

Special Treatment

When sewage requires special treatment or causes an unusual and abnormal burden on the disposal facilities, additional charges shall be assessed as determined by the City Council to be fair and equitable.

Storm Water

Residential

Single-Family per ESU and duplex

5% per year

Tri-plex and fourplex

Apartments with more than 4 units at Commercial rate

Commercial

Retention Percent

0%

20%

30%

50%

2020

2021

2022

\$5.94

\$6.24

\$6.55

\$5.94

\$6.24

\$6.55

\$4.76

\$4.99

\$5.24

\$4.16

\$4.37

\$4.59

\$2.97

\$3.12

\$3.28

(2,700 sq ft of impervious surface equals 1 ESU)

Credit for On-Site Mitigation:

50% with maximum release of 0.20 cfs/ac and having installed an approved sand & oil interceptor

30% with maximum release of 0.20 cfs/ac within a landscaped area or a retention basin within a

20% with maximum release of 0.20 cfs/ac within an impervious surface area on the site or within a

Residential Solid Waste (Garbage) & Recyclables

Base fee--1st trash container

\$16.75

Each additional trash container

\$10.00

First recycle container

\$4.95

Each additional recycle container

\$4.95

Utility Taxes

Six percent (6%) of total water and sewer charges

Misc. Fees

Refundable security deposit

\$120.00

Late Fee

\$10.00 or 1.5%, whichever is greater

Second Delinquent Notice

\$10.00

Utility Service Fee-disconnect/reconnect fee

\$35.00

Administrative fine for violations of Title 9

Not less than \$100, nor more than \$250

RECREATION FEES:

Park Rental Fees:

	Resident	Non-resident
\$25 refundable cleaning deposit due at the time of rental		
Picnic shelter	\$15.00	\$35.00
Amphitheater (per hour)	\$10.00	\$10.00

Athletic Field / Facility Usage Fees:

	SINGLE USE	TOURNAMENT
Refundable cleaning deposit due at the time of rental	\$100	\$250
	PRIORITY GROUP A	GROUP B
Field Usage Fee (per hour per field)	\$40.00	\$40.00
	Baseball/Softball	Soccer
Practice Field Usage fee (per hour per field)	\$8.00	\$10.00
Soccer Field Rental (per hour)	\$12.00	\$24.00
Lights (per hour per field)	\$20.00	\$20.00
Baseball/Softball Field preparation Mon-Fri (per field)	\$25.00	\$25.00
Baseball/Softball Field preparation Sat-Sun (per field)	\$40.00	\$40.00
Soccer Prep Field Preparation Mon-Fri (per field, practice fields)	\$40.00	\$40.00
Soccer Prep Field Preparation Saturdays (per field, practice fields)	\$60.00	\$60.00
Weekly fee for game field preparation (per field)	\$5.00	\$5.00
Scoreboard (per field)	\$10.00	\$10.00
Supervisor in charge of scoreboard (per hour)	\$12.00	\$12.00

Pickleball Facility Rental Fees and Regulations

Single Court Rental (per court per hour)	\$10.00
--	---------

Weekend Rental Fee (Prime time use)

	Per Day
4 Courts	\$300.00
8 Courts	\$600.00
12 Courts	\$900.00
16 Courts	\$1,200.00

* Only one all day event rental allowed per month on weekends between April - October

Weekday Rental Fee (non prime time use)

	8:00 a.m.-6:00 p.m.
4 Courts	\$150.00
8 Courts	\$300.00
12 Courts	\$450.00
16 Courts	\$600.00

Deposit (required to reserve courts for all tournaments)

*using 4 courts for more than 4 hours constitutes a tournament.

July 4th Booth Fees:

	All vendors
Shaded booth, no electricity	\$80.00
Shaded booth, non-food w/electricity	\$110.00
Shaded booth, w/electricity food vendor	\$110.00
Food vendor with own trailer w/electricity	\$100.00
Each additional electrical outlet	\$10.00

Recreation Leagues, Sports, Classes, and Misc. Fees:

Contact Community Services Department

AQUATIC CENTER FEES:

Membership fees may be altered in conjunction with marketing efforts to allow for the effective promotion of the Clearfield Aquatic Center with the approval of the Community Services Director.

(All fees include tax)

Daily Admission

Child 3 and under	\$2.00
Youth 4-17	\$5.00
Adult 18+	\$7.00

Annual Membership fees

Membership rates includes tax

	2020-2021 Rates			
	Resident Discount Rate		Market Rate	
	Monthly	Annual	Monthly	Annual
Youth	\$ 18.00	\$ 205.00	\$ 27.00	\$ 315.00
Adult	\$ 27.00	\$ 315.00	\$ 40.50	\$ 470.00
Couple/Buddy Pass	\$ 35.50	\$ 410.00	\$ 53.00	\$ 615.00
Family (up to 6)*	\$ 45.00	\$ 525.00	\$ 64.00	\$ 750.00

*The annual fee for each additional family member above the maximum of 6 is \$25.00 per person

	2021-2022 Rates			
	Resident Discount Rate		Market Rate	
	Monthly	Annual	Monthly	Annual
Youth	\$ 20.50	\$ 240.00	\$ 31.50	\$ 370.00
Adult	\$ 31.50	\$ 370.00	\$ 47.00	\$ 550.00
Couple/Buddy Pass	\$ 41.00	\$ 480.00	\$ 61.50	\$ 720.00
Family (up to 6)*	\$ 53.00	\$ 615.00	\$ 75.00	\$ 875.00

*The annual fee for each additional family member above the maximum of 6 is \$25.00 per person

	2022-2023 Rates			
	Resident Discount Rate		Market Rate	
	Monthly	Annual	Monthly	Annual
Youth	\$ 24.00	\$ 280.00	\$ 37.00	\$ 435.00
Adult	\$ 37.50	\$ 435.00	\$ 55.00	\$ 645.00
Couple/Buddy Pass	\$ 48.00	\$ 560.00	\$ 72.00	\$ 840.00
Family (up to 6)*	\$ 62.00	\$ 720.00	\$ 87.50	\$ 1,020.00

*The annual fee for each additional family member above the maximum of 6 is \$25.00 per person

Membership Registration Fee

Individual one-time registration fee	\$25.00	\$25.00
Adult Couple one-time registration fee	\$50.00	\$50.00
Family one-time registration fee	\$75.00	\$75.00

