

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
May 25, 2021

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
	Kenny England	Utility Superintendent
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Spencer Brimley	Community Development Director
	Brad McIlrath	Senior Planner
	Rich Knapp	Finance Manager
	Nancy Dean	City Recorder

VISITORS: Matthew Mangum, Anthony DeMille, Michael Bybee, Megan Ratchford, Logan Eastman, Paul Nielson, Scott Harwood – Oz Development

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

PLANNING COMMISSION AND PARKS AND RECREATION COMMISSION
INTERVIEWS

The City Council interviewed Matthew Mangum, Anthony DeMille, Michael Bybee, Megan Ratchford, Logan Eastman, and Paul Nielson and to fill vacancies on the Planning Commission and Parks and Recreation Commission.

The Council took a break at 7:05 p.m.

The meeting reconvened at 7:18 p.m.

Councilmember Peterson joined the meeting at 7:18 p.m.

DISCUSSION ON THE PLANNING COMMISSION AND PARKS AND RECREATION COMMISSION VACANCIES

There was a discussion about the candidates who had been interviewed and how to fill the current vacancies on the Planning Commission and Parks and Recreation Commission.

Eric Howes, Community Services Director, stated there were currently three vacancies on the Parks and Recreation Commission not two as listed in the staff report.

Spencer Brimley, Community Development Director, indicated there were currently two alternate vacancies if Bobby Austin was considered for appointment as a regular member to the Planning Commission.

The consensus of the Council was to recommend Megan Ratchford be appointed as a regular member and Michael Bybee be appointed as an alternate member of the Planning Commission.

The consensus of the Council was to recommend Matt Mangum and Anthony DeMille be appointed to the Parks and Recreation Commission. Mayor Shepherd recommended talking to Paul Nielsen to see if he would be willing to serve on the Parks and Recreation Commission as an alternate, but if he was not willing then Logan Eastman could be contacted. He suggested if either were not interested in serving on the Parks and Recreation Commission, they might want to participate on the City's Centennial Committee.

DISCUSSION ON WATER CONSERVATION MEASURES AND AIR QUALITY

Mayor Shepherd stated the State's water situation was dire, so the Governor had asked agencies to cut water use. JJ Allen, City Manager, reported he had talked to staff of the Weber Basin Water Conservancy District (WBWCD) about conservation efforts and some incentive programs of the District. He noted if residents wanted to participate in the District's programs it would require changes to City's landscaping ordinances. He acknowledged it would take time to develop an ordinance that aligned with the District so it would not have an immediate impact but it could be something to consider as a long-term conservation effort.

Mayor Shepherd reported that Fruit Heights had partnered with Orbit for rain controllers that were sold to the city at a discount which then were given to residents with a commitment to use them. He stated Orbit was willing to partner with other cities to help in conservation efforts.

Adam Favero, Public Works Director, stated WBWCD also had a rebate for the smart controllers. Councilmember Roper stated it sounded like the City needed more education about programs and water conservation needs.

Councilmember Phipps suggested messaging could be used to educate residents about the immediate, mid-term and long-term ways they could conserve water. Councilmember Roper felt it would be better to educate residents than implement mandates.

Councilmember Phipps stated messaging efforts could begin with education on immediate ways to conserve such as turning off sprinklers when it rained; mid-term conservation needs might be focused on education about conservation programs such as Orbit controllers; and long-term conservation needs could focus on making sure the City's ordinances would allow residents to landscape their yards in a way that promoted water conservation.

Mayor Shepherd expressed his concern with the City implementing a heavy-handed water restriction program. He requested staff look into what Fruit Heights had done and see if there was something similar the City could do to help in water conservation efforts.

Councilmember Thompson stated water conservation had been on his mind. He continued he would like to see consideration for Xeriscape and Flip Your Strip efforts which could help reduce the amount of water used towards landscaping.

There was a discussion about water conservation and what efforts would be best to help residents and the City conserve water. The Council was not currently interested in implementing any mandates. Mayor Shepherd expressed his opinion it would be good to look at the City's landscaping ordinance and Weber Basin's Flip Your Strip program.

