



CLEARFIELD CITY COUNCIL  
AGENDA AND SUMMARY REPORT  
October 25, 2022 – WORK AND POLICY SESSIONS

*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.*

55 South State Street  
Third Floor  
Clearfield, Utah

**6:00 P.M. CITY COUNCIL WORK SESSION**

Discussion on the Lakeside Square Development Agreement

Discussion on Pet Limits

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

**\*\*ADJOURN THE CITY COUNCIL WORK SESSION AND RECONVENE IN A CITY COUNCIL POLICY SESSION\*\***

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

**7:00 P.M. POLICY SESSION**

CALL TO ORDER:

OPENING CEREMONY:

APPROVAL OF MINUTES:

Mayor Shepherd

Councilmember Peterson

January 11, 2022 – Work Session

August 23, 2022 – Work Session

**SCHEDULED ITEMS:**

1. **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](mailto:nancy.dean@clearfieldcity.org).

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

2. CONSIDER APPROVAL OF ORDINANCE 2022-30 AMENDING THE CITY'S PURCHASING POLICY

BACKGROUND: The City Council approved a new purchasing policy in June 2022. At that time there was some language about minor reallocations within a department the Council removed so it could be reworked. The language is now ready for consideration by the Council.

RECOMMENDATION: Approve Ordinance 2022-30 amending the City's purchasing policy and authorize the Mayor's signature to any necessary documents.

3. UPDATE ON THE FISCAL YEAR 2023 QUARTERLY FINANCIAL STATUS

***COMMUNICATION ITEMS:***

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

***\*\*ADJOURN AS THE CITY COUNCIL\*\****

Dated this 20<sup>th</sup> day of October, 2022.

/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 801-525-2714, giving her 48-hour notice.



## STAFF REPORT

**TO:** Mayor Shepherd and City Council Members  
**FROM:** JJ Allen, City Manager  
**MEETING DATE:** October 25, 2022  
**SUBJECT:** Pet Limits

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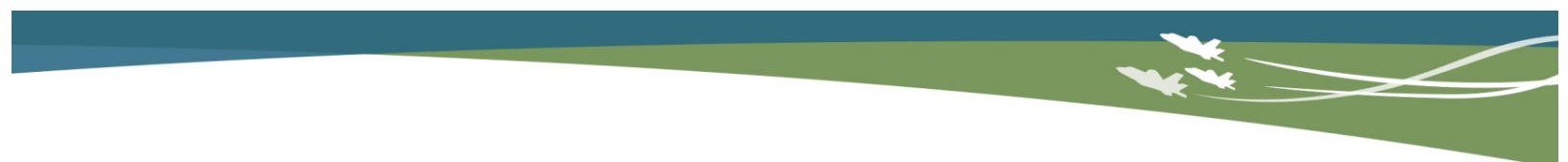
### **RECOMMENDED ACTION**

Discuss the ordinance change requested from Animal Care of Davis County (ACDC) and provide direction to City staff regarding next steps.

### **DESCRIPTION / BACKGROUND**

In addition to operating the animal shelter and related services, Animal Care of Davis County provides enforcement services throughout the entire county for violations of animal-related ordinances (e.g. barking dogs, bites, animals at large, etc.). For the most part, animal-related ordinances are consistent regardless of which city you're in. However, when it comes to pet limits, there is some variation (see chart below).

| Jurisdiction    | Pet Limit                                       |
|-----------------|-------------------------------------------------|
| Davis County    | 3 pets; 3 dogs only if one adopted from shelter |
| Bountiful       | 2 dogs                                          |
| Centerville     | Mirrors County                                  |
| Clearfield      | 3 total; no more than 2 dogs                    |
| Clinton         | 2 dogs per household                            |
| Farmington      | 2 dogs or 4 cats or any equivalent combination  |
| Fruit Heights   | Mirrors County                                  |
| Kaysville       | 2 dogs                                          |
| Layton          | 2 pets of any combination                       |
| North Salt Lake | Mirrors County                                  |
| South Weber     | Mirrors County + point system                   |
| Sunset          | Mirrors county + 1 aid dog                      |
| Syracuse        | 2 dogs                                          |
| West Bountiful  | 2 dogs                                          |
| West Point      | 2 dogs, 5 cats                                  |
| Woods Cross     | Mirrors County                                  |



Understandably, the inconsistency in pet limits is cumbersome and frustrating for the animal control officers. Consequently, ACDC is requesting more uniformity among the sixteen entities (the County and all 15 cities). Ideally this would be to have a single standard throughout the County, but that might not be easy to accomplish at this point.

ACDC's recommendation is to allow 3 pets of any combination (dogs and cats). In addition, a person could obtain from ACDC an annual additional dog permit (making 4 pets total) only upon meeting specific criteria. The details (in draft form) of that additional dog permit are attached.

Ashleigh Young, ACDC Director, will be in attendance for the work session discussion.

### **HEDGEHOG ANALYSIS**

Applying the hedgehog analysis to this question is a bit clunky because the question is externally driven, and it is a policy question, not a project or program. If a hedgehog score must be considered, my quick look pegs it at a mid-value 16.

That said, the impetus behind the request is simplification and uniformity to benefit ACDC. From their perspective, if they were using the same hedgehog tool, they may well score it higher. And generally speaking, would a new ordinance allowing a little more flexibility in terms of pet limits help or hinder our efforts to "create places where people want to be?" That could probably be argued both ways.

### **CORRESPONDING POLICY PRIORITY (OR PRIORITIES)**

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

### **ALTERNATIVES**

For ACDC, a less-preferred alternative would be to allow 2 pets of any combination, with the additional dog permit for a maximum of 3 total pets. ACDC expects that a couple cities will prefer this option.

### **SCHEDULE / TIME CONSTRAINTS**

The city managers and ACDC will be meeting on November 10, and it would be good to have a sense of how we would like to proceed in time for that meeting.

### **LIST OF ATTACHMENTS**

- Annual Additional Dog Permit (DRAFT)

## **Annual Additional Dog Permit.**

1. Application. An application to request up to one (1) dog in addition to the three (3) dogs allowed by this Chapter (for a total number of dogs not to exceed four (4)) shall be made to Animal Care of Davis County. The application must be accompanied by the following:

- (a) the annual non-refundable fee for the additional dog permit;
- (b) the name, address, and other contact information for the owner of each dog and for the property on which the dog(s) will be kept
- (c) identification of each dog in the household (their breed(s), name, microchip number and license number);
- (d) verification of spaying or neutering for all dogs in the household;
- (e) verification of microchipping for all dogs in the household;
- (f) verification of Davis County licensing for all dogs in the household;
- (g) a depiction of the outside area showing all fencing, kennel(s), and dog run(s) which are capable of confining up to four (4) total dogs;

2. Annual Permit. The additional dog permit allowed by this Chapter shall be for a term of one (1) calendar year and shall expire annually at midnight December 31 of each year.

3. Fee. A fee established by the Commission shall be charged for each additional dog permit allowed by this Chapter. Such fee shall be annual, nonrefundable, and not prorated.

4. Inspection. Prior to consideration of the additional dog permit, the location where the additional dog shall be kept will be inspected by a Animal Care of Davis County officer who will verify that the planned location for the additional dog is sanitary, safe, and that escape or nuisance is not likely.

5. Notice of violations and citations. Prior to consideration of the additional dog permit, Animal Care of Davis County staff will look for any issued violations or citations from Animal Care of Davis County in the past one (1) calendar year to the dog owner or in regards to any of the dogs on the premises.

6. Standards for Permit Approval. Upon receipt of the permit fee and a complete application, and following an inspection, no violations or citations in the past one (1) calendar year, a permit may be issued where approval of the permit is not reasonably likely to create a public nuisance.

7. When an Animal Control Officer certifies in writing that there is an immediate danger to life or health of a person because of an additional dog, the application or permit may be immediately and summarily denied or revoked. Under such conditions, notice of such denial or revocation will be given in writing as soon as practicable.

8. Grounds for Denial. Permits may be denied due to the following reasons:

- a. Lack of evidence of spay or neutering
- b. Lack of evidence of microchipping
- c. Did not pass the inspection
- d. A notice of violation or citation has been issued from our department in the last one (1) calendar year.

Permit Denial or Revocation. Prior to the denial or revocation of the additional dog permit, the County shall provide written notice of the denial or revocation to the applicant or owner. Such written notice shall be sent by mail or hand delivery to the address provided in the application. The written notice shall state the reason(s) for such revocation or denial and shall state that such applicant or owner may appeal the decision to the Animal Care Director, as provided herein. Notice of denial or revocation is effective on the date the notice is placed in the mailbox maintained by the U.S. Postal Service, or is hand delivered to the applicant. Failure by the County to give notice as provided in this Chapter, shall not establish a right to the additional dog permit under this Chapter.

CLEARFIELD CITY COUNCIL MEETING MINUTES  
6:00 P.M. WORK SESSION  
January 11, 2022

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                   |
|                   | Devin Rogers                      | Police Assistant Chief         |
|                   | Eric Howes                        | Community Services Director    |
|                   | Curtis Dickson                    | Community Services Deputy Dir. |
|                   | Spencer Brimley                   | Community Development Director |
|                   | Brad McIlrath                     | Senior Planner                 |
|                   | Rich Knapp                        | Finance Manager                |
|                   | Ricki Miller                      | Human Resources Manager        |
|                   | Shaundra Rushton                  | Communications Manager         |
|                   | Nancy Dean                        | City Recorder                  |
|                   | Wendy Page                        | Deputy Recorder                |
| VISITORS PRESENT: | Kathryn Murray, Donovan Gilliland |                                |

STAFF OR VISITORS PRESENT VIA ZOOM: Adam Favero – Public Works Director, CNielson, Bettina, Angie Blair, JWLaub, Chris Ferreira, Kenny England, Wendy Brimhall, Iphone, Teresa Allen, Brooke Limoges, Spence L., Annie Bradshaw, Clint Warnick, Kimberly's Iphone, Norah, Heidi's Iphone, Dispatch, Lee Naylor, Braden Felix, CR, Stacy, Amy Sellers, RWong, Zack Baker

Mayor Shepherd called the meeting to order at 6:02 p.m.