Corporate/Business Annual Membership Group Discount Rates

	10-19 Members		20+ Members		
	5% Discount		10% Discount		
RESIDENT BUSINESSES					
Senior		\$166.25		\$157.50	
Adult		\$256.50		\$243.00	
Sr. Couple		\$256.50		\$243.00	
Adult Couple		\$332.50		\$315.00	
Family		\$427.50		\$405.00	
NON RESIDENT BUSINESSES	5-9 Members	10-14 Members	15-19 Members	20-24 Members	25+ Members
	5% Discount	10% Discount	15% Discount	20% Discount	25% Discount
Senior	\$265.50	\$243.00	\$229.50	\$216.00	\$202.50
Adult	\$380.00	\$360.00	\$340.00	\$320.00	\$300.00
Sr. Couple	\$380.00	\$360.00	\$340.00	\$320.00	\$300.00
Adult Couple	\$498.75	\$472.50	\$446.25	\$420.00	\$393.75
Family	\$608.00	\$576.00	\$544.00	\$512.00	\$480.00

Membership Cancellation Fee

Individual	\$25.00	\$25.00
Couple	\$50.00	\$50.00
Family	\$75.00	\$75.00

15-Punch Pass

Youth 4-17	\$60.00	\$60.00
Adult	\$105.00	\$105.00

Aquatic Center Day Care

Hourly rate per child	\$3.75	\$3.75
5-hour punch pass	\$16.25	\$16.25
10-hour punch pass	\$30.00	\$30.00
30-hour punch pass	\$68.75	\$68.75
50-hour punch pass	\$125.00	\$125.00

Aquatic Center Programs

	Resident	Non-resident
Swim lessons	\$34.00	\$40.00
Private swim lessons - one student	\$14.00	\$16.00
Private swim lessons - two students	\$15.00	\$17.00
Private swim lessons - three students	\$16.00	\$18.00
Clearfield City Aquatics Team - Bronze (3 days/week, 1 hr practice)	\$34.00	\$40.00
Clearfield City Aquatics Team - Silver (3 days/week, 2 hr practices)	\$44.00	\$50.00
Clearfield City Aquatics Team - Gold (5 days/week, 2 hr practices)	\$54.00	\$60.00

Aquatic Center Facility Rentals:

	Per hour
Leisure pool 1-100 people	\$150.00
Lap pool 1-100 people	\$100.00
Lap and Leisure pool 1-100 people	\$225.00
Lap pool / splash pad	\$125.00
Lap pool / leisure pool / splash pad	\$300.00
Splash pad & patio area	\$75.00
Lane rental	\$12.50
Shower rental	\$50.00
Wet classroom	\$35.00
Party room	\$35.00
Birthday party package includes 1 hour in party room, 8 children, 2 adults)	\$80.00
Full aquatic center	\$400.00
Full Gym	\$100.00
Half Gym (east or west)	\$50.00
1 full court	\$30.00
1 basket	\$15.00

Aquatic Center Misc. Fees:

Body Fat Testing	\$10.00
Group Personal Training 1 session	\$60.00
Group Personal Training 3 sessions	\$168.00
Group Personal Training 6 sessions	\$312.00
Group Personal Training 10 sessions	\$480.00

	Members	Non-Members
Personal Training - 1 session	\$35.00	\$40.00
Personal training - 10 sessions	\$290.00	\$340.00
Personal training - 6 sessions	\$186.00	\$216.00
Personal training - 3 sessions	\$99.00	\$114.00

BUSINESS LICENSE FEES

General Business License

	Fee / Amount
New / Commercial	\$75
New / Home	\$75 when applicable
Renewal / Commercial	\$64
Renewal / Home	\$64 when applicable

Rental Dwelling License

New	\$190
New - Good Landlord Participant	\$30
Renewal or amendment	\$64

Temporary or Seasonal Merchant License

New - One hundred eighty (180) Days	\$120
-------------------------------------	-------

Mobile Food Vendor License

\$75 when applicable

Solicitors License

New	\$215
Renewal	\$64
Identification Badge	\$15

Beer Licenses

Class A - Off-Premise

New	\$138
Renewal	\$64

Class B - Restaurant

New	\$138
Renewal	\$64

Class C - Tavern

New	\$138
Renewal	\$64

Class D - Nonprofit Organization

New	\$138
Renewal	\$64

Class E - Temporary Special Event

New	\$138
Renewal	\$64

Sexually-Oriented Business Licenses

Outcall Services

New	\$200
Renewal	\$64

Adult Business

New	\$200
Renewal	\$64

Nude Entertainment Business

New	\$200
Renewal	\$64

Semi-nude Dancing Bar

New	\$200
Renewal	\$64

Nude and Semi-nude Dancing Agency

New	\$200
Renewal	\$64

Sexually-Oriented Business Employee Licenses

Non-performing Employee

New	\$200
Renewal	\$64

Outcall Services Performer

New	\$200
Renewal	\$64

Adult Business Performer	
New	\$200
Renewal	\$64
Nude Entertainment Business Performer	
New	\$200
Renewal	\$64
Semi-nude Dancing Bar Performer	
New	\$200
Renewal	\$64
Firework Stand License	
New	\$120
Cleaning Deposit	\$100
Pawnbroker License	
New	\$138
Renewal	\$64
Massage Establishment License	
New	\$178
Renewal	\$64
Sole Massage Therapist Establishment License	
New	\$178
Renewal	\$64
Outcall Massage Services License	
New	\$178
Renewal	\$64
City Massage Therapist Identification Badge	\$15
Massage Businesses Appeal	
Appeal of Final Business License Violation Determination	\$150
Massage Establishment Reinspection Fees	
First time Massage Business reinspection fee	\$150
Any inspection that lasts over one hour shall incur the cost of an Additional Massage Business reinspection fee, to be collected in addition to the first time Massage Business reinspection fee.	
Additional Massage Business reinspection fee	\$250
Any Additional Massage Business reinspection that lasts over one hour shall incur the cost of an Additional Massage Business reinspection fee, to be collected in addition to the original Additional Massage Business fee, and compounded therefrom from each additional hour.	
Disproportionate Service Fees	
Daycare / Preschool, Commercial (new only)	\$10
Daycare / Preschool, Home (new only)	\$135
Manufacturing Businesses (new and renewal)	\$200
Single-Family Rental (new and renewal) with Good Landlord Program - per unit	\$7
Two-Family Rental (new and renewal) with Good Landlord Program Discount - per unit	\$3
3/4-Plex Rental (new and renewal with Good Landlord Program Discount - per unit	\$9
Multi-Family Rental (new and renewal) with Good Landlord Program Discount - per unit	\$7
Mobile Home Park (new and renewal) with Good Landlord Program Discount - per unit	\$7
Single-Family Rental (new and renewal) - per unit	\$66.50
Two-Family Rental (new and renewal) - per unit	\$12.50
3/4-Plex Rental (new and renewal) - per unit	\$92.00
Multi-Family Rental (new and renewal) - per unit	\$67.00
Mobile Home Park (new and renewal) - per unit	\$49.50
Convenience Stores (new and renewal)	\$500
Restaurants (new and renewal)	\$150
Tavern (new and renewal)	\$800
Automotive (new and renewal)	\$115
Financial Services (new and renewal)	\$440
Pawn Shops (new and renewal)	\$500