Mayor Shepherd reported discussing water and air quality issues with the governor recently. He commented the State had seen a shift in the air quality due to many individuals working from home during the pandemic. He stated the inversion was much better with everyone staying home. He noted data showed a massive reduction in pollution. He reported the Governor had set a goal prior to COVID-19 of having a percentage of employees stay home to work. He continued the State planned on red air days to mandate all State employees that could work remotely to work from home. Mayor Shepherd expressed his desire for the City to send the same message and encourage employees that could work remotely to work from home on red air days. The Council voiced no objections to having employees work from home on red air days.

DISCUSSION ON AMENDMENTS TO THE CITY'S CONSOLIDATED FEE SCHEDULE

Rich Knapp, Finance Manager, mentioned in previous budget meetings with the Council there had been discussions about the Water Fund and its diminishing ability to cover rising costs. He reviewed the proposed increases to the City's Consolidated Fee Schedule which included an adjustment to the water base rates as well as the curbside recycling fee. He stated the City usually raised its utility rates in January but staff recommended the rate increases proposed be implemented July 1, 2021. He explained the City was currently doing a rate study and those recommendations could be implemented the following January.

Councilmember Phipps asked staff to make sure the messaging made it clear the recycling rate increase was due to rate increases from the City's waste hauler not increased rates of Wasatch Integrated. Councilmember Peterson wondered if the explanation would be printed on the bill that went out to residents, so it was explained that both fee increases were because of rate increases from other agencies. There was a discussion about communication or messaging efforts and how best to inform residents of the increases. Councilmember Phipps requested whatever

method was determined by staff to be most effective, it should explain the increased fees were a result of increased costs from other agencies.

Mr. Knapp explained the approximate increase to water base fees was seven percent.

Councilmember Bush asked why the multiple dwelling unit rates for water started at 7,000 gallons. Mr. Knapp answered 7,000 gallons was the average indoor water consumption; therefore, the base rate for multiple dwelling units, apartments, and mobile home parks included 7,000 gallons in the unit base rate and then commercial rates applied.

Councilmember Thompson wondered if the Consolidated Fee Schedule should have a fee added to regulate business licensing for medical marijuana operations in a manner like beer licenses or adult business licensing. Mr. Brimley responded the City's Code currently did not have anything included. Mr. McIlrath responded the City would have to allow the production in all industrial or agricultural zones which was regulated by the State; however, dispensary outlets were regulated by the Department of Health.

Councilmember Thompson asked if fines for those who violated truck routes should be included in the fee schedule. Stuart Williams, City Attorney, stated violations would be more of an enforcement issue and not something that needed to be addressed with the fee schedule. He added if prosecution was desired, then signs should be placed throughout the City so enforcement could be possible.

DISCUSSION ON AMENDMENTS TO THE FORM BASED CODE

Brad McIlrath, Senior Planner, stated there were several amendments staff was recommending for consideration to the Form Based Code (FBC). He pointed out that staff had been applying the FBC and found several items which could be corrected. He explained staff had rated amendments to the FBC with a hedgehog score of 22 which indicated it was ranked as a high priority for staff. He reviewed the following amendments and reasonings for each that were recommended by staff:

1. Reduction of FBC boundary – to help align and transition from existing surrounding development patterns, provide more direct and narrow focus, and reduce the C-C area north of North Villa Drive and other T-R zone areas. There was a discussion about the concerns with constant zoning amendments and the message and impact it had on property owners, as well as the rationale for reducing the FBC boundary in some parts of the City. Spencer Brimley, Community Development Director, summarized the Council currently was not wanting to pursue the overall changing of the zoning designations. Mayor Shepherd and Councilmember Peterson had expressed an interest in the recommendation to rezone the parcel on 700 South from the Town Neighborhood Residential (TR) back to the R-3 Zone to avoid split zoning on that development. Mr. McIlrath thanked the Council for its comments.
2. Street and block network – reduction of new streets and was based on likelihood of new connections and the applicable street types. There was a discussion about the road types

and impediments to development. There was consensus of the Council to change the street network.

