

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
May 24, 2022

City Building
55 South State Street
Clearfield City, Utah

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush Vern Phipps Tim Roper	Councilmember Councilmember Councilmember
EXCUSED:	Nike Peterson Karece Thompson	Councilmember Councilmember
STAFF PRESENT:	JJ Allen Summer Palmer Stuart Williams Kelly Bennett Adam Favero Spencer Brimley Shaundra Rushton Nancy Dean Joannie Strong	City Manager Assistant City Manager City Attorney Police Chief Public Works Director Community Development Director Communications Manager City Recorder Deputy City Recorder

VISITORS: Jenna Nelson, Katie Nicholson

Mayor Shepherd called the meeting to order at 7:02 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 Roper led the opening ceremonies.

APPROVAL OF THE MINUTES FROM THE OCTOBER 26, 2021, WORK SESSION; MAY 3, 2022, SPECIAL SESSION; MAY 3, 2022, WORK SESSION; MAY 10, 2022, POLICY SESSION; AND MAY 10, 2022, WORK SESSION

Councilmember Roper moved to approve the minutes from the October 26, 2021, work session; May 3, 2022, special session; May 3, 2022, work session; May 10, 2022, policy session; and the May 10, 2022, work session; as written, seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, and Roper. Voting NO – None. Councilmembers Peterson and Thompson were not present for the vote.

Mayor Shepherd excused Councilmembers Peterson and Thompson.

PUBLIC HEARING TO REVIEW AMENDMENTS TO THE CR ZONE ALLOWING SINGLE-FAMILY DWELLINGS AS A PERMITTED RESIDENTIAL USE - **WITHDRAWN**

The applicant withdrew the application for consideration. There was no public hearing.

PUBLIC HEARING TO REVIEW AMENDMENTS TO THE GENERAL PLAN AND THE REZONE REQUEST FROM COMMERCIAL TO MIXED USE AND C2 (COMMERCIAL) TO CR (COMMERCIAL RESIDENTIAL) FOR PROPERTIES LOCATED AT APPROXIMATELY 500 WEST 1700 SOUTH – **WITHDRAWN**

The applicant withdrew the application for consideration. There was no public hearing.

OPEN COMMENT PERIOD

Katie Hall, a resident of South Ogden, visited the Council meeting. She announced she was running for Utah House of Representative District 11, and informed Council she planned to attend a City Council meeting for each city within District 11 to introduce herself and get to know a little about each city. Ms. Hall provided her contact information along with her website.

Mayor Shepherd thanked her for coming out and visiting. JJ Allen, City Manager, mentioned that the vision for the downtown redevelopment hinged on the part of the Clearfield City that would be in District 11.

APPROVAL OF ORDINANCE 2022-11 AMENDING TITLE 1, CHAPTER 16- CODE ENFORCEMENT REGARDING REQUESTS FOR COMPLIANCE

Mayor shepherd provided background for the amendments to Ordinance 2022-11. During the 2021 City Council retreat direction was provided to amend the current code enforcement administration to replace the current “Notice of Violation (NOV) with a “Request for Compliance” (RFC). Additionally, during that meeting staff received direction that code efforts should be more reactive, responding to complaints or suspected violations, rather than being proactive. The proposed ordinance defined and initiated those changes.

Mayor Shepherd asked for comments. Councilmember Phipps appreciated the work that went into the amendments to the Ordinance. Councilmember Roper commented that the amendment was a great move to show residents the City was willing to work with them and help them out rather than forcing them into compliance. Mr. Allen briefed the Mayor and Council on an earlier conversation he had with Spencer Brimley, Community Services Director. Mr. Allen encouraged

Mr. Brimley to help staff understand that when they respond to a complaint, it would be appropriate to assess other properties within the area for visible issues, and to work with the property owners to address any issues staff had discovered.

Councilmember Phipps moved to approve Ordinance 2022-11 amending Title 1, Chapter 16 – Code Enforcement Regarding Requests for Compliance and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, and Roper. Voting NO – None. Councilmembers Peterson and Thompson were not present for the vote.

APPROVAL OF RESOLUTION 2022R-08 APPROPRIATING SEIZED PROPERTY FOR A PUBLIC INTEREST USE

Kelly Bennet, Clearfield City Police Chief, briefed the Mayor and Council on a request to appropriate seized property for a public interest use. Chief Bennet informed Council that pursuant to Utah Code, if the owner is not entitled to property that was lawfully seized as evidence, law enforcement would be authorized to request the appropriation of the seized property for public interest use from the local legislative body. He mentioned the Code stated law enforcement would have to designate the use of the property. Chief Bennet explained the police department would like to use the shell casing from an X-Box that was confiscated during an investigation for proactive investigative work. He noted the internal hard drive would be destroyed prior to the use of the shell casing. Chief Bennet informed the Mayor and Council that this was a common practice withing the law enforcement community and he would be happy to report back on any outcome.

Mayor Shepherd commented that this would be a great use of property.

Councilmember Roper moved to approve Resolution 2022R-08 appropriating seized property for a public interest use and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, and Roper. Voting NO – None. Councilmembers Peterson and Thompson were not present for the vote.

COMMUNICATION ITEMS

Mayor Shepherd

1. Announced he would be attending Syracuse High School’s graduation ceremony on May 25, 2022, and Clearfield High School’s graduation ceremony on May 26, 2022.
2. Expressed his enjoyment over presenting the City’s scholarship and seeing the scholarships offered to the City’s Youth Commissioners during the past week.
3. Thanked staff for the City’s Flip the Strip event and noted the Standard Examiner’s article covering the event.
4. Reported on a presentation he presented regarding his idea to revamp Low-Income Housing Tax Credit (LIHTC) to allow for military housing and to change the program.

Councilmember Bush

1. Announced the Kiwanis pickleball tournament would be postponed until the Fall.
2. Reported he would be handing out Kiwanis awards.

Councilmember Phipps - nothing

Councilmember Roper

1. Reported on progress of Wasatch Integrated.
2. Congratulated the Youth Commissioners and his son on their graduation.

STAFF REPORTS

JJ Allen, City Manager

1. Reported that the Council retreat would take place on July 8, 2022 and mentioned a reading assignment.
2. Announced the City's employee benefits taking place on May 25, 2022.
3. Informed Council of a forwarded email regarding an employee's farewell.
4. Reminded everyone the offices would be closed on Monday, May 30, 2022, for Memorial Day.

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

- Work Session on May 31, 2022
- No meeting on June 7, 2022
- Reported the rest of the meetings in June were planned.

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

**APPROVED AND ADOPTED
This 14th day of June 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 24, 2022.

/s/ Nancy R. Dean, City Recorder