Bonds Required**Sexually-Oriented Businesses:**

Each applicant for a sexually-oriented business license shall post with the City's business license department a cash or corporate surety bond, payable to the City, in the amount of two thousand dollars (\$2,000). Any fines assessed against the business, officers or managers for violations of City ordinances shall be taken from this bond if not paid in cash within ten (10) days after notice of the fine, unless an appeal is filed. In the event the funds are drawn against the cash or surety bond to pay such fines, the bond shall be replenished to two thousand dollars (\$2,000) within fifteen (15) days of the date of notice of any draw against it.

Firework Stands:

Bond Or Liability Insurance: Any application for permit as herein provided shall be accompanied by a certificate of insurance insuring the licensee and naming the City as *the certificate holder*, conditioned for the payment of all damages which may be caused either to a person or to property by reason of the display so licensed and arising from any acts of the licensee, his agents or employees. Such insurance shall be in a sum not less than (\$100,000.00/ per person and \$300,000.00) per occurrence for bodily injury and (\$50,000.00/-per person and -\$100,000.00) per occurrence for property damage and no City officer or licensing agent or other representative of the City shall in any event issue any permit hereinabove referred to until such certificate of insurance has been furnished and passed upon by the City Manager and the City Attorney as to form and sufficiency.

Pawnbrokers:

Prior to the issuance of any license for the business of a pawnbroker, the applicant therefore shall file with the Director of Finance a bond with a sufficient surety in the penal sum of two thousand dollars (\$2,000.00), in such form as shall be approved by the City Attorney, conditioned for the faithful observance of all laws and ordinances respecting pawnbrokers. The form of the bond and the sufficiency of the surety shall be approved by the City Attorney.

Miscellaneous

Duplicate license / certificate	\$5
Report showing all businesses licensed in the city	\$5

Penalties

Renewals not paid on or before January 15th	50 % of the total amount due
Engaging in business without a license	\$50

Amended License

Processing Fee	\$5
----------------	-----

Business License Appeal

Fee	\$75
-----	------

POLICE

Fingerprinting (resident)	\$10.00
Fingerprinting (non-resident)	\$15.00
BCI Background check	\$15.00

Alarms

Failing to have a responsible person respond on alarm	\$25.00
False Alarms per quarter of a calendar year outside of a 24 hr period	
(A) Third alarm	\$50.00
(B) Fourth alarm	\$75.00
(C) Fifth alarm	\$100.00

Registration Fee

Sex Offender	Yearly Registration	\$25.00
Sex Offender	DNA collection	\$25.00
Child Abuse Offender	Yearly Registration	\$25.00
Child Abuse Offender	DNA collection	\$25.00
Contract Services for Police Officers		\$65.75 per hour (2 hour minimum)

GRAMA FEES (includes Police Reports):

Photocopies (copied or scanned)	
single sided 8 1/2" X 11"	\$0.25
double sided 8 1/2" X 11"	\$0.40
Certification of Copies per page	\$2.00
Research, compilation, editing, redacting, etc:	
first 15 minutes	No charge
additional time (one hour minimum)	
Assessed at the cost of the hourly rate of the staff member who has the necessary skills and training to perform the request.	
Audio Recordings	\$5.00
Maps (copied or scanned)	
8 1/2" X 11" (color)	\$2.50 each
11" X 17" (color)	\$5.00 each
18" X 24" (color)	\$25.00 each
24" X 36" (color)	\$30.00 each
36" X 44" (color)	\$35.00 each
custom	\$10.00 per sq ft with \$10.00 minimum

PLANNING & ZONING FEES:

Engineering Fees	Per City Engineer Hourly Rates
Site Plan Review	\$500 plus Engineering
Administrative Site Plan Review	<u>\$200</u> plus Engineering
Conditional Use Permit	
Home Occupation	\$200 plus Engineering
Residential	\$350 plus Engineering
Commercial	\$350 plus Engineering
Request for Extension	\$200 plus Engineering
Downtown Clearfield Form Based Code Site Plan Review	\$700 plus Engineering
Rezone	\$650 plus Engineering
Zoning Ordinance Amendment	\$650 plus Engineering
General Plan Amendment	\$900 plus Engineering
Street Vacation	\$450 plus Engineering
Plat Vacation / Amendment	\$300 plus Engineering
Annexation	\$1000 plus Engineering
Special Planning Commission Meeting	\$500
Subdivision Approval	
Preliminary	\$500 + \$25 per lot, plus Engineering
Final	\$400 + \$25 per lot, plus Engineering
Subdivision Public Hearing	\$300
Development Agreement Fee	\$500
Appeal to the Planning Commission or City Council	\$150 plus Independent Legal Fees
Recording Fees	Paid directly to Davis County Recorder
Permanent Sign Permit	\$50 application fee, plus building permit
Temporary Sign Permit	\$25 application fee
Variance	\$250 plus Engineering
Zoning Verification Letters	\$75

GIS Data Pricing

Parcel Layer	\$50.00
Street (Centerline) Layer	\$50.00
Zoning Layer	\$50.00
Any other GIS or CAD Layers	\$20.00 each
Aerial Photography	\$90.0/sq. mi.
Special Projects	\$50.00 per hour
Hard copy color maps	\$1.00 / Sq. Ft.

Small Wireless Facility Fees:

Application Fees:		\$100.00	ea. SWF on same app
Co-location of an SWF on an existing or replacement utility pole		\$250.00	per application
Permitted use to install, modify, or replace a utility pole with an SWF		\$1,000.00	per application
Non-permitted use to install, modify, or replace a new or existing utility pole with an SWF			
Co--Location Fee		\$50.00	annually per City utility pole
Right-of-Way Rates:	(whichever is greater)	3.5 percent	of all gross revenue, or
		\$250.00	annually for each SWF

BUILDING PERMIT AND DEVELOPMENT FEES:

The City may reduce building permit and development fees for public infrastructure projects for local governmental entities upon request to the Community Development Director. Fees charged should, at a minimum, cover administrative and direct costs incurred as determined by the Community Development Director.