DISCUSSION ON THE CITY'S 2021 COMPENSATION STUDY

JJ Allen, City Manager, explained the available options to the Council for addressing current compensation proposals. Mr. Allen noted to implement the compensation study it would cost approximately \$1.5 million for a full year. He stated staff was looking for the discussion to provide a resolution to the following questions:

- 1) What action the Council wanted to take regarding implementation of the compensation study.
  - a) The original recommendation
  - b) Something different from the original recommendation
  - c) Nothing, except Public Safety
- 2) How the Council wanted to approve the implementation of the compensation study.
  - a) Work session direction plus grouped budget amendment
  - b) Work session direction plus separate budget amendment
  - c) Work session direction plus policy session approval of compensation plan plus a grouped or separate budget amendment

Mayor Shepherd stated he had spoken to multiple mayors and many were facing similar issues. He expressed his opinion implementing the compensation study was the right thing and inevitable. He noted paying for it in the current fiscal year was not as challenging because funds were available. He mentioned retail sales tax was historically high which would not likely always be the case. He felt the City should have policy that specified an amount that should be held in reserves for rainy day funds and also a policy about maintaining the rate. He acknowledged personally he had spent weeks working to become comfortable with implementing the compensation study.

Councilmember Phipps stated one-time funds were available however in the future it would be challenging to find the money needed to implement the compensation study. He expressed concern about committing next year to 1.5 million dollars and similar years to the same pattern because it would escalate over time. He explained the certified tax rate could be maintained for years and yet it would not cover the amount of money needed; thus, taxing would not provide a way out of the situation. He noted the Council would need to look at long term fiscal capabilities and make difficult decisions because the problem compounded itself annually.

Councilmember Thompson joined the meeting via Zoom at 6:14 p.m. and arrived in person at 6:25 p.m.

Mayor Shepherd commented after the last discussion the Council realized the timeframe was too quick to make a decision. He noted the decision would be better if made during the budget cycle; however, it was his feeling it was something that needed to be resolved sooner and could not wait.

Councilmember Roper stated it was discussed previously for the Council to get involved much earlier in the budget process in the future. He acknowledged the business community was also facing the same issues so there would be worse consequences if the City waited to act.

Councilmember Phipps understood the dilemma that the City was facing. He spoke to blips in the economy and the decisions made would have a ripple effect. He expressed his opinion it would be good to find balance between what could be afforded and not overcommit the City in the future. He was supportive of funding the public safety portion but beyond that was uncertain what should currently be done. He expressed his opinion it would be good to pick a number that was affordable and let staff work on it from there.

Mr. Allen stated due to the expressed interest of getting involved earlier in the budgeting process, at the upcoming retreat meeting on January 21, 2022, staff planned to introduce priority-based budgeting. He felt it would help everyone understand the inventory of functions and programs that there were as a City, from what was most important to what was least important. He expressed his opinion it would be helpful in making the difficult decisions that would be faced in the future.

Councilmember Peterson stated when making such a decision the Council wanted all the information possible. She agreed it was important to determine what could be afforded because that number would roll into budgets now and in the future. She acknowledged it would be easier to do during the budget process. She noted currently there were some pressures on the organization with public safety and the economy that was bringing it to a head. She indicated the process felt rushed. She understood the current impacts. She commented what the Council was considering would tie future mayors and councils to that decision. She suggested pausing the conversation and discussing it more in depth during the upcoming retreat since there was not time to wait until spring when it could be addressed during the budget process. She expressed her opinion giving a head nod tonight was inappropriate and skipped a due process step that was so critical because it was not a single item or budget amendment. She said it was a shift in policy and should be its own item. She hoped the retreat could provide time, before its consideration on January 25, 2022, for the Council to receive some of the answers to questions and come up with a number that would be affordable. She acknowledged staff did not come to the Council with the study before making sure they were comfortable with the data themselves. She felt it would be reckless to ask the Council for a decision without the same process. She stated the questions presented by staff during the meeting would be great for a discussion during the retreat.

Councilmember Thompson stated no one could have predicted the economy issues. He indicated over-subsidizing and looking at core governmental functions had always been two of his concerns. He was not certain if things would change in two weeks or three months. He expressed his opinion there might not be any clarity other than the City was behind in compensation. He spoke on growth and the economy and its current challenges. He felt waiting to discuss it later would be like kicking the can down the road and he did not want to do it. He understood feeling that it was irresponsible to make a policy decision on the fly because he had worried about the same things for the last two years. He felt if the Council waited until the retreat for more discussion, then there should be a firm resolve made at that time because the employees deserved to know. He worried if employees were left waiting any longer they could decide to leave.

Councilmember Peterson stated the action was set for the policy meeting on January 25, 2022 and that date had not changed. She indicated her intent was not to stall but use the retreat as an opportunity to have more time to look at the budget process a little bit more in depth and see if there was a number the Council was comfortable with in moving forward.

Councilmember Roper expressed his opinion if the Council saved continued discussion for the retreat, then they would need to come ready to give direction to staff.

Councilmember Peterson reiterated the intent was not to stall and did not feel it was worth rushing to a decision during the current meeting. Councilmember Thompson was comfortable with her position and was willing to have another discussion on the January 21, 2022.

Councilmember Bush indicated he did not want the Council to have a four or five hour discussion on the topic at the retreat. He felt one hour should be the maximum. He stated nothing was going to change. He pointed out that staff had been working on it for months and the data would be the same. He wondered what other numbers there were to be had.

Mayor Shepherd agreed there would not be a whole lot of new numbers without doing the entire budget process. There was a discussion on budget forecasts and the difficulty with predictability.

Mayor Shepherd stated it was unfortunate the decision was coming outside a budget cycle. Mr. Allen stated if it was more palatable for the Council to make the decision during the budget cycle that was an option. He mentioned it would be possible to move forward with the implementation of public safety immediately and wait on implementation of the other positions until July 1, 2022. He noted the numbers could change. He added another consideration should be the impact to the current work force if implementation for non-public safety employees were delayed.

Councilmember Thompson was not comfortable making the decision split between public safety and others. He expressed his desire to take care of everybody as much as possible.

Councilmember Phipps stated he valued employees and was trying to make sure the Council was not only taking care of the employees now but into the future by being fiscally prudent. He stated years back when other places were laying people off the City Council provided increases to its employees. He hoped the employees understood they were valued and had seen that demonstrated in various other ways.

Summer Palmer, Assistant City Manager, stated she appreciated that perspective and felt the mature heads and employees could also appreciate that perspective. She noted many of the positions being recruited were entry level positions and they might not understand that perspective because they were part time and not receiving additional benefits. She explained the City needed entry level positions too and in order to compete it would need to do so on some economic level. She mentioned the challenges with the lifeguard situation and the chain reactions it caused by not competing with wages. She stated the entry level positions received the largest adjustments, simply to compete with other wages being raised in the current economy. She spoke to the strategies that were considered when contemplating wages.

Councilmember Phipps appreciated the differentiation between positions and acknowledged the point was well taken regarding the non-career positions. Ms. Palmer stated the most movement on the grade scale were those non-career positions. Mr. Allen shared an example of issues the City was facing with IT.

**Councilmember Bush moved to adjourn the work session and reconvene in policy session at 6:58 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.**

The meeting reconvened in work session at 8:55 p.m.

#### DISCUSSION ON THE CITY'S 2021 COMPENSATION STUDY CONT'D

JJ Allen, City Manager, stated the Council could hold a work meeting on January 18, 2022 for further discussion. Mayor Shepherd stated he would be comfortable holding another meeting next week rather than taking time during the retreat for the discussion.

Summer Palmer, Assistant City Manager, agreed it would be good to hold a separate meeting for the discussion rather than taking time from other topics already prepared for the retreat. She offered to meet with Councilmember Phipps in the coming days if it would be helpful to review what had been presented during the meeting he had missed. Councilmember Phipps requested a copy of the presentation to review, and he said he would reach out to staff if further explanation was needed.

The consensus of the Council was to hold a meeting on January 18, 2022 to continue vetting the implementation of the compensation study.

#### DISCUSSION ON THE IMPLEMENTATION OF A PUBLIC SAFETY WELLNESS PROGRAM

Kelly Bennett, Police Chief, presented a proposal for a mental health wellness program for officers. He explained Clearfield had a young department so it was time to move away from the 'suck it up' mentality and provide the needed support for officers. He indicated the City had some significant incidents recently and it was found there was a need for additional services. He stated the department had implemented a peer support team which had helped.

Chief Bennett stated over the last couple of months staff had vetted several programs and found one that fit the needs of the department at no cost to the employees. He noted there might be charges to the health insurance but no out of pocket expenses for employees. He mentioned Providence Corporation provided mental wellness screenings that identified high-risk categories for negative behaviors through an online assessment. He reviewed how the program worked and how the data would be utilized by the department.

Councilmember Phipps asked how often the assessment would be done. Chief Bennett answered it would be done biannually. He noted the peer support team would continue to monitor needs quarterly. He added if the department or an employee saw a need to do it more frequently, they could request it.

Chief Bennett stated the police would like to move forward with the program right away. He stated the program was not included in the FY22 budget and there would be a reoccurring annual cost of \$12,095.65. He stated if the Council was supportive then there would be a budget amendment coming forward in the future.

JJ Allen, City Manager, asked if the Council was comfortable with staff moving forward to implement the program before a budget amendment was approved.

The consensus of the Council was to have the police department implement the public safety wellness program and include the expense with the upcoming budget amendments.

#### DISCUSSION ON AMENDMENT NO. 7 TO THE INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR ANIMAL SERVICES

JJ Allen, City Manager, explained that each year the usage rate for animal services was recalculated by Davis County to identify each city's financial obligation. He noted Clearfield's current usage rate was 12.48 percent of the total billable calls, making the calendar year 2022 obligations \$75,480.03 for operations and \$7,013.76 for capital projects. He noted the amendment to the City's budget would be a little less than \$27,000.

Mr. Allen explained there were many changes with the County related to animal services, but he felt it was going in a good direction. He mentioned next year the County could adopt a tax rate dedicated to animal services or at least that was the direction things were headed. He suspected the City's contract for animal services would go into calendar 2023. He thought by the end of calendar year 2023 it would be completely switched over to the County for those services. Mr. Allen reported the Council would consider the budget amendment with the other budget amendments on January 25, 2022. He noted the amendment to the Interlocal Agreement with Davis County for animal services was also planned for consideration on the same date.

#### DISCUSSION ON THE VILLA DRIVE SURVEY REGARDING PARKING AND TRAFFIC

Shaundra Rushton, Communications Manager, stated back in 2021 residents living on Villa Drive had requested that the Council look into their street problems. She explained a 12-question survey was distributed to all households on Villa Drive. She reviewed the results of the Villa Drive survey regarding parking and traffic. She stated 23 responses were received from the 67 households. She highlighted the demographic data collected from the survey. She reported the highest rated concern was related to parking.

Ms. Rushton said the survey included various parking options and the highest percentage voted for no parking within 60 feet of State Street. She mentioned there was also a fill in the blank response which generated additional insights and included widening the road, not doing anything, speeding issues, clearly marking the fire hydrants, and increasing the street lighting. She stated since the data was only a representation of about a third of the households, staff would recommend a site walk with the property owners to receive feedback from those that would be impacted by any changes directly.