3. Urban Mixed Residential Zone (U-R) and multi-family building type – Code currently allowed multi-family building type along State Street in the U-R Zone. Staff wondered if it should be changed to require mixed-use building type along State Street in the U-R Zone. There was a discussion about the impacts of requiring mixed-use, if deregulation would help provide viability for small business in the downtown area, the current market demands for residential and retail business rents, commercial economics, and incentivizing retail rather than deregulation. The consensus of the Council was to change it to mixed-use because currently it was multi-family use only.
4. Urban Core Commerce Zone (U-C) and multi-family building type – Code currently allowed multi-family building type along secondary streets in the U-C Zone, yet previously it only allowed it as part of a mixed-use development. Staff's recommendation was that building type only be allowed on secondary streets and as part of mixed-use development in the U-C Zone. Mayor Shepherd voiced his approval for this change.
5. Minor text and formatting corrections were needed on pages – 35, 37, 45, 56, 62, and 116.
6. Block layout requirements – modify block length and perimeter standards to align with Public Works standards and move residential access points to the access standards of the parking chapter with limits on number of units allowed to be served on one access.
7. Fire access – change the language, modify table language for 'alley,' and reduce ambiguity by referring to International Fire Code.
8. Street type standards – match tables and cross-sections with correct measurements and correct errors in cross-sections.
9. Access road street types – intended to be a low-capacity drive for access to shopping centers and residential complexes; however, following the developments with The Hart at City Center project staff wondered if it should be an option or with the proposed changes to the location and use of multi-family buildings in the U-C Zone would it be best left. Staff recommended the language for the street buffer needed to be clarified if it remained. There was a discussion about the concerns inherent with access road street types and the differences in project internal networks. The consensus of the Council was to remove access road street types from the City's FBC.
10. Minimum unit size – the growing trend and demand in the housing market, micro-units, and housing for working class. Staff recommended a 500 square foot minimum be added to FBC. Mr. McIlrath reviewed some of the trends and floorplans for micro-units. Mayor Shepherd voiced his concern with planning for enough parking so that was not an issue. Mr. McIlrath reviewed the parking standards for urban areas and indicated those standards should be updated once the City completed its parking study. Mr. Brimley

noted there could be an opportunity to push for structured parking. The consensus of the Council was that regulation on size of micro units was not needed.

11. Impervious coverage percent – recommendation of staff was to increase the percentage of allowed so there was more design flexibility. Mr. McIlrath stated there were recent low-impact development standards imposed so the change would not be a negative impact it would just be helping developers meet regulations.
12. Townhome front build-to-zone (not facing a street) – applied to common passageways or for front-loaded townhomes which currently could be as close as 10 feet. Staff recommended it be increased to 15 feet in U-R and T-C zones and 20 feet for the T-R zone. There was consensus of the Council for the change.
13. Townhome design review – HB98 passed in special session with townhomes excluded from design review. Mr. McIlrath expressed his excitement it was not applicable to townhomes just single-family and two-family dwellings.
14. Building materials – staff wondered if there were any more materials that could be allowed, or if the list should stay the way it currently was, or if staff should investigate it further. The consensus of the Council was to leave it unless an issue came up.
15. Drive-through structures – Code currently limited drive-through structures (window and canopy) and the stacking lanes to the rear façade of a building; however, staff's recommendation was that the structure and stacking lanes be allowed on the side and rear façade of buildings and leave it prohibited from the front façade. The consensus of the Council was to make the change.
16. Parking regulations – needed to be context-sensitive to the Clearfield community and it would be updated once the parking study was completed.
17. Covered parking – there was no current standard for covered parking, but the prior standard was for 50 percent. Staff recommended adding the standard back to the FBC and possibly including additional standards that at a minimum there be one covered parking space per unit. The consensus of the Council was to keep both 50 percent coverage and one covered parking per unit.
18. Parking lot lighting – there currently was no standard, but it had become a problem so perhaps it was time to create a standard. There was a discussion about the parking lot lighting at Clearfield Junction. There was consensus of the Council to create a parking lot lighting standard.
19. Definitions – staff did not currently have a recommendation but felt FBC needed some additional definitions for standards as well as consistency with Title 11.