General - Building valuation:

From \$1 to \$500	\$23.50
From \$501 to \$2,000	\$23.50 plus \$3.05 each additional \$100 or fraction thereof
From \$2,001 to \$25,000	\$69.25 plus \$14.00 each additional \$1,000 or fraction thereof
From \$25,001 to \$50,000	\$391.75 plus \$10.10 each additional \$1,000 or fraction thereof
From \$50,001 to \$100,000	\$643.75 plus \$7.00 each additional \$1,000 or fraction thereof
From \$100,001 to \$500,000	\$993.75 plus \$5.60 each additional \$1,000 or fraction thereof
From \$501,000 to \$1,000,000	\$3,233.75 plus \$4.75 each additional \$1,000 or fraction thereof
From \$1,000,000 up	\$5,608.75 plus \$3.65 each additional \$1,000 or fraction thereof

Pools, tubs and spas:

Public	\$150 each
Private	\$47 each

Landscape sprinkling system

\$47 each

Plan check fee:

Commercial	
65% of the building permit fee for building value of \$1 - \$100,000	
60% of the building permit fee for building value of \$100,001 - \$500,000	
50% of the building permit fee for building value of \$500,001 and greater	
Use of outside consultants for plan checking	Actual Cost **
Residential and pools	20% of the building permit fee
Residential "Identical Plans"	\$47

** Actual costs include administrative and overhead costs

Plan check deposit required for new construction

Residential	\$100
Commercial	\$250

Off-site Bonds

Residential	\$2,000
Commercial	As per City Engineer's cost estimate

Permit inspection fees:

Outside normal business hours (minimum charge of two hours)	\$47 per hour
Re-inspection	\$47 per hour
Inspections for which no fee is specifically indicated (minimum charge of .5 hours)	\$47 per hour
Additional plan review required by revisions (minimum charge of .5 hours)	\$47 per hour

Home daycare or preschool plan check and inspection fee	\$25 each
--	-----------

Street Cut Permit (Excavation Permit)

Lateral excavation (roads older than 1 year)	\$60 / lane cut
Lateral excavation (roads newer than 1 year)	\$120 / lane cut
Longitudinal excavation (roads older than 1 year)	
First 660 lineal feet	\$120
Each additional 660 lineal feet or fraction thereof	\$240
Longitudinal excavation (roads newer than 1 year)	
First 660 lineal feet	\$240
Each additional 660 lineal feet or fraction thereof	\$240
Excavations off improved right-of-ways	\$60
Bond per lateral excavation	\$1,000
Bond per unlimited number of lateral excavations	\$15,000
Bond for longitudinal excavation for 100 lineal feet or fraction thereof	\$2,000

Demolition permit (including inspections)	\$150
--	-------

State Surcharge

A 1% state surcharge may be applicable to building permit fees

Water Meter Fees

	Cost	Installation Fee
5/8" x 3/4" Meter	\$208	\$25
1" Meter	\$292	\$25
1-1/2" Meter	\$530	\$25
2" Meter	\$700	\$25
2" Compound Series Meter w/2 Orion Transmitters	\$1,945	Per City Public Works Hourly Rate
3" Compound Series Meter w/2 Orion Transmitters	\$2,263	Per City Public Works Hourly Rate
4" Compound Series Meter w/2 Orion Transmitters	\$3,528	Per City Public Works Hourly Rate
6" Compound Series Meter w/2 Orion Transmitters	\$4,927	Per City Public Works Hourly Rate
1-1/2" Turbine Meter	\$800	Per City Public Works Hourly Rate
2" Turbine Meter	\$875	Per City Public Works Hourly Rate
3" Turbine Meter	\$987	Per City Public Works Hourly Rate
4" Turbine Meter	\$1,448	Per City Public Works Hourly Rate
6" Turbine Meter	\$3,413	Per City Public Works Hourly Rate

Telecommunications franchise application fee	\$500
---	-------

Sewer Connection Fees

Each connection to the city sanitary sewer system including each new	\$500
Additional connection fee per lot within the subdivision, mobile home park,	\$25

Building Permit - New Construction Water Fee

Fee for water usage during construction of new residential units, fee charged per unit	\$50
--	------

DEVELOPMENT IMPACT FEES:

Dec. 13, 2016

Residential

Single Family (includes attached & detached)	Park Impact Fee-Single Family	\$2,339.00
	Park Impact Fee-Multi Family	\$1,441.00
	Storm Water per ESU	\$64.00
	Water	\$254.00
	Sewer	\$613.00

Non-residential

Storm water per ESU (1 ESU = 2,700 sq. ft. of impervious surface)

If there is storm water detention onsite, the fee is reduced if the detention area is:

Paved - 20% reduction

Grassed - 30% reduction

Sand & Oil Interceptor - 50% reduction

Water Impact (per water meter size*)

Dec. 13 2016

3/4"	\$352.00
1" - 1 1/2"	\$705.00
2"	\$1,411.00
3"	\$4,517.00
4"	\$7,059.00
6"	\$14,118.00

Sewer Impact (per water meter size*)

3/4"	\$851.00
1" - 1 1/2"	\$1,703.00
2"	\$3,406.00
3"	\$10,900.00
4"	\$17,031.00
6"	\$34,062.00

* Water and sewer impact fees for meters larger than six inches will be based on annualized average day demand and the net capital cost per gallon of capacity.