Councilmember Bush wondered if it was known which properties responded to the survey. Ms. Rushton replied it was anonymous. She noted the survey was incentivized; however, only 27 had responded to it.

There was a discussion about the lack of responses, parking issues, complaints regarding the auto company parking cars along Villa Drive, marking fire hydrants, and street lighting.

Councilmember Peterson expressed her support for not allowing parking within 60 feet of State Street because of needing clear vision for safety; however, she understood there had been a low percentage of responses.

There was a discussion about challenges with the recent fire along the road which could have spurred the group with concerns to come forward initially. Councilmember Peterson commented she would still like the City to consider no parking within 60 feet of State Street on Villa Drive. There appeared direction given to staff to not make any changes yet since the results demonstrated there was not a majority opinion on the solution.

Ms. Rushton suggested it would be good to let the residents know they were heard and share the results of the survey with them. Mayor Shepherd expressed his opinion it would be good to share the survey results with them. Mr. Allen agreed and stated sharing the results could stir more discussion among the neighbors and perhaps they would be able to bring forward any solutions in a future meeting if there was enough interest in addressing the problem in some specific way.

#### DISCUSSION ON THE FINAL SUBDIVISION PLAT FOR THE BALL FIELDS SUBDIVISION LOCATED AT APPROXIMATELY 951 WEST 300 NORTH

Brad McIlrath, Senior Planner, reviewed the proposed subdivision plat for the Ball Fields Subdivision located at 951 West 300 North. He stated the subject properties were rezoned from A-1 (Agricultural) to R-1-6 (Residential) on September 14, 2021. He noted the 9-lot single-family subdivision was consistent with R-1-6 zone standards. Mr. McIlrath pointed out that Lot 1 was the location of the existing home and it would have an area of 15,848 square feet. He explained the average lot size of the other lots was 7,052.5 square feet. He indicated Lot 8 was the smallest lot at 6,001 square feet. He mentioned Lot 4 included a drainage area for a storm water detention basin and easements for the storm water and sewer utility lines to run south and connect to the lines on 950 West.

Mr. McIlrath reviewed the subdivision plat, street design, grading and drainage plan, storm water and sewer connections. He stated the Planning Commission reviewed the proposed subdivision on December 15, 2021 and recommended approval conditioned on the following seven conditions:

1. A site plan shall be submitted with buildable areas for each lot that comply with the setbacks of the R-1-6 zone.
2. The plat shall be revised to include addresses for the lots and a street name for the residential street.
3. A geotechnical report shall be submitted for review and approval by Clearfield City Engineering and Building staff.
4. Plans shall be revised to address Clearfield City Engineering requirements prior to obtaining final signatures on the plat and recording of that plat.
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 or bond for the public improvements shall be approved by the City Engineer and posted prior to the recordation of the plat as outlined in Section 12-9-2 of the subdivision ordinance.

7. A note shall be placed on the final plat that indicates the drainage easement is a storm water detention basin and that the basin cannot be modified unless approved by the Clearfield City Council.

Mr. McIlrath indicated the City Council would consider the final subdivision plat on January 25, 2022.

#### DISCUSSION ON BUDGET AMENDMENTS FOR THE FISCAL YEAR 2022

Rich Knapp, Finance Manager, reviewed the following proposed budget amendments for the General Fund, which had a net effect of use of the fund balance in the amount of \$1,561,818:

- Fourth of July contracted services expense for the firework show – \$17,500
- Roll over of CDBG prior year funding - \$111,455
- Fleet lease with updated numbers for FY22 - \$16,342
- Parking Study – Match for \$27,000 Wasatch Front Regional Council grant – \$3,000
- PARAT Tax partial funding of the full-time arts position - \$26,000
- Animal Control Services Contract increased service fee from the budgeted amount - \$28,000
- Mental Health Wellness Program for the Police Department - \$12,100
- Medical card supplies for police dispatch - \$1,200
- Personnel compensation Adjustment - \$1,438,480
- Lobbyist contract - \$48,000
- GO Bond fund balance transfer to the General Fund - \$67,274
- Debt Service Interest and Costs associated with the 2021 Bond - \$284,107
- Miscellaneous Infrastructure Bond Costs and Revenues - \$20,500,000

Mr. Knapp mentioned the General Obligation (GO) Bond Debt Fund transfer had not been discussed previously with the Council. He reported after the GO Bond was paid off last year, the GO Bond Fund had remaining funds from prior years' collections and transfers in. He explained the proposed budget amendment would zero out the GO Bond Debt Fund by transferring the remaining \$67,274.

He reviewed the following proposed budget amendments for the Enterprise Funds, which resulted in the use of utility funds' balance in the amount of \$291,900:

- Train Watch Park PRV Project additional funding - \$56,500
- Indigo 880 Sewer Lateral tie-in project - \$20,000
- JUB Sewer Model contract - \$50,000
- Sewer Capacity Study expense from previous fiscal year - \$11,400
- Personnel compensation adjustment - \$154,000

He stated a public hearing and Council consideration on the proposed budget amendments was scheduled for January 25, 2022.

## MONTHLY DEPARTMENT UPDATES

### *OSHA's Covid-19 Emergency Temporary Standards (ETS)*

Summer Palmer, Assistant City Manager, stated in November of 2021 the Covid-19 Emergency Temporary Standards (ETS) were announced by President Biden. She explained it included private employers with over 100 employees and public sector employers with State OSHA Plans which included Utah. She reported the ETS required employers to determine the vaccination status of each employee, obtain acceptable proof of vaccinations status, and maintain a roster. She acknowledged it would also require employees who are not fully vaccinated to be tested for Covid-19 at least weekly and wear a face covering when indoors or when occupying a vehicle with another person for work.

Ms. Palmer mentioned ETS was being challenged legally and staff was currently waiting for the legal opinion from the Supreme Court. She indicated if the ETS were to go into effect, enforcement would start in February. She stated in anticipation the City had a draft policy and a current roster of vaccinated employees. She reported the testing component of the policy did not go into effect until March, but staff did not have a good solution for testing 150 employees weekly. There was a discussion about the rule and its impacts.

### *Covid Testing Centers*

Kelly Bennett, Police Chief, reported there were currently two Covid Testing Centers in Clearfield. He pointed out that the State run testing center was in the Freeport Center and the privately run testing center was at the car wash located on 200 South State Street. He indicated there had been a surge in testing which had caused traffic to backup at both sites. He acknowledged surrounding business owners had called the police about traffic issues, blocked entrances, etc. He noted the police were responding but options for enforcement were limited and the City was trying to find a solution that helped everyone. He stated the testing centers had been asked to work to minimize impacts.

### *General Fund Balance*

Rich Knapp, Finance Manager, stated the State constantly focused on the percentage of revenues allowed to remain in the General Fund as reserves. He reported the auditor had included CARES Act funding in the totals of the General Fund balance for FY21, which left the City at 52 percent and was well over the 35 percent allowed.

Mr. Knapp reviewed the General Fund unrestricted fund balances from FY2018 to FY2021. He noted the budget amendments proposed for FY22 would bring the unrestricted fund balance percentage of revenue back down to 40 percent so there would be about \$8,149,067 of unrestricted fund balance. He reported the City lost the person responsible for accounts payable

so there could be an impact on the timing of paying the expenses and the accounting might not be up to date for the next few months.

### *Business Licensing*

Spencer Brimley, Community Development Director, stated the City was working to conduct a business license fee study. He indicated the request for proposals deadline was January 13, 2022 and it was hoped the study would be completed by June. He stated staff had requested a recommendation on the Good Landlord Program as part of the fee study. He said staff would wait to make any decision about that program until after the fee study was completed.

Mr. Brimley reviewed data for 2022 active business licenses compared to 2021. He noted there were 84 more business license holders in 2022. He pointed out a majority of business license holders renewed licenses in December. He mentioned staff was working with new software called Energov but it had many challenges and limitations. JJ Allen, City Manager, stated staff was continuing to look for a better software solution to assist with business licensing.

### *PD Centennial*

Kelly Bennett, Police Chief, stated the police department formed a committee to focus on designing a badge and patch that could be used for the City's centennial year. He explained the officers would be wearing these throughout the year. He presented the Mayor, City Council, and department heads with a centennial badge, coin, and collector patch.

**Councilmember Bush moved to adjourn as the City Council and reconvene as the CDRA in work session at 10:07 p.m., seconded by Councilmember Peterson. 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\*\**

CLEARFIELD CITY COUNCIL MEETING MINUTES  
6:00 P.M. WORK SESSION  
August 23, 2022

City Building  
55 South State Street  
Clearfield City, Utah

|                |                  |                                  |
|----------------|------------------|----------------------------------|
| PRESIDING:     | Tim Roper        | Mayor Pro Tem                    |
| PRESENT:       | Kent Bush        | Councilmember                    |
|                | Nike Peterson    | Councilmember                    |
|                | Vern Phipps      | Councilmember                    |
|                | Karece Thompson  | Councilmember                    |
| EXCUSED:       | Mark Shepherd    | Mayor                            |
| STAFF PRESENT: | JJ Allen         | City Manager                     |
|                | Summer Palmer    | Assistant City Manager           |
|                | Stuart Williams  | City Attorney                    |
|                | Kelly Bennett    | Police Chief                     |
|                | Adam Favero      | Public Works Director            |
|                | Braden Felix     | City Engineer/PW Deputy Director |
|                | Eric Howes       | Community Services Director      |
|                | Spencer Brimley  | Community Development Director   |
|                | Brad McIlrath    | Senior Planner                   |
|                | Shaundra Rushton | Communications Manager           |
|                | Nancy Dean       | City Recorder                    |

VISITORS: Chuck Cowley, Erich Morey, and Jenna Nelson

Mayor Pro Tem Roper called the meeting to order at 6:02 p.m.

DISCUSSION ON THE HILL AIR FORCE BASE MONITORING WELLS LICENSING AGREEMENT

Braden Felix, City Engineer/Public Works Deputy Director, explained that Hill Air Force Base was obligated to monitor the groundwater by utilizing wells placed throughout the City. They furnished a Licensing Agreement to obtain Council's approval to locate and maintain the groundwater monitoring wells and to conduct groundwater soil testing. The agreement would provide the USAF access to the premises for a term of one year with an option to renew the agreement for 20 additional years in one-year increments. The agreement was not to extend beyond March 31, 2042. There would be an annual licensing fee of \$5,000 paid to the City.

Councilmember Bush asked how often they would be collecting samples. Mr. Felix responded they would at least collect samples annually, but the agreement permitted them access to the wells as often as they needed.