Mr. McIlrath asked if there were any other items that the Council wanted to see addressed in the FBC. Councilmember Peterson requested the revisions of FBC include those items discussed on

record during meetings related to The Hart subdivision and access roads. She mentioned if the revisions were taking out the access road there might not be any more issues with interpretation. Mr. McIlrath confirmed it would be removed.

Councilmember Peterson asked that the revisions to the step backs on residential which were a result of the Mayfly Rise development be included with the next printed version of FBC. She wanted to ensure those things discussed previously would be included with the most current version of FBC. Mr. McIlrath reviewed the current standard and stated he would make sure the step backs were not removed when changes were made so it was left in the updated version.

DISCUSSION ON THE CITY'S ANNUAL EVENTS PLANNING

Eric Howes, Community Services Director, stated staff from the Community Services Department and communications division had been collaborating for the past year to develop a plan for the provision of special events in the City. He explained it was not a finished product yet, but staff was hoping for direction from the Council regarding the appropriate use of existing resources and if the plan was on track.

Mr. Howes displayed all the events being handled by the recreation division by season. He explained the City was trying to do more than what staff could do effectively. He mentioned the City might need to reduce the number of events but keep the quality high on those that remained.

Mr. Howes reviewed the special event definition and reasons the City held special events. He explained staff divided the events into the following three categories: community building; ceremonies and open houses; and sporting events, competitions, and performances.

Councilmember Phipps wondered if staff had considered using the hedgehog tool on the events. Mr. Howes responded yes, eventually that would be done but first staff had been trying to build the structure to help create a place where people wanted to be.

Mr. Howes highlighted the three categories and the reasons each was important to the community. He indicated it would be important in the next steps of planning to determine which assignments there were and which department or division would be responsible for each event. He noted the recommendations of staff would be to hold the following types of events for the various categories:

Community Building

- Egg hunts
- Fourth of July
- Boonanza

Ceremonies and Open Houses

- Police Outreach Events
- Tree Lighting
- Arbor Day
- Council Outreach

- Search the City
- Recreation End of Summer
- Movies in the Park

Sporting Events, Competitions, Performances

- Pickleball Tournament
- Tax Man Tournament
- Band Concerts
- Choir Concerts
- Swim with Santa

There was a discussion about the evolvement of each of the events over time. Mr. Howes suggested the events highlighted seemed to be an appropriate number of events that could be managed effectively. He noted there were also some City observances which should be included with the other events but on a more simplistic level.

Mr. Howes highlighted the following events that could be held on a community level which were important to continue:

Observances

- Memorial Day
- Juneteenth
- Veterans Day

JJ Allen, City Manager, commented observances were possibly events for which a community group should take ownership. He added if the group needed support from the City it could be provided. He said the City could not be all things to all people. Councilmember Thompson agreed. There was a discussion about independent entities that could be supported by the City to hold observances in the community. The consensus of the Council was to support other entities that wished to hold observances rather than having the City sponsor the events.

Councilmember Phipps asked if the Take Pride in Clearfield day would be eliminated since it was not on the list. Mr. Howes responded in 2021 staff was planning to provide vouchers for the landfill and that would be the future plan.

Mr. Allen asked about Everybody Matters Day and if it would be done. Mr. Howes responded coordination had been done in the past with Communities That Care which had a broader audience. He stated it has been an event staff enjoyed but it required several days of coordination and if it was desired other events might need to be removed from the list. He explained during the planning process staff did not want to cut anything because they liked it and it was building good will within the community. He acknowledged the City could accomplish the same thing with fewer events that were done well. Mr. Howes indicated staff would continue to work on the plan for events moving forward and come back to the Council to show how each event scored and those that were eliminated. He expressed appreciation for the Council's feedback.