Independent Fee Calculation Review

\$150 plus Actual Cost

Administrative fee for Appeals

\$75

DOG LICENSES

Duplicate (replacement) tag	\$6.00
Unaltered and no chip	\$40.00
Altered with no chip	\$15.00
Altered with chip	\$10.00
Senior unaltered one year license	\$10.00
Senior lifetime, with chip and altered	\$20.00

FIRE HYDRANT METERS

Short Term Meter (3 days or less)	\$8.00 + usage charges
Long Term Meter (4 or more days)	\$30/month + usage charges
Lost, broken or damaged meter	\$2,500.00
Lost, broken or damaged hose	\$100.00

NEIGHBORHOOD DUMPSTERS

\$100.00

CEMETERY FEES

	Resident	Non-resident
Plot - adult (includes perpetual upkeep)	\$450.00	\$950.00
Interment - adult	\$300.00	\$600.00
Plot - infant (includes perpetual upkeep)	\$150.00	\$400.00
Interment - infant/cremains	\$200.00	\$300.00
Plc Interment extra fee for evenings/weekends/holidays*	\$250.00	\$500.00
* Evening services are defined as those that are scheduled for 3:30pm or late	\$200.00	\$250.00
Disinterment	\$500.00	\$500.00
Ce within 1 year of purchase	\$100.00	
All other certificate transfers	\$10.00	\$10.00
Gravesite Marker (for second and each additional time)	\$25.00	\$25.00

BUILDING RENTAL FEES

	Resident	Non-resident
Refundable cleaning & security deposit - no food	\$50.00	\$50.00
Refundable cleaning & security deposit - food served	\$250.00	\$250.00
Room Rental /hour (2-4 hrs) non-profit, government, commercial	\$35.00	\$50.00
Room Rental /hour (5-8 hrs) non-profit, government, commercial	\$31.50	\$45.00
Room Rental /hour (9-12 hrs) non-profit, government, commercial	\$28.00	\$40.00
Room Rental /hour (13+ hrs) non-profit, government, commercial	\$24.50	\$35.00
Theater & MP room pkg /hr (2-4 hrs) non-profit, government, commercial	\$50.00	\$70.00
Theater & MP room pkg /hr (5-8 hrs) non-profit, government, commercial	\$45.00	\$63.00
Theater & MP room pkg /hr (9-12 hrs) non-profit, government, commercial	\$40.00	\$56.00
Theater & MP room pkg /hr (13+ hrs) non-profit, government, commercial	\$35.00	\$50.00
Sound and lighting / per hour	\$20.00	\$20.00
Projector & screen / per hour	\$20.00	\$20.00

LEGAL DEPARTMENT DISCOVERY FEES

Copies (first 10 pages)	\$5.00
Copies (11 plus pages)	\$0.25/page
Photos (color copies)	\$2.00/page
DVDs/Video/Audio Recordings (Copies)	\$20.00/each

ONLINE TRAFFIC SCHOOL

Tuition	\$50.00
---------	---------

PARKING VIOLATIONS:**UNAUTHORIZED USE OF STREETS**

	\$125.00
Stopping, Standing and Parking 7-4-1 through 7-4-25	\$125.00
Stopping, Standing and Parking 7-4-28 through 7-4-30	\$125.00
Stopping, Standing and Parking 7-4-26 Fire Lanes	\$200.00
Stopping, Standing and Parking 7-4-27 Parking for Person with Disabilities	\$200.00
Trucks, Dynamic Braking & Restricted Vehicles 7-5-2 Parking of Trucks	\$200.00

PAYMENT REDUCTION; TIME LIMITS

	Fee Reductions:
Any penalty that is paid within ten (10) days from the date of	\$100.00
Any penalty that is paid within twenty (20) days from the date of notice shall be	\$50.00
Any penalty that is paid within thirty (30) days from the date of notice shall be	\$25.00

CIVIL INFRACTION HEARING EXAMINER ("CIHE") REDUCTION

A Penalty Reduction for a Parking Violation by CIHE Pursuant to 1-15-6(3) shall	\$15.00
---	---------

CODE ENFORCEMENT:**Penalties, Costs, and Filing Fees**

Vehicle Restoration Permit (Not to exceed six (6) consecutive months)	\$25.00
Vehicle Restoration Permit Extension (One (1) six-month extension)	\$50.00
Violation Penalty	Subject to reduction at the discretion of the city manager
Hearing Request Filing Fee	Subject to reduction at the discretion of the city manager or his or designee, the hearing request fee is \$150.00 per No Charge
First Compliance Inspection	Subject to reduction at the discretion of the city manager
Repeat Re-Inspection Fee	Actual hourly rates for participating employees and actual
Administrative Code Enforcement Costs, including costs of hearing preparation,	10% per annum, compounded monthly
Interest Rate on Overdue Amounts	

MISCELLANEOUS

Returned payment	\$20.00
Chicken License	\$15.00
Original Art Mural Permit	\$50.00 plus inspection fees



STAFF REPORT

TO: Mayor Shepherd and City Council Members
FROM: Curtis Dickson Community Services Deputy Director
MEETING DATE: June 8, 2021
SUBJECT: Bid Award for the Restroom Facilities at Steed Park

RECOMMENDED ACTION

Approve the award of bid for the Restroom Facilities at Steed Park Project to Thurgood Construction for the amount of \$104,998 with a contingency of \$21,002 for a total project cost of \$126,000; and authorize the Mayor's signature to any necessary documents.

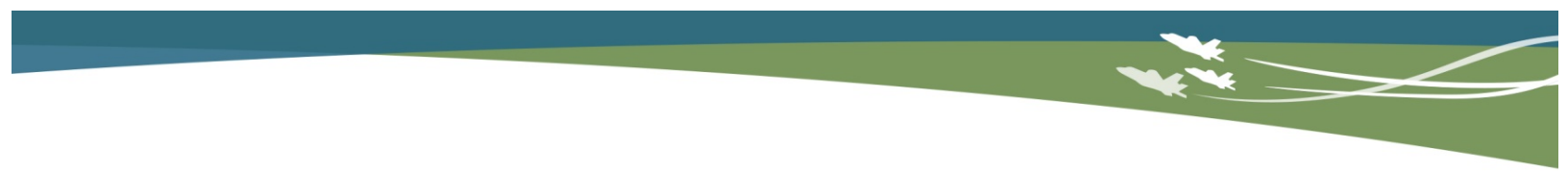
DESCRIPTION / BACKGROUND

The Parks and Open Space capital budget for FY2021 has \$190,000 budgeted to renovate the restrooms at Island View, Kiwanis and Steed Parks restrooms, and a new restroom at Central Park. However, due to the enormous demand and use at the City's new pickleball complex at Steed Park, funds for those projects were redirected to install a new restroom at the pickleball complex. To complete this project, a new sewer line needs to be installed from the pickleball complex to the main sewer line located in 300 N.

The available funding for the project is intended to purchase the restroom and to install the sewer line, water line, and electrical connections. The cost of the restroom is \$120,924.00 leaving \$69,076.00 for the installation of the sewer line. Initial cost estimates for the sewer line were \$50,000. The water line and power connections are already located near the pad location for the restroom. The contract would also include stubbing these connections to the pad site and prepare the pad for the restroom.