Councilmember Phipps reminded Council he sat on the Restoration Advisory Board. He informed Council that the monitoring was dependent on where the plume was and if they were actively tracking it. He provided an example of the methane issue and noted they were tracking that monthly.

#### DISCUSSION ON AMENDMENTS TO THE CLEARFIELD JUNCTION DEVELOPMENT AGREEMENT

Spencer Brimley, Community Development Director, approached the Council to discuss a possible third addendum request for a minor modification to the pool and spa size, along with changes to the layout of the courtyard amenities and interior common space areas for the Clearfield Junction project. Mr. Brimley provided the background on the Development Agreement (DA).

- *DA Approved:* May of 2018, outlined the applicants' duties for development as it related to incentives. **(Made with the original developer.)**
- *First Addendum:* December of 2018, Council approved an addendum to the agreement that outlined several modifications to the Form Based Code (FBC) as requested by the applicant. **(Made with original developer.)**
- *Second Addendum:* Approved by Council in December of 2021, the approved changes to the development agreement were more specifically identified as items related to the site plan approval, but required approval of the Planning Commission and City Council through an additional addendum to the DA. **(Made with original developer)**
- *Third Addendum:* The proposed changes address some items of concern that had come up with the amenities for the project. The developer desired to keeping moving forward and provide high quality amenities in a timely manner. **(Requested by new owner)**

Mr. Brimley explained that the new owner of the development wanted to reduce the square footage of the pool and spa. The request would reduce the pool to 1,000 square feet and the spa to 100 square feet. The requirements were 1,375 square feet for the pool and 121 square feet for the spa. He provided comparisons of pool and spa sizes for other local projects.

| Project                 | Pool Size (SF) | Hot Tub (SF) | Unit count |
|-------------------------|----------------|--------------|------------|
| City Centre             | 700            | 124          | 123        |
| West Square             | 770            | 160          | 141        |
| Heights (Towers)        | 1,200          | 104          | 225        |
| Pinnacle Mt. View       | 1,181          | N/A          | 324        |
| The Pointe (West Point) | 720            | 80           | 108        |

Mr. Brimley continued to explain the request was multi-faceted. The main reason being those measurements were the maximum that could be achieved with the configuration of the interior suites. He noted that an increase to the pool or spa above the requested measurements would require additional bathrooms that would take away space from either the gym or the clubhouse. The applicants believed the additional space to the pool would not justify taking space away from the gym or clubhouse. Mr. Brimley conveyed staffs' agreement with that belief.

The requested changes to the layout of the courtyard amenities and interior common space areas were laid out for the Council.

| <b>Element of Project</b> | <b>Development Agreement</b> | <b>Proposed</b>         |
|---------------------------|------------------------------|-------------------------|
| Landscaping               | 4,137 SF (around pool)       | 4,137 SF (around pool)  |
| Parking                   | 4 Stalls                     | 16 stalls               |
| BBQ and Fire Pit          | 1,800 SF                     | 1,786 SF                |
| Gym                       | 1,250 SF in Building 1.      | 1,350 SF in Building 2. |
| Leasing Office            | 670 SF in Building 1.        | 906 SF in Building 1.   |
| <b>Optional</b> Clubhouse | 1,820 SF in Building 2.      | 1,385 SF in Building 1. |
| Maintenance Room          |                              | 590 SF in Building 2.   |

He acknowledged that the applicant would need to file an application to amend the agreement, but they wanted to meet with the Council to talk through some of the items prior to taking that step.

Councilmember Bush inquired if Argentine Corner was still on track and if the punch list as of December had been completed. Mr. Brimley confirmed Argentine Corner was moving forward and provided a brief update. He confirmed the punch list had been completed but stated that some of the items on that list were delayed due to backorder or supply chain issues. The developer was required to provide specific times and dates for delivery and installation.

Councilmember Peterson asked for an update on the glass panels. Eric Mourey, owner, replied more panels needed to be ordered due to breakage. He explained if there continued to be breakage, a different option would need to be explored. He noted the glass was tempered so it would not shatter, and he would like to fix it as soon as possible.

Councilmember Thompson asked if FBC allowed for more sustainable material options should the glass on the balconies not be viable. Mr. Brimley confirmed that different materials could be utilized if the transparency requirement for the balconies could be accommodated. Brad McIlrath, Senior Planner, provided material options such as a metal or steel railing, or reinforced glass. He explained the code addressed a maximum transparency of fifty percent and noted when Clearfield Junction was approved, that standard was not in place. Mr. Brimley added there was flexibility in the FBC should the developer want to change materials.

Councilmember Peterson did not have concerns with the proposals and was glad to see additional parking added. She commented that the project's prominence had troubled the community but there was some restoration of faith with the new owner. She appreciated Mr. Mourey attention and attendance at the meeting. Mr. Brimley reported Mr. Mourey and his team would like to purchase phase 2, however, it was not yet in play.

Mr. Brimley explained if Council did not have any questions or concerns with the amenities or pool and spa sizes requests, the next step would be for Mr. Mourey to apply for an addendum to the Development Agreement which would come back before the Council after the Planning Commission.

Councilmember Peterson appreciated that the small modifications requested were an overall benefit to the project and the residents would receive something better than the original design.

Mr. Brimley confirmed the owner would move forward with the application process.

There was no further discussion on the item.

#### UPDATE ON THE LAKESIDE DEVELOPMENT AGREEMENT

Brad McIlrath, Senior Planner, provided the Council with an update on the Lakeside Apartments Mixed-Use Development Agreement. The public hearing was tabled on August 9, 2022 until September 13, 2022 to allow the developer and staff time to finalize the agreements and any necessary exhibits. Staff had received an updated draft development agreement from the developer, and after review of the draft development agreement, staff had identified items that were proposed by the developer that were inconsistent with staff's interpretation of the direction given by Council or were not previously discussed with the City Council. Mr. McIlrath reviewed the changes in question and asked for Council's direction regarding the changes.

##### *1. Commercial Square Footage*

- The original development agreement and project plans referred to 27,500 square feet of commercial space
- The updated development agreement provided approximately 26,570 square feet of commercial space

Mr. McIlrath noted the difference in square footage was due to architectural design for the inside of the building. Councilmember Bush asked if the square footage was finished floor area. Chuck Cowley, developer, confirmed it was.

No concerns were expressed with the change in square footage.

##### *2. Timing for Construction*

- The Form Based Code (FBC) required construction to begin within 12-months of the final land use approval.

- Final land use approval would be when all engineering and planning conditions were completed.
- The proposed development agreement language was for three years with an option to request a 12-month extension if necessary.
- A two-year timeframe with two 12-month extensions had been discussed between staff and the developer.

Mr. McIlrath explained that the reason for the change with the timing of construction was based upon the developers experience and how time commitments working with vendors and hiccups in development could be impacted. They wanted to be sure there would be enough time to procure materials, funding, and/or services the project would require, and have them lined up so the project could be completed correctly rather than being sped through the process.

Councilmember Peterson conveyed she would like to see 24 months rather than 36 months. Mr. Cowley clarified the discussion was for 24 months with two 12-month extensions and explained things could happen in the market that the developer would have no control over. Councilmember Phipps believed the 24 months with two 12-month extensions was a good balance between the City's desire and practical need.

No other concerns were expressed with the timing for construction.

### 3. *Corner Build-to-Zone and Occupation of Corner*

- Form Based Code required a corner build-to-zone for Mixed-Use/Core Commercial buildings of zero to five feet in the Urban Core Commerce (U-C) zone.
- The previous language allowed a fifty-foot setback to accommodate the art plaza at the corner of State Street and Waterfront Way.
- The new language contained a setback of approximately seventy feet.
- Occupation of the corner language previously stated fifty feet, and the new language stated sixty feet.
- Staff recommended not referring to a measurement with the occupation of the corner standard. The building would occupy the corner, just at a greater build-to-zone.

Councilmember Bush asked where the setback would be measured from. Mr. McIlrath reported it would be the end of the right-of-way. Councilmember Bush inquired if the seventy-foot setback applied for the buildings facing Waterfront Way. Mr. McIlrath confirmed it did. Councilmember Bush was concerned that the setback would mean a loss of twenty feet of the parking lot. Mr. McIlrath illustrated the change on the site plan and Mr. Cowley affirmed there would not be a reduction in the parking lot space.

There were no concerns expressed with the Corner Build-to Zone and Occupation of Corner.

### 4. *Trees per Acre*

- A minimum of twenty trees per one acre of project area was required by the Form Based Code. Street trees were not to be counted toward the requirement.
- Previously, the developer requested a reduction in the tree requirement to twelve trees per one acre of project.

- Part of the Planning Commission approval recommendation.
- The updated modification included language which incorporated street trees into the count.

Councilmember Roper asked if there was a need to revisit FBC regarding trees. Mr. McIlrath thought there could be a need but noted multi-family projects weren't having an issue accommodating the requirement. He recognized not many projects had been completed in the Urban Core downtown area and haven't had as much street presence as the Lakeside Development.

Councilmember Peterson felt a case could be made for the street trees to be included in the tree count. However, she did not feel there was a compelling case for reducing the number of trees required. She commented that a reduction made sense for the North Davis Fire District since the building profile would have been obscured along with the advance visibility requirements. Mr. Cowley rebutted that they were building to density and the only space available for trees would be the street, parking lot, and civic open space. He commented that after the planting of trees in the parking lot per FBC for appropriate shading, street trees, and the planted islands in the parking lot, there would be thirty to forty trees unaccounted for. The only available space for those trees would be the civic open space which would diminish the ambiance and usability of that space.

Councilmember Peterson appreciated the context behind the request.

Councilmember Phipps envisioned openness and access to Mabey Pond. If it were a park or something more traditional, he could see the practicality behind more trees.

Councilmember Peterson asked for the opinion of staff on the reduction of trees from twenty to twelve per acre. Mr. McIlrath felt it made sense to have that reduction and compared the development setback with that of the Lotus and City Center projects. Their setbacks allowed for the placement of trees whereas the design of Lakeside would not. He mentioned the use of smaller trees such as columnar trees to meet the standard and noted those types of trees were typically seen next to the buildings not in the parking lot. He conveyed staff was supportive of the twelve trees and was open to Council's direction as to the inclusion of the street trees into the count. Councilmember Peterson asked Mr. McIlrath if he believed trees could be reasonably placed along Waterfront Way or the building, or if the twelve trees per acre with consideration of the street trees struck a balance with what made sense for the site given the orientation and the layout. Mr. McIlrath believed it struck a good balance between the two and mentioned staff would stick with the twelve trees per acre. He provided an option of not counting the street trees as a compromise.