DISCUSSION ON THE PARAT TAX MASTER PLAN

Eric Howes, Community Services Director, reviewed the projects accomplished by Parks, Arts, Recreation, Aquatics, and Trails (PARAT) Tax revenue and those currently in process. He stated the estimated funds remaining totaled \$699,847. He highlighted the schedule for projects remaining based on when the PARAT Tax would need to be on the ballot for renewal. He reviewed where the funds had been spent and what locations were impacted throughout the City.

Mr. Howes highlighted the following previously considered projects:

- Adventure Course
- Bike Park/Trails
- Steed Pond Landscaping
- Remodel/Replace Amphitheater
- Park Signage Replacement
- Pavilion Replacement/Updates
- Tables, Benches, Trash Receptacles
- Portable Stage and Sound
- Splash Pad

Mr. Howes reviewed a list of the following other options that could be considered for use of PARAT Tax revenue:

- Canal Trail Connection (Grant Match)
- Trailside Fitness Equipment
- Property Acquisition on Barlow Street for Access to Steed Park
- Pickleball Complex Parking Lot and Pavilions
- Open Space Landscape Development
- Additional Restroom Facilities (Train Watch, Jacobsen, or Hoggan Parks)
- Concrete Paths at Steed
- CAFC Upgrades
- Fish Cleaning Stations

Councilmember Bush recommended to use PARAT Tax revenues for improvements at Jacobsen Park and for trails. Mr. Howes indicated those were all good options, if desired.

Mr. Howes stated the projects were reviewed with the Parks and Recreation Commission at its last meeting. He indicated staff recommended to select projects that updated and improved the existing park infrastructure before adding new maintenance responsibilities. He reviewed the following recommendations of the Commission:

- Canal Trail Connection (200 South to 300 North) with a grant match
- Trailside Fitness Equipment
- Finish Pickleball Courts Pavilion and Parking
- Bike Trails/Bike Park Development (Chelemes Park)

Mr. Howes mentioned other projects that could be considered but that did not rank as highly:

- Steed Pond Area Development
- Adventure Course
- Lighting

Councilmember Bush suggested in addition to fitness equipment some benches could be added in various locations along the trails.

Councilmember Peterson stated the recommendations from the Parks and Recreation Commission should carry the most weight and liked its four recommendations. Mayor Shepherd agreed and was good with the recommendations. Mr. Howes stated he would start firming up costs for those projects.

Councilmember Bush liked those four projects but wanted to make sure the City did something at Jacobsen Park in addition. Mr. Dickson explained the improvements planned for that area which included court resurfacing and playground replacement. The consensus of the Council was the improvements planned for the area would be good.

There was a discussion about the estimated costs and what other projects could be done to utilize the remaining funds. Councilmember Peterson suggested adding the fish cleaning stations to the project list. Mr. Allen stated the four projects recommended by the Commission were estimated to cost about \$500,000 and wondered if there was any interest in helping staff with the remaining \$200,000 by upgrading pavilions or other amenities like trash cans, benches, and tables. Mayor Shepherd expressed his opinion it would be good to do.

Mr. Howes commented upgrades to the pavilions would be helpful with PARAT Tax revenue, but staff had been considering the use of Community Development Block Grant (CDBG) funds for purchasing equipment such as tables, benches, and trash cans. Mayor Shepherd agreed it would be a good use of CDBG funds. Councilmember Peterson liked that idea.

Councilmember Peterson requested staff convey to the Parks and Recreation Commission gratitude and to let them know the Council would be taking their recommendations.

Councilmember Bush reminded everyone there was also park impact fee revenue that needed spending.

Councilmember Peterson moved to adjourn at 10:12 p.m., seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

**APPROVED AND ADOPTED
This 7th day of March 2022**

/s/Mark R. Shepherd, Mayor

ATTEST:

/s/Nancy R. Dean, City Recorder

I hereby certify that the foregoing represents a true, accurate, and complete record of the Clearfield City Council meeting held Tuesday, May 25, 2021.

/s/Nancy R. Dean, City Recorder