Staff solicited bids to install the new sewer line and had one potential bidder show for the non-mandatory walkthrough on May 11, 2021. The bid closed with three bids submitted. The bids ranged from \$104,988.75 to \$157,340.00. The City Council discussed the project during its work session on June 1, 2021. Mayor Shepherd and the City Council felt it was in the best interest of the City to fund the project using the remaining budgeted funds as well as PARAT Tax funds to complete the Pickleball Restroom Facilities at Steed Park project.

Since the lead time for delivery of the restroom is 4-5 months, the restroom has been ordered and is set to be delivered in late August or early September. In order to have the pad prepared and sewer



line installed in time to have it all ready for the delivery of the restroom, the installation of the sewer line and preparation of the building pad needs to be completed in the next two months.

HEDGEHOG ANALYSIS

The project does not have a hedgehog score. However, since this was a change for the Council's capital priorities for FY2021 staff is working to adjust its projects for the year.

CORRESPONDING POLICY PRIORITY (OR PRIORITIES)

Providing Quality Municipal Services: This project continues the path of continuous improvement, fiscal responsibility and having well planned facilities and infrastructure. This project will help the continual improvement of the City's existing park amenity infrastructure by making this area a place where people who use the pickleball courts, especially for tournaments, will have a restroom facility nearby. The restroom will also be close enough to service those using the rail trail near the Steed Park portion of the trail.

FISCAL IMPACT

The fiscal impact is the capital investment of installing the sewer line for the bid amount of \$95,000 and the cost of the restroom at \$120,924 which would exceed the budget by almost \$26,000. There will be a slight increase in parks maintenance required due to additional restroom cleaning during the usage season.

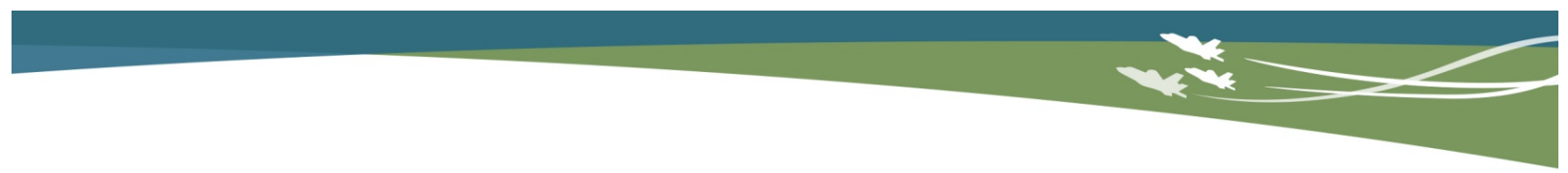
ALTERNATIVES

Alternatives for this project are as follows:

- Fund the project using the re-allocated funds outlined in the FY2021 budget and install the restroom soon after. (Staff's recommendation) This option would require an additional allocation of \$30,000 - \$35,000 to complete the project due to escalating costs. These additional funds could be allocated from (1) fund balance, (2) PARAT Tax revenues, (3) by reappropriating funds from other projects.
- Not fund the project.

SCHEDULE / TIME CONSTRAINTS

If Council is willing to move forward this will be on the next policy session for formal approval. The project would begin immediately once contracts are signed and in place. The goal is to have the project finished by the end of the 2021 summer.



LIST OF ATTACHMENTS

Letter of Recommendation

20th May 2021

Clearfield City
55 South State Street
Clearfield, Utah 84015

Attn: Mayor Mark Shepherd and City Council
Proj: **Pickleball Restroom Facilities Project, 300 North - Steed Park**
Subj: Bid Results, Bid Proposal Tabulation & Recommendation

Dear Mark Shepherd and Council Members,

The “Bid Opening” for the above referenced project was conducted this afternoon. The lowest responsible bidder is Thurgood Construction of Clinton City, Utah.

Enclosed are the “Bid Results” and “Bid Proposal Tabulation”. Thurgood Construction’s bid was reviewed and found to meet the bidding conditions required in the Contract Documents.

Since Thurgood Construction’s bid is the low bid for the advertised project, and their bid meets the conditions of the Contract Documents, I herewith recommend award of the above referenced project in the amount of \$104,998.00 to Thurgood Construction Company.

Should you have any questions or desire additional information concerning the contractor or his bid, please feel free to contact our office at your earliest convenience.

Sincerely,
CEC, Civil Engineering Consultants, PLLC.



N. Scott Nelson, P.E., S.E.
City Engineer

Cc: Eric Howes, Community Services Director

CLEARFIELD CITY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY
MEETING MINUTES
6:00 P.M. WORK SESSION

January 5, 2021

(This meeting was held following the City Council work session.)

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/88996299239>

Meeting ID: 889 9629 9239

PRESIDING:	Nike Peterson	Chair
PRESENT:	Kent Bush	Director
	Vern Phipps	Director
	Tim Roper	Director
	Mark Shepherd	Director
	Karece Thompson	Director
STAFF PRESENT:	JJ Allen	City Manager
	Summer Palmer	Assistant City Manager
	Stuart Williams	City Attorney
	Kelly Bennett	Police Chief
	Adam Favero	Public Works Director
	Eric Howes	Community Services Director
	Spencer Brimley	Community Development Director
	Brad McIlrath	Senior Planner
	Rich Knapp	Finance Manager
	Nancy Dean	City Recorder

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, Chair Peterson acknowledged Mayor Shepherd's declaration made on January 5, 2021 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.

Chair Peterson called the meeting to order at 8:55 p.m.

DISCUSSION ON AMENDMENTS TO THE FISCAL YEAR 2021 BUDGET

Rich Knapp, Finance Manager, reviewed the following budget amendment with the Board:

- \$343,000 - Engineering Services for Clearfield Station Transit Oriented Development (TOD) funded from CDA 1 – Clearfield Station planned for Bond reimbursement.

He noted there had been a discussion during the prior City Council work session about forgiveness of a CDRA loan which would be paid by the City from the Utility Admin Fund in the amount of \$1,134,177. Mr. Knapp explained that item would be addressed later in the year as a future CDRA budget amendment since there appeared to be interest from the City Council in proceeding towards loan forgiveness. He indicated that would allow time for a resolution where the loan forgiveness could be properly documented.

JJ Allen, City Manager, pointed out that if the CDRA Board agreed to an incentive grant with Argentine Corner, which would be discussed next in further detail; it would be necessary to add it as an additional budget amendment for consideration in next week's policy session since it was not currently part of the FY21 budget.