Councilmember Thompson asked what the thought process was behind the twenty trees to the acre. Mr. McIlrath explained the idea was to try to reduce the heat island effect from the parking lots and they could provide better building efficiency.

**Councilmember Bush moved to adjourn the work session and reconvene in policy session at 6:58 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.**

The meeting reconvened at 7:19 p.m.

To address Councilmember Thompson's question on the thought process behind the tree count per acre, Mr. McIlrath demonstrated it using impervious and semi-pervious percentages from FBC and applied it to the development. Councilmember Thompson questioned if there was a need for flexibility in the tree count number to speak to the uniqueness of each project. He was in favor of the inclusion of the street trees toward the requirement.

Councilmember Peterson appreciated the context of the discussion and liked the proposal from staff to reduce the overall count and not include the street trees toward the requirement.

Stuart Williams, City Attorney, asked for clarification on the direction Council would proceed with. Councilmembers Bush, Phipps, Roper, and Thompson agreed to include the street trees toward the requirement. Councilmember Peterson was against including the street trees toward the requirement.

Councilmember Bush commented that the number of trees removed with the construction of the parking structure would need to be planted elsewhere on the project. JJ Allen, City Manager, pointed out that would be an argument not to count the street trees toward the requirement. There appeared to be confusion on what staff had recommended. Mr. McIlrath clarified that staff recommended that the modification of twelve trees per acre remain but the additional language to allow street trees to count towards that quantity not be accepted.

Mr. Cowley commented it was not about the cost, rather it was about aesthetics. He wanted the greatest number of trees and believed trees brought value to developments. He did not think it would be possible, given the design envisioned, and was trying to create an optimum solution. He believed the twelve trees per acre with the inclusion of the street trees in the count was the optimum solution. He clarified that he only took the street trees on State Street into consideration of his request, not the ones on Waterfront Way.

After the discussion, Councilmembers Roper and Thompson were in favor of allowing the street trees to count. Councilmembers Peterson, Phipps, and Bush deferred to the recommendation of staff.

The majority of Council decided to proceed with the staff recommendation of twelve trees per acre not including the street trees.

5. *Waterfront Way Cul-de-sac*

- FBC prohibits cul-de-sac streets except where site impediments prohibit a connected street for accessing the location. Site impediments included: canals, water bodies, steep slopes greater than thirty percent, and railroad lines.

- If allowed, permanently or temporarily, the following standards would apply:
  - Cul-de-sac could not be more than 300 feet in length.
  - Cul-de-sac would have a maximum outside turning radius of fifty feet.
  - The vehicular and pedestrian realm of the cul-de-sac would need to follow the cross-section standards for the Neighborhood Street type. The remaining center of the cul-de-sac would need to be landscaped and function as a curbed bioswale.
  - A pedestrian sidewalk connection would need to be provided from the cul-de-sac to the next closest street or pedestrian right-of-way.

Mr. McIlrath reported according to the plans, the cul-de-sac would not exceed 300 feet in length and complied with the maximum outside turning radius of fifty feet, however, it would not have the bioswale. He demonstrated how the pedestrian sidewalk would connect from the cul-de-sac to Marilyn Drive.

Councilmember Peterson asked if the Fire District was okay with the proposed size for the cul-de-sac. Mr. Cowley explained they were okay with it because the distance between the corner and the beginning of the cul-de-sac would not otherwise be the length they would need for a hammerhead truck.

Councilmember Peterson reiterated her objection to the Development Agreement Section 14 - Parking. She was opposed to the allowance of off-site parking and believed it should be self-contained. She provided two reasons behind her objection:

1. With Form Based Code (FBC) or anywhere else, Council would not allow any project to come in and not meet the parking requirements for the residents completely within a site. The parking would be contingent upon development of the south end which would be years down the road. Markets changed and with that came uncertainty. The question was essentially if the Council would be okay with allowing a significant amount of off-site parking. Historically Council would not have allowed any other project to function that way.
2. She believed the City had learned some lessons in FBC about caution that should be applied in allowing concessions contingent upon other developments. She used Lotus Anthem project as an example. Council had made significant concessions that were contingent on development of the east side, and then the pandemic hit, and the concessions made on the east side were lost.

Councilmember Peterson asked if the Council was going to allow a site to be built that would not have adequate on-site parking for the unit count of the site, and would they allow off-site parking on the south end with the possibility of it becoming the long-term or permanent solution. She wondered if it was a fair application of FBC given the standard every other developer and project would be required to meet.

Councilmember Phipps commented that it would require a significant rework. Mr. Cowley added they would have to build garden apartments on the entire ten acres to accommodate that. He stated there was no contingency. There was a deeded parking easement that ran for the servient

tenement to give parking to the dominant tenement which would be the northern parcel. He believed FBC allowed for parking within 660 feet and the plans were in that range.

Mr. McIlrath pulled up FBC for the Council to review. It allowed for private off-premises parking by deed or lease. He stated Mr. Cowley was proposing recording a parking easement that would run with the land and be recorded.

Councilmember Bush questioned what would happen if the south side was sold to someone else. Mr. Allen clarified the parking lot would be secured by the possession of the easement. Mr. McIlrath added that the easement would be recorded and unless there was language in the easement that specified a termination date, it would remain in place until a parking structure was built to accommodate the spaces.

Councilmember Peterson stood by her original objection to the parking. Mr. McIlrath did not disagree with her concern. Mr. Allen recognized that the off-stie parking was a real possibility and restated the question of whether the Council was okay with that and was it better than the current condition. Councilmember Peterson commented there was a perception that there were two sets of rules for the application of Form Based Code.

Mr. McIlrath pointed out that the financing for the south would help cover the cost of the parking structure for the north because it was imperative for the parking structure to be built in order for the south to develop and that was the motivation for the property owners and developer. Mr. Cowley affirmed Mr. McIlrath's statement.

Mr. Allen commented the parking situation could assist in convincing other taxing entities that the City needs to include the north side of the property in the project area in order to accomplish the ultimate vision for the property when creating of a new CRA project area. Councilmember Bush confirmed he would be okay with the parking if it would help with other CRA projects.

Councilmember Phipps commented he had a different approach. He explained his passion for the site was for it to be developed as a community gathering place and he wants to figure out how best to achieve that. He appreciated Councilmember Peterson's comments but wasn't sure if the vision of a community gathering place could be achieved if the parking wasn't allowed. Councilmembers Thompson and Roper agreed that either way the Council chose to go, there would be difficulties.

Councilmember Thompson did not agree with the zoning of the property and would like to do anything possible to mitigate the impacts. He felt it was a risk either way, but he would be okay with allowing the parking to stand.

Councilmembers Roper, Thompson, and Bush agreed to allow the parking requirement for the north side to be satisfied by parking on the south side with a recorded easement until a parking structure was built on the north.

Councilmember Bush questioned what would stop recreation users from parking in the commercial and residential spots on the south side. Mr. Cowley responded that the commercial

parking would have signs, the residential parking would be assigned spaces, and it would have to be monitored. There was a discussion on where the pond visitors would park. Mr. McIlrath pointed out that the east side of the pond had designated parking which might need to be enlarged at some point.

Councilmember Peterson asked Mr. McIlrath for the timing of the eight or so parking spaces that would be on the south end. He confirmed that would take place with the development of the south side. Councilmember Peterson stated in the past with public spaces, the City had been under parked. With infrastructure being an afterthought with other recreational developments, there were inherent problems because the residents embraced the areas and came. She commented that the west side of the pond would be open for public access without adequate space for them to be able to get there and access it if the sole purpose was to visit the pond. She restated her thought that the City was planning for a use without addressing a need for that use that would drop with the development of the north side.

Mr. McIlrath suggested marking specific parking spaces for the pond. Mr. Cowley offered to designate six parking spots for the pond patrons. Councilmember Peterson suggested that offer was a good step forward acknowledging the access the Council wanted to see. Mr. Cowley commented he wasn't looking for a good step forward but a confirmation that would be sufficient. Councilmember Peterson agreed it would need to be specifically called out with the hope of relieving the management burden. She stated the infrastructure need to be in place for that area to be used by City residents. She also expressed her expectation that the six proposed parking spots would not count toward the number of designated spots needed for 197 off-site parking spots. She also wanted to make sure that six designated parking spots would be commiserate to what the City would provide in other parks as far as the acreage of useable open space, which would not include the open space covered by water. She stated it needed to be consistent. Mr. McIlrath confirmed Community Services would assist in the determination of the appropriate number of spaces rather than agreeing to an arbitrary number, however, it was noted that there was not a parking standard in the FBC or Euclidian zoning for parks and open spaces.

Councilmember Peterson asked for a recommendation from Eric Howes, Community Services Director. He couldn't provide an answer without knowing what would be there to actually use. He stated the six to eight parking spots on the other side were sufficient for what was currently there. Councilmember Roper believed six spaces would be fair. Mr. Cowley reminded Council it was intended to be a temporary solution until everything could be built. Councilmember Peterson viewed "temporary" as possibly years and agreed with six spaces having not heard anything contrary.

Mr. Allen asked if the Development Agreement would be ready for consideration by the Council at its meeting on September 13, 2022. Mr. Brimley confirmed staff was planning to have everything read for the Council to consider action on it on September 13, 2022.

There was no further discussion on the Development Agreement.

## DISCUSSION ON ZONING TEXT AMENDMENTS FOR FIREWORK STANDS AND TEMPORARY OR SEASONAL MERCHANTS

Staff proposed amendments to the regulations in Section 11-13-26 of the Clearfield Municipal Code to expand the possible location within the City for firework stand and temporary or seasonal merchants. Mr. McIlrath explained the basis for the proposed regulation changes was due to development within the City, changes made by the adoption of the FBC, and current trends with the school districts, churches, and non-profit organizations seeking to operate fireworks stands, and temporary or seasonal merchants on their properties. He reported the current City Code did not place restrictions on properties within the Freeport Center or Freeport West, and specifically allowed for fireworks stands and temporary or seasonal merchants to be located along the following corridors in the C-1, C-2, M-U, C-R, D-R, and M-1 zones:

- Main Street
- State Street
- 1700 South (Antelope Drive)
- 700 South (SR 193)
- 200 South
- 300 North

The City Code limited the ability to locate fireworks stands and temporary or seasonal merchants at the corners of SR-193 and 2000 East (University Park Boulevard) and Legend Hills. Mr. McIlrath conveyed the reasoning behind staffs' belief that the regulatory ordinance over fireworks stands, and temporary or seasonal merchants should be amended.

### *1. Development Impact*

Since the property at SR-193 and 2000 East (University Park Boulevard) was developed with the Sinclair gas station, the Bravada 193 Apartments, and future office building, staff believed the regulations were no longer necessary and recommended the restriction at that location be repealed.

### *2. New Zones Created by the Adoption of the FBC*

New zones had been created with the development of properties in the FBC: C-C, T-R, T-C, U-R, U-C, and CV. Staff proposed the new zones be permitted zones for fireworks stands, and temporary or seasonal merchants. Fireworks stands had been operated in those zones as legal non-conforming uses. (i.e. the fireworks stand in front of Rancho Markets (T-C Zone), and the former Chevron gas station at 650 North and Main Street (C-C Zone))

### *3. Current Trends*

The Davis School District changed its stance allowing for fireworks stands to be located on its properties to assist with fundraising efforts. Examples provided included requests for a fireworks stand at North Layton Junior High School as an annual fundraiser for student activities over the past few years, and another request at South Clearfield Elementary School.

The reason behind the discussion was an increased interest for the use on school, church, and nonprofit properties. Mr. McIlrath stated the City would like a good working relationship with the School District. Councilmember Phipps clarified that the PTA did not do fundraisers of the

particular type being discussed, but the school itself was allowed to conduct one fundraiser per year.

Councilmember Thompson asked if the schools benefitted from the fireworks stands operating on their property and would the City agree with the request if there was a profit for the school. Councilmember Phipps explained that some profit from the revenues would be received by the schools, and that he would report back to the Council on what the district policy was.

Mr. Howes expressed concern with having a firework vendor close to a mass gathering. He mentioned the problems he had experienced during the City's Fourth of July fireworks show and acknowledged he couldn't be sure the vendor was the cause. Councilmember Peterson thought the proximity of the vendor to a mass gathering should be considered. There was a discussion on if and how that could be regulated.

On August 17, 2022 the Planning Commission forwarded a recommendation of approval to the City Council for the request to amend regulations for Firework Stands, Temporary or Seasonal Merchants as outlined in Section 11-13-26 of the Clearfield City Municipal Code. Mr. McIlrath informed Council that the recommendation was made with changes and was a unanimous vote. He reviewed staffs' changes along with the Planning Commission's changes. He explained the Planning Commission made changes because it wanted to be more specific on locations.

Council agreed to strike the language stating "if located outside of Freeport Center or Freeport West" in number two of section A. There was a discussion surrounding the hours of operation of the fireworks stands along with the proximity to a mass gathering. Chief Bennett expressed concern with residents being able to purchase the fireworks during an event near a mass gathering. Mr. Allen suggested utilizing a radius measurement to determine the proximity.

Councilmember Peterson suggested pausing the discussion and coming back to it after some further investigation had been done. Councilmember Roper expressed interest in knowing how pertinent the funds were to South Clearfield.

There was no further discussion on the item.

#### DISCUSSION ON ZONING TEXT AMENDMENTS FOR SIGN REGULATIONS IN THE DOWNTOWN FORM BASED CODE

Mr. McIlrath presented a zoning text amendment request by Clearfield City to amend the sign regulations in the Downtown Form Based Code. Through literal application of the Downtown Clearfield Form Based Code (FBC) sign regulations, staff observed certain design standards were prohibitive to private businesses and could be amended or removed to better align with the standard needs of commercial businesses and would accomplish the overall vision for the corridor. The newer developments in the downtown areas identified a need to have more prominent building signage to showcase the name of the development for the community and residents.

Mr. McIlrath reviewed the proposed FBC sign regulations changes.

1. *Maximum Sign Area and Amounts; Permitted Quantity of Signage Per District*

The regulations on page 116 of the FBC limit the total amount of attached and detached signage for a lot based on the zoning of the lot as provided in table 10.2.

| <b>Table 10.2(1). Permitted Quantity of Signage by District</b> |                                                                                |
|-----------------------------------------------------------------|--------------------------------------------------------------------------------|
| <i>District</i>                                                 | <i>Maximum Permitted Quantity of Signage Per Lot</i>                           |
| UC, UR, CV                                                      | 3 square feet per 1 linear foot of lot width with a maximum of 150 square feet |
| TC, TR, CC                                                      | 2 square feet per 1 linear foot of lot width with a maximum of 100 square feet |

It was staffs' belief that it would be more appropriate to allow the sign area limitations per the sign type to determine the size and type of signage provided and recommended the language of code along with Table 10.2 be repealed to provide increased flexibility for local businesses.

2. *Wall Sign Regulations*

The FBC would allow wall signs to occupy fifteen percent of any single building façade. To be consistent with the sign standards in Chapter 11-15 of the Land Use Ordinance, staff recommended a maximum sign area of fifteen percent or 600 square feet, whichever would be less, be imposed. A letter or element of a sign was limited to two feet in the FBC which had become problematic for most existing and new businesses to comply with. Staff recommended the standard be repealed from the code.

3. *Building Identification Signs*

Sign standards for freestanding Center Identification Signage are identified in the FBC, but there are no requirements identified for signs attached to a building. There have been requests from developments in the FBC area to have signs located on the building which could be accomplished with a wall sign, projecting sign, or some other sort of iconic sign. A provided example was the Lotus Anthem projecting sign in which regulations would prohibit a sign of that size. Staff believed it would be necessary to add a new sign regulation type for building identification signs with the same intent of a Center Identification Sign. Size, height, building placement, illumination, quantity, and materials would need to be considered. Mr. McIlrath presented table 10.11(1) that included new standards to be considered.

| <b>Table 10.11(1). Building Identification Sign Requirements</b> |                                                                                                                                        |
|------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| Permitted Districts                                              | All Districts                                                                                                                          |
| Sign Area                                                        | 100 sq ft maximum area per sign face. Counts toward maximum 15% façade sign area for wall signs                                        |
| Location on Building                                             | Front or Corner of Building Facades                                                                                                    |
| Placement on the Building                                        | Horizontally oriented wall signage is permitted at the top of the upper story only.<br><br>Vertically oriented wall mounted signage is |

|                       |                                                                                                                                                                                                           |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                       | permitted at the corner or building edge.<br><br>Projecting signage is permitted along any portion of a front or corner façade. No projecting sign may extend greater than 48” from the building surface. |
| Quantity              | 1 per building frontage                                                                                                                                                                                   |
| Internal Illumination | Permitted                                                                                                                                                                                                 |
| Materials             | Solid wood, metal & masonry; plastic synthetics are permitted on sign face. Vacuum formed acrylic signs or box can signs are not permitted                                                                |

Mr. McIlrath stated the proposed amendments were in accordance with the General Plan which encouraged the adaptation of zoning regulations and codes to meet the needs of the City and development. He reiterated that changed conditions made the proposed amendments necessary and would help the City accomplish its goals of providing quality municipal services through continuous improvement through innovation.

Mr. McIlrath conveyed that there were no concerns from the Planning Commission on the requested amendments. Council did not express any concerns with the requested amendments.

#### DISCUSSION ON THE STREETS MAINTENANCE PROJECT BUDGET AMENDMENT

Mr. Felix provided the Council with an update on the City’s streets treatment projects for the year. He reported Morgan Pavement would be doing the City’s slurry seals, All-Star Striping would be doing the street striping, and Kilgore would be doing the mill and fill improvements along 1000 West along with the roadside improvements. He reviewed the projects with the Council.

##### Slurry Seals - Morgan Pavement

- Site preparations were being done by contractor and public work crews
- Low-hanging trees were the current concern
- Slurry crews were likely to begin next week
- All slurry sealing should be completed in 2022 except for cape seals which would be done after the slurry seal window

- Cape seals would be coming to major roads (300 North, 1000 West, Main Street, and 650 North)
  - Stake Parsons would chip seal, and Morgan Pavement would apply Onyx overlay

Mr. Felix emphasized the slurry seal was to help increase the service life of the asphalt. He showed Council the street closure notice that Morgan Pavement would be sending out a week prior to the work beginning.

All-Star Striping reported they were confident the work would be done soon. Councilmember Peterson commented the work had already begun and was looking good.

#### 1000 West Mill & Fill, Roadside Improvements – Kilgore Construction

- Curb, gutter, and sidewalk would be installed from 107 South to 25 South and 975 South to 865 South.
- Milling 2.5 inches off with a three-inch overlay
- Park strips would have rock mulch
- Soft spot repair was part of the contract to help prepare for the slurry

Councilmember Bush asked if there would be a way to move the 300 North 1000 West irrigation line out of the middle of the street. Mr. Felix stated the City did not have the funds to move the utility and it was a private utility. Councilmember Bush asked if there was any other construction besides the irrigation boxes on 1000 West. Mr. Felix confirmed the boxes had already been completed.

Mr. Felix talked to the Council about the 950 South Paving behind the Indigo Eight-80.

- As part of the City's sewer line replacement project, the City would like to partner with the developer of Indigo Eight-80 to have the remaining asphalt pulverized and repaved.
- It would require a \$31,250 amendment to the streets treatment budget.
- Milling should be August 25, 2022, grading August 26, 2022, then paving August 29, 2022.

Council seemed to agree to proceed with the request. Adam Favero, Public Works Director, noted it would not really be an amendment since there was a contingency for that project. Councilmember appreciated the recognition of the need.

There was no further discussion on the item.

#### UPDATE ON THE BUBBLE PARTY AT THE CENTER STREET BRIDGE

Shaundra Rushton, Communications Manager, provided a recap of the Bubble Party that took place on August 20, 2022 on the Center Street Bridge.

- 2,000 attended
- Mixed demographics – skewed toward younger (on purpose)
- Cost: \$6,000
  - \$3 per person

- Lesson:
  - Partner with Library again to avoid cost of restrooms
  - Partner with other businesses at similar outreach events
- Comparable Events:
  - Glow Party (2,000) - \$8,000
  - Boonanza (1,000) - \$8,000

Ms. Rushton asked Council for its thoughts on the event. The Council seemed to enjoy the event. Councilmember Roper commented there were more people getting involved than there was at the Glow Party. Councilmember Peterson suggested that a banner or sign be placed down by the barricades to announce what was taking place. She noted that the curve of the bridge did not make it obvious to onlookers what was taking place. Mr. Howes, Community Services Director, commented that since attendance was over 1000, they would be required to obtain a mass gathering permit in the future. Ms. Rushton thanked the Council for coming out and Public Works and Community Services for their support.

**Councilmember Thompson moved to adjourn the work session at 9:04 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.**



## STAFF REPORT

**To:** Mayor Shepherd and City Council Members  
**From:** Richard Knapp, Finance Manager  
**Meeting Date:** October 25, 2022  
**Subject:** Proposed Amendment to the City's Purchasing Policy to Allow for the Minor Reallocation of Funding by the City Manager Within Individual Department Budgets

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### RECOMMENDED ACTION

Consider approval of the proposed language to be included within the city's Purchasing Policy that is intended to allow the city manager to perform minor (less than \$10,000) budget reallocations within individual departments from existing accounts or line-items.