DISCUSSION ON THE ARGENTINE CORNER COMMERCIAL DEVELOPMENT AND ECONOMIC STIMULUS INCENTIVE AGREEMENT

JJ Allen, City Manager, stated the CDRA Board had previously approved an incentive award to assist Argentine Corner in its relocation to City Centre; however, due to various reasons the deal had not worked out between the business and the property owner. He noted Argentine Corner was currently in the process of relocating to Clearfield Junction and had asked if the CDRA would aid after a significant investment was made towards its relocation efforts.

Mr. Allen mentioned the incentive was proposed as a matching grant of about 25 percent or \$50,000 whichever would be less. Director Shepherd reviewed the relocation efforts of the business to date and said the funds would assist the business with the buildout and signage for the new location. He indicated his support for the incentive since the Board had committed to it in the past. He suggested it made sense to offer it again. He added the investment would help elevate the image of the City and show the Boards' commitment to business development in the downtown area.

Director Bush wondered if the \$50,000 originally committed had already been paid. Mr. Allen answered it had not been paid. He explained in the past funds were committed to the property owner to improve the location for the business. He stated when that location failed to materialize the new proposal would be to pay the business owner directly post performance. There was a discussion about what Argentine Corner was doing to prepare for its relocation to Clearfield Junction.

The consensus of the Board was to assist with an economic stimulus incentive for the relocation of Argentine Corner to Clearfield Junction. Chair Peterson expressed her approval of the requirement for a five-year commitment within the agreement. Director Shepherd explained the business had made a 15-year lease arrangement.

Mr. Allen indicated the incentive agreement was not included in the 2021 fiscal year budget so it would need to be added as an additional budget amendment for consideration during next week's policy meeting along with the other budget amendments previously discussed. He explained the incentive funds would come from the tax increment revenue produced by RDA 8 as noted in the staff report.

Director Phipps expressed his concern related to parking availability at Clearfield Junction. Director Shepherd mentioned much of the parking meant for consumer parking was currently being utilized for construction equipment. There was a discussion about parking issues, the potential for property management intervention with tenants regarding parking, and the progress of retail tenants at Clearfield Junction.

Director Shepherd moved to adjourn at 9:09 p.m., seconded by Director Phipps. The motion carried upon the following vote: Voting AYE – Directors Bush, Phipps, Roper, Shepherd and Thompson. Voting NO – None.

The City Council work session minutes are in a separate location.

CLEARFIELD CITY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY
MEETING MINUTES
7:00 P.M. POLICY SESSION

May 11, 2021

(This meeting was held following a City Council policy session.)

City Building
55 South State Street
Clearfield City, Utah

PRESIDING VIA
ZOOM MEETING:

Nike Peterson

Chair

PRESENT VIA
ZOOM MEETING:

Kent Bush
Vern Phipps
Tim Roper
Mark Shepherd
Karece Thompson

Director
Director
Director
Director
Director

STAFF PRESENT:

JJ Allen
Summer Palmer
Stuart Williams
Kelly Bennett
Adam Favero
Eric Howes
Curtis Dickson
Spencer Brimley
Brad McIlrath
Lee Naylor
Trevor Cahoon
Wendy Page

City Manager
Assistant City Manager
City Attorney
Police Chief
Public Works Director
Community Services Director
Community Services Deputy Dir.
Community Development Director
Senior Planner
Accountant
Communications Coordinator
Deputy Recorder

EXCUSED:

Nancy Dean

City Recorder

VISITORS PRESENT: Kathryn Murray

Chair Peterson called the meeting to order at 8:21 p.m.

APPROVAL OF THE MINUTES FROM THE JANUARY 12, 2021, POLICY SESSION AND
APRIL 13, 2021 WORK SESSION

Director Roper moved to approve the minutes from the January 12, 2021 policy session and April 13, 2021 work session, as written; and authorize the Chair's signature to any necessary documents, seconded by Director Thompson. The motion carried upon the following vote: Voting AYE – Directors Bush, Phipps, Roper, Shepherd, and Thompson. Voting NO – None.

ADOPTION OF THE TENTATIVE BUDGET FOR FISCAL YEAR 2022 AND SET A
PUBLIC HEARING FOR JUNE 8, 2021 TO RECEIVE PUBLIC INPUT ON THE BUDGET

Lee Naylor, accountant, stated staff had prepared a tentative budget for the CDRA for fiscal year 2022. He reviewed the tentative budget which had revenues budgeted at about \$2.5 million and transfers and expenditures of about \$2.17 million; thus, leaving a fund balance of \$323,479. He indicated staff recommended setting a public hearing to receive comments on the budget for June 8, 2021 at 7:00 p.m. and then consider its adoption.

Director Shepherd moved to adopt the CDRA tentative budget for fiscal year 2022 and set a public hearing on the budget for June 8, 2021 at 7:00 p.m., seconded by Director Thompson. The motion carried upon the following vote: Voting AYE – Directors Bush, Phipps, Roper, Shepherd, and Thompson. Voting NO – None.

There being no further business to come before the Community Development and Renewal Agency, **Director Bush moved to adjourn at 8:22 p.m., seconded by Director Shepherd. The motion carried upon the following vote: Voting AYE – Directors Bush, Phipps, Roper, Shepherd and Thompson. Voting NO – None.**

The City Council policy session minutes are in a separate location.



STAFF REPORT

To: Mayor Shepherd and City Council Members
From: Rich Knapp, Finance Manager
Meeting Date: June 8, 2021
Subject: Fiscal Year 2022 CDRA Final Budget

Recommended Action

Staff recommends the City Council adopt the Fiscal Year 2022 Tentative CDRA Budget.

Description / Background

Before each budget year begins, local governments are to adopt a budget. The budget for each fund shall contain estimates of all anticipated revenues and all appropriations for expenditures. The CDRA final budget needs to be approved before June 30 because it is not subject to truth in taxation.

Hedgehog Analysis

The budget is legally required, a high priority, and an essential task.

Corresponding Policy Priorities

This budget allocates the City's limited resources to further all policy priorities including quality municipal services, image, livability and economy, and a highly motivated and a well-trained workforce.

Fiscal Impact

The CDRA budget has total revenues and transfers equal to \$2,502,812. Total appropriations equal \$2,179,331. The net increase to fund balance equates to \$323,481.

Schedule / Time Constraints

The final budget must be approved by June 30 if there is no truth in taxation.

Alternatives

There is no alternative to budgeting for FY22. The possibilities of how to allocate resources are many.

CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

RESOLUTION 2021R-02

**A RESOLUTION APPROVING AND ADOPTING A BUDGET FOR
CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL
AGENCY FOR FISCAL YEAR 2022, BEGINNING JULY 1, 2021 AND
ENDING JUNE 30, 2022, AND APPROPRIATING FUNDS FOR THE
PURPOSES SET FORTH THEREIN**

WHEREAS, a tentative and proposed budget has been prepared and presented to the Board as required by law; and

WHEREAS, on May 11, 2021, the Clearfield Community Development and Renewal Agency approved the tentative budget; and

WHEREAS, a public hearing was advertised as provided by law for Tuesday, June 8, 2021 at 7:00 p.m.; and

WHEREAS, said public hearing was duly held and all persons present to be heard having been heard; and

WHEREAS, the creation of the budget is governed by established financial policies and statements; and

WHEREAS, the Board has duly and fully considered the proposed budget and it now being necessary that a final budget for fiscal year 2022, beginning July 1, 2021 and ending June 30, 2022, be passed and adopted for said Clearfield Community Development and Renewal Agency;

NOW, THEREFORE, be it resolved by the Board of the Clearfield Community Development and Renewal Agency that the CDRA fiscal year 2022 budget, a copy of which is attached hereto and incorporated herein by this reference, is approved and adopted this 8th day of June, 2021.

**CLEARFIELD COMMUNITY DEVELOPMENT
AND RENEWAL AGENCY**

Nike Peterson, Chair

ATTEST:

Nancy R. Dean, Secretary

VOTE OF THE BOARD

AYE:

NAY:

FY2022 Final Budget - Revenues

	FY19 Actuals	FY20 Actuals	FY21 Budget	FY22 Budget	Change '21 to '22
200000 CDRA					
Taxes					
311103 EDA #3 - ATK	1,101,843	1,169,758	1,035,052	909,791	(125,261)
311106 RDA #6	227,326	232,970	222,586	229,291	6,705
311107 RDA #7	245,755	258,755	258,755	267,783	9,028
311108 RDA #8	251,991	311,024	171,103	175,346	4,243
311109 RDA #9	368,477	442,415	411,578	504,679	93,101
311110 RDA #10	333,417	401,550	221,153	219,026	(2,127)
311111 CDA #1 - Clfd Station	66,239	154,859	154,859	166,896	12,037
Taxes Total	2,595,048	2,971,331	2,475,086	2,472,812	(2,274)
Intergovernmental					
337001 Local Grants	25,000	-	-	-	-
Intergovernmental Total	25,000	-	-	-	-
Miscellaneous					
361001 Interest Earnings	156,763	185,818	75,000	30,000	(45,000)
362002 Rent Revenues	-	-	-	-	-
364001 Sale Of Fixed Assets G/L	(77,636)	-	-	-	-
369001 Misc Revenues	(1,225)	-	-	-	-
Miscellaneous Total	77,902	185,818	75,000	30,000	(45,000)
200000 CDRA Total	2,697,950	3,157,149	2,550,086	2,502,812	(47,274)

FY2022 Final Budget - Expenditures

	FY19 Actuals	FY20 Actuals	FY21 Budget	FY22 Budget	Change '21 to '22
CDRA					
204611 CED Administration					
Operations					
645004 Developer Increments	-	50,000	-	-	-
Operations Total	-	50,000	-	-	-
Capital					
673001 Capital Project	46,239	-	-	-	-
Capital Total	46,239	-	-	-	-
Debt					
681002 Debt Service-Interest	35,802	27,375	20,000	-	(20,000)
Debt Total	35,802	27,375	20,000	-	(20,000)
204611 CED Administration Total	82,041	77,375	20,000	-	(20,000)
204615 RDA #9					
Operations					
645004 Developer Increments	-	-	300,000	-	(300,000)
Operations Total	-	-	300,000	-	(300,000)
Transfers					
691004 Trnf GF	260,000	263,800	263,800	263,800	-
Transfers Total	260,000	263,800	263,800	263,800	-
204615 RDA #9 Total	260,000	263,800	563,800	263,800	(300,000)
204616 RDA #6					
Transfers					
691004 Trnf GF	25,000	25,000	127,000	127,000	-
Transfers Total	25,000	25,000	127,000	127,000	-
204616 RDA #6 Total	25,000	25,000	127,000	127,000	-
204617 RDA #7					
Operations					
645004 Developer Increments	72,042	62,483	62,483	55,688	(6,795)
Operations Total	72,042	62,483	62,483	55,688	(6,795)
Capital					
673001 Capital Project	-	-	250,000	250,000	-
Capital Total	-	-	250,000	250,000	-
Transfers					
691004 Trnf GF	157,482	160,408	157,143	157,655	512
Transfers Total	157,482	160,408	157,143	157,655	512
204617 RDA #7 Total	229,524	222,891	469,626	463,343	(6,283)
204618 RDA #8					
Operations					
645004 Developer Increments	-	-	50,000	50,000	-
Operations Total	-	-	50,000	50,000	-
Capital					
673001 Capital Project	-	-	365,340	-	(365,340)
Capital Total	-	-	365,340	-	(365,340)
Transfers					
691004 Trnf GF	160,000	150,000	145,000	140,000	(5,000)
Transfers Total	160,000	150,000	145,000	140,000	(5,000)
204618 RDA #8 Total	160,000	150,000	560,340	190,000	(370,340)

FY2022 Final Budget - Expenditures

	FY19 Actuals	FY20 Actuals	FY21 Budget	FY22 Budget	Change '21 to '22
204619 RDA #10					
Transfers					
691004 Trnf GF	335,000	330,000	230,000	225,000	(5,000)
Transfers Total	335,000	330,000	230,000	225,000	(5,000)
204619 RDA #10 Total	335,000	330,000	230,000	225,000	(5,000)
204623 EDA #3					
Operations					
645004 Developer Increments	903,511	959,202	848,742	746,029	(102,713)
Operations Total	903,511	959,202	848,742	746,029	(102,713)
Transfers					
691004 Trnf GF	46,276	67,304	51,753	45,490	(6,263)
Transfers Total	46,276	67,304	51,753	45,490	(6,263)
204623 EDA #3 Total	949,787	1,026,506	900,495	791,519	(108,976)
204624 CDA #1					
Operations					
645004 Developer Increments	-	210,043	147,116	110,324	(36,792)
Operations Total	-	210,043	147,116	110,324	(36,792)
Transfers					
691004 Trnf GF	-	11,055	7,743	8,345	602
Transfers Total	-	11,055	7,743	8,345	602
204624 CDA #1 Total	-	221,098	154,859	118,669	(36,190)
CDRA Total	2,041,352	2,316,670	3,026,120	2,179,331	(846,789)