### BACKGROUND

#### 1. Proposed Purchasing Policy Amendment

During the Council's approval of the city's new Purchasing Policy in June, the Council struck a single paragraph regarding the city manager's ability to reallocate budgeted funds and instructed staff to explore alternative language to achieve the desired outcome. After careful consideration of the concerns and opinions expressed by Council in June, staff provides the following alternative language:

##### *Proposed New Language:*

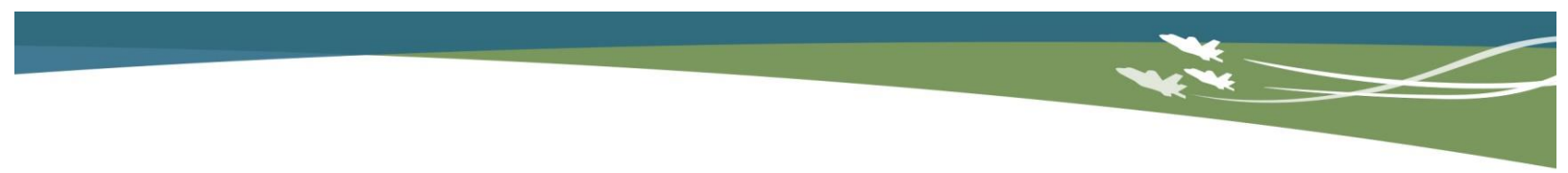
Minor Reallocations Within a Department: The city manager may reallocate up to \$10,000 of funding from an existing account or line-item to another within the same department in order to accommodate unanticipated and/or incidental purchases that are deemed imperative or advantageous to the City's operational needs, so long as the reallocation does not increase the total amount of the department's approved budget. The city manager may not combine or compound the reallocation of funding from existing accounts or line-items to another within the same department to exceed the aforementioned \$10,000 limit.

##### *Previously Omitted Language:*

Department Reallocation: The city manager may reallocate up to \$10,000 dollars of unspent funding from an existing line-item within a department budget to another line-item within the same department budget when the reallocation does not increase the total amount of the departments approved budget.

#### 2. Practical Need for Ability to Reallocate Funding (less than \$10,000)

The budget is a plan for how to responsibly spend the City's resources, akin to the General Plan's relationship to land use. However, actual execution inevitably varies from the original plan. For example, the cost of supplies may change unexpectedly, or what we intended to accomplish in-



house becomes impossible (due to staffing turnover) and must now be contracted out. And occasionally new needs come up during the year that we did not anticipate when preparing the budget. It is practical realities such as these that necessitate some flexibility in our purchasing policy.

### **HEDGEHOG ANALYSIS**

While there is no legal requirement to provide the city manager with this type of purchasing flexibility, to not do so would unnecessarily bog down the City's purchasing system and operations, generally (since the alternative is to send all such matters to the City Council). Running the question through the hedgehog tool results in a "high value" score of 21.

### **CORRESPONDING POLICY PRIORITIES**

Providing Quality Municipal Services – The proposed change will avoid unnecessary delay in addressing small items and will result in greater efficiency in addressing the needs of our residents.

### **FISCAL IMPACT**

There is no direct fiscal impact. The additional paragraph will save staff and Council time and will allow staff to respond faster.

### **ALTERNATIVES**

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

1. Council may instruct staff to proceed with amending the Purchasing Policy, subject to specifically articulated edits and schedule this item for a future policy session.
2. Council may instruct staff to not amend the Purchasing Policy to allow the city manager to perform minor (less than \$10,000) budget reallocations within individual departments from existing accounts of line-items.
3. Council may provide staff with alternative direction.

### **SCHEDULE / TIME CONSTRAINTS**

There are no time constraints to amend the Purchasing Policy to allow for minor reallocations, but staff believes the proposed change is imperative to avoid unnecessary delay in addressing small items and will result in greater efficiency in addressing the needs of our residents.

### **ATTACHMENTS**

There are no attachments to this staff report.

# CLEARFIELD CITY ORDINANCE 2022-30

## AN ORDINANCE AMENDING TITLE 2 OF THE CLEARFIELD CITY CODE

**PREAMBLE:** This Ordinance amends Title 2- Revenue and Finance, Chapter 3, Section 4 by adding a new Paragraph B and renumbering the subsequent paragraphs of that section.

**BE IT ORDAINED BY THE CLEARFIELD CITY COUNCIL:**

### **Section 1. Enactment:**

*Title 2, Chapter 3 – Revenue and Finance, Purchasing Policy is hereby amended to read as follows:*

#### **2-3-4: STANDARDS FOR PURCHASING:**

- A. Budget Itemized Purchase Authority: For those purchases of supplies, equipment, professional services, consultants, and construction projects specifically included and detailed within the city's lawfully adopted budget, the individual authorized purchasing authority is as follows:
1. Division Managers: A division manager that is designated by the department head and approved by the chief financial officer may authorize purchases up to **\$5,000**. Sufficient effort should be made on all purchases, regardless of cost, to determine the best value before any purchase is initiated.
  2. Department Heads: A department head that is designated by the city manager and approved by the chief financial officer may authorize purchases up to **\$25,000**. Sufficient effort should be made on all purchases, regardless of cost, to determine the best value before any purchase is initiated. A written agreement is required for contractual services or if the purchases require customization, have unique design criteria, or special terms and conditions.
  3. City Manager: The city manager, after providing notice of intent to the chief financial officer, may authorize purchases **over \$25,000**. Sufficient effort should be made on all purchases, regardless of cost, to determine the best value before any purchase is initiated. A written agreement is required for contractual services or if the purchases require customization, have unique design criteria, or special terms and conditions. Unless directed differently by the majority of the city council in a public meeting, the signature of the Mayor is required on all written agreements for contractual services over \$100,000.

- B. Minor Reallocations Within a Department: The city manager may reallocate up to \$10,000 of funding from an existing account or line-item to another within the same department in order to accommodate unanticipated and/or incidental purchases that are deemed imperative or advantageous to the City's operational needs, so long as the reallocation does not increase the total amount of the department's approved budget. The city manager may not combine or compound the reallocation of funding from existing accounts or line-items to another within the same department to exceed the aforementioned \$10,000 limit.
- C. Non-Budgeted Purchases: Except for incidental purchases consistent with regular operations and those limited unique circumstances outlined within this Chapter, no purchase shall be made for supplies, equipment, professional services, consultants, and construction projects not specifically included and detailed within the city's lawfully adopted budget.
- D. Bids Not Required for Certain Work: It is the policy of the city to reserve itself all legal prerogatives to perform services and work with its own personnel and equipment; therefore, nothing in this article shall be construed to require bids to be called for or contracts let for conducting, maintaining, or managing any department, business, or property of the city when it's in the public interest for the city to perform the work with its own personnel and equipment.
- E. Supplies and Equipment
1. Purchases of supplies, equipment, or contractual services of a value of **\$5,000 or less** may be made in the open market without formal bidding procedures and without a written agreement except as provided in this section. Sufficient effort should be made on all purchases, regardless of cost, to determine the best value before any purchase is initiated.
  2. Purchases of supplies, equipment, or contractual services of a value **greater than \$5,000 but less than \$100,000** requires at least three (3) written price quotes and shall be obtained prior to the purchasing of supplies, equipment, or contractual services. A record of all written quotes shall be attached to the purchase requisition. A written agreement is required for contractual services or if the purchases require customization, have unique design criteria, or special terms and conditions.
  3. Purchases of supplies, equipment, or contractual services of a value **greater than \$100,000** shall be awarded to the lowest responsible bidder as described in 2-3-7 of this chapter pursuant to the formal bidding procedures. A written agreement is required for contractual services or if the purchases require customization, have unique design criteria, or special terms and conditions. Unless directed differently by the majority of the city council in a public meeting, the signature of the Mayor is required on all written agreements for contractual services over \$100,000
  4. Value amounts used herein refer to both unit cost and combined multiple unit cost. The estimated value shall be determined by the department authorized signer, after review of the pertinent requisition and specifications, in order to determine the

applicable bidding procedure. The chief financial officer shall have the authority to waive the requirement to obtain written price quotes in such circumstances that are not cost effective or advantageous to the city.

F. Professional Services, Consultants and Construction Projects:

1. Contracts for professional services and construction projects estimated to value **\$50,000 or less** may be made in the open market without formal bidding procedures.
2. Contracts for professional services and construction projects estimated to value **greater than \$50,000 but less than \$100,000** require at least three (3) written price quotes and shall be obtained prior to beginning the project. A record of all written quotes shall be attached to the purchase requisition. A written agreement is required for contractual services.
3. Contracts for professional services and construction projects of a value **greater than \$100,000** shall be awarded to the lowest responsible bidder pursuant to the formal bidding procedures. A written agreement is required for contractual services or if the purchases require customization, have unique design criteria, or special terms and conditions. Unless directed differently by the majority of the city council in a public meeting, the signature of the Mayor is required on all written agreements for contractual services over \$100,000
4. Except for maintenance and improvement projects performed by city personnel, all construction projects estimated by the city engineer, or other appropriate party to have a value **more than \$100,000**, or where required by state law, shall be advertised for bid and awarded to the lowest responsible bidder as described in 2-3-7 of this chapter, pursuant to the procedure hereinafter prescribed. All such contract awards shall be made by written contract as provided in section 2-3-2, Contract Validity and Execution, and shall comply with the insurance and bonding provisions of this article. Unless directed differently by the majority of the city council in a public meeting, the signature of the Mayor is required on all written agreements for contractual services over \$100,000

- G. Refusal to Receive Bids: The city may preclude contractors or suppliers from submitting bids where said proposed bidder has not completely satisfied prior notices to comply with construction documents, drawings and/or other specifications, or has otherwise failed to perform any work for the city or the state in a timely or satisfactory manner. The contractor or supplier may appeal the city's decision to refuse bids from a specific contractor or supplier by filing a written notice of appeal within five (5) days of service of the notice of refusal. The appeal shall be filed with the chief financial officer. An informal administrative hearing shall be held within fifteen (15) days. The hearing shall be conducted and decided by the city manager and two (2) department heads. Their decision shall be final.

**Section 2. Repealer:** Any provision or ordinances that are in conflict with this ordinance are hereby repealed.

**Section 3. Effective Date:** This Ordinance shall become effective immediately upon its posting in three public places within Clearfield City.

DATED this 25<sup>th</sup> day of October, 2022, 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:



## STAFF REPORT

**To:** Mayor Shepherd and City Council Members  
**From:** Rich Knapp, Finance Manager  
**Meeting Date:** October 25, 2022  
**Subject:** Fiscal Year 2023 First Quarter Financial Update

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### **Recommended Action**

Presentation and discussion only.

### **Description / Background**

The draft FY23 first quarter numbers are attached but will change before the meeting, especially certain revenues. The analysis and presentation were not ready for this packet.

### **Schedule / Time Constraints**

### **List of Attachments**

# Revenues

25% of Fiscal Year Complete

Clarification No

| Account Title                       | Sept<br>FY21     | Sept<br>FY22     | Sept<br>FY23     | Variance Prior<br>Yr | FY23<br>Budget    | % of<br>Budget |                 |
|-------------------------------------|------------------|------------------|------------------|----------------------|-------------------|----------------|-----------------|
| General Fund - 10                   |                  | <i>a</i>         | <i>b</i>         | <i>b-a</i>           | <i>c</i>          | <i>b/c</i>     |                 |
| <b>Taxes</b>                        |                  |                  |                  |                      |                   |                |                 |
| Current Property Tax                | \$ 35,677        | \$ 90,616        | \$ 156,673       | \$ 66,058            | \$ 3,062,625      | 5%             |                 |
| Vehicle Value Based Tax             | 33,091           | 38,153           | 36,222           | \$ (1,931)           | 115,000           | 31%            |                 |
| Delinquent Taxes Prior Yr           | 4,120            | 19,894           | 2,858            | \$ (17,036)          | 55,000            | 5%             |                 |
| Sales & Use Taxes                   | 1,426,971        | 1,565,070        | 485,900          | \$ (1,079,170)       | 6,375,000         | 8%             | only July       |
| Energy Use Tax                      | 615,958          | 658,140          | 746,397          | \$ 88,257            | 2,545,000         | 29%            |                 |
| PARAT Tax                           | 84,929           | 90,299           | 25,404           | \$ (64,895)          | 361,000           | 7%             | only July       |
| CaTV Franchise Taxes                | 38,885           | 37,794           | 34,840           | \$ (2,954)           | 152,000           | 23%            |                 |
| Utility Franchise Taxes             | 145,472          | 139,012          | 148,756          | \$ 9,743             | 515,000           | 29%            |                 |
| Muni Telecom Tax                    | 42,648           | 34,433           | 10,761           | \$ (23,672)          | 130,000           | 8%             | only July       |
| Transient Room Tax                  | 2,718            | 3,487            | 1,262            | \$ (2,225)           | 7,000             | 18%            |                 |
| <b>Taxes Total</b>                  | <b>2,430,469</b> | <b>2,676,897</b> | <b>1,649,073</b> | <b>(1,027,825)</b>   | <b>13,317,625</b> | <b>12%</b>     | (11,668,552)    |
| <b>Licenses &amp; Permits</b>       |                  |                  |                  |                      |                   |                |                 |
| Business Licenses                   | 17,116           | 10,598           | 12,238           | 1,640                | 110,000           | 11%            |                 |
| Landlord Registration               | 786              | 5,493            | 6,586            | 1,093                | 25,000            | 26%            |                 |
| Sign Permits                        | 250              | 250              | 550              | 300                  | 1,500             | 37%            |                 |
| Building Permits                    | 108,090          | 166,998          | 71,576           | (95,422)             | 400,000           | 18%            |                 |
| Excavation Permits                  | 55,374           | 3,240            | 3,600            | 360                  | 8,000             | 45%            |                 |
| Demolition Permits                  | 300              | 300              | 150              | (150)                | 900               | 17%            |                 |
| Inspection Fees                     | 1,692            | 2,820            | 2,632            | (188)                | 6,000             | 44%            |                 |
| Cemetery & Burial Permits           | 2,800            | 6,750            | 8,745            | 1,995                | 22,000            | 40%            |                 |
| <b>Licenses &amp; Permits Total</b> | <b>186,408</b>   | <b>196,449</b>   | <b>106,077</b>   | <b>(90,371)</b>      | <b>573,400</b>    | <b>18%</b>     |                 |
| <b>Intergovernmental</b>            |                  |                  |                  |                      |                   |                |                 |
| General Federal Grants              | -                | 1,558,976        | -                | (1,558,976)          | 7,580             | 0%             | FY21 CARES, FY. |
| CDBG Grant Revenue                  | 25,841           | 47,176           | -                | (47,176)             | 204,240           | 0%             | COVID monies f  |
| State Grants                        | 61,527           | 78,467           | 4,056,558        | 3,978,091            | 4,322,498         | 94%            | GOED Station P. |
| Class C Roads                       | 152,078          | 143,358          | -                | (143,358)            | 1,100,000         | 0%             |                 |
| Liquor Fund Allotment               | -                | -                | -                | -                    | 35,000            | 0%             |                 |
| County Transportation               | 130,950          | 145,137          | 45,096           | (100,041)            | 600,000           | 8%             | only July       |
| <b>Intergov Total</b>               | <b>370,395</b>   | <b>1,973,114</b> | <b>4,101,654</b> | <b>2,128,540</b>     | <b>6,269,318</b>  | <b>65%</b>     |                 |
| <b>Charges for Services</b>         |                  |                  |                  |                      |                   |                |                 |
| Zoning & Subdivision                | 13,805           | 14,507           | 6,085            | (8,422)              | 42,000            | 14%            |                 |
| Plan Check Fee                      | 12,079           | 31,974           | 15,640           | (16,334)             | 115,000           | 14%            |                 |
| Special Police Services             | 12,974           | 10,691           | 7,923            | (2,768)              | 42,000            | 19%            |                 |
| Davis SD Police Protection          | -                | -                | -                | -                    | 83,000            | 0%             |                 |
| DUI/Seatbelt (Overtime Re           | 1,042            | 1,303            | 4,529            | 3,227                | 23,000            | 20%            |                 |
| E-911 Service Fees                  | 84,133           | 80,644           | 27,003           | (53,641)             | 325,000           | 8%             | only July       |
| Dispatch Services                   | 21,252           | 21,252           | 32,916           | 11,664               | 120,000           | 27%            |                 |
| Metro Narcotics Ovt                 | 3,256            | 5,125            | -                | (5,125)              | 14,000            | 0%             |                 |
| MIDA Revenue                        | 2,318            | 2,969            | 4,676            | 1,707                | 10,000            | 47%            |                 |
| Aquatic Center                      | 279,512          | 296,353          | 366,520          | 70,167               | 1,610,000         | 23%            |                 |
| Recreation                          | 55,366           | 52,113           | 45,934           | (6,179)              | 285,000           | 16%            |                 |
| Arts                                |                  |                  | 23,335           |                      | 156,000           | 15%            |                 |
| Cemetery Plots                      | 2,410            | 3,160            | 5,920            | 2,760                | 11,000            | 54%            |                 |
| <b>Charges for Services Total</b>   | <b>488,144</b>   | <b>520,089</b>   | <b>540,479</b>   | <b>(2,944)</b>       | <b>2,837,000</b>  | <b>19%</b>     |                 |

# Revenues

25% of Fiscal Year Complete

Clarification No

| Account Title                      | Sept<br>FY21        | Sept<br>FY22         | Sept<br>FY23        | Variance Prior<br>Yr   | FY23<br>Budget       | % of<br>Budget |                   |
|------------------------------------|---------------------|----------------------|---------------------|------------------------|----------------------|----------------|-------------------|
| <b>General Fund - 10 Continued</b> |                     |                      |                     |                        |                      |                |                   |
| <b>Fines &amp; Forfeitures</b>     |                     |                      |                     |                        |                      |                |                   |
| Fines/Forfeitures                  | 71,924              | 75,781               | 84,927              | 9,146                  | 315,000              | 27%            |                   |
| Code Enforcement Fines             | 3,150               | 3,336                | 9,600               | 6,264                  | 10,000               | 96%            |                   |
| Fees/Costs/Contempt                | 30,419              | 36,320               | 27,887              | (8,433)                | 190,000              | 15%            |                   |
| Court Security Fees                | 3,636               | 2,929                | 2,989               | 60                     | 17,000               | 18%            |                   |
| <b>Fines &amp; Forf Total</b>      | <b>109,130</b>      | <b>118,423</b>       | <b>125,402</b>      | <b>6,979</b>           | <b>532,500</b>       | <b>24%</b>     |                   |
| <b>Miscellaneous</b>               |                     |                      |                     |                        |                      |                |                   |
| Interest Earnings                  | 24,001              | 20,615               | 200,666             | 180,052                | 60,000               | 334%           |                   |
| Unrealized Gains & Losses          | 60,206              | (11,028)             | (126,943)           | (115,915)              | -                    | #DIV/0!        |                   |
| Community Service Rentals          | 18,163              | 23,964               | 35,638              | 11,675                 | 20,000               | 178%           |                   |
| Rent/Lease                         | 3,902               | 4,753                | 6,159               | 1,406                  | 15,600               | 39%            | Cell Tower        |
| Bond Proceeds                      | -                   | 21,764,000           |                     | (21,764,000)           |                      | #DIV/0!        | Clearfield Static |
| Misc Revenues                      | 38,759              | 40,973               | 5,726               | (35,247)               | 45,000               | 13%            |                   |
| Donation Revenue                   | 350                 | -                    | -                   | -                      | 42,000               | 0%             |                   |
| Return Check Fees                  | 320                 | 240                  | 220                 | (20)                   | 750                  | 29%            |                   |
| One Time Misc Revenue              | 4,259               | -                    |                     | -                      |                      |                |                   |
| Commercial Fire Protect            | 29,579              | 31,081               | 32,017              | 936                    | 123,000              | 26%            |                   |
| <b>Miscellaneous Total</b>         | <b>179,539</b>      | <b>21,874,597</b>    | <b>153,483</b>      | <b>(21,721,114)</b>    | <b>306,350</b>       | <b>50%</b>     |                   |
| <b>Other Sources of Funds</b>      |                     |                      |                     |                        |                      |                |                   |
| TRNF Other Funds                   | -                   | 1,207,121            |                     | (1,207,121)            |                      |                | CMHP-bond pay     |
| TRNF CDRA Sales Tax Bond           | -                   | -                    | -                   | -                      | 774,983              | 0%             |                   |
| TRNF EF Sales Tax Bond             | -                   | -                    | -                   | -                      | 157,329              | 0%             |                   |
| TRNF City Water Costs              | -                   | -                    | -                   | -                      | 100,000              | 0%             |                   |
| TRNF from CDRA                     | 51,624              | 47,709               | 43,635              | (4,074)                | 180,799              | 24%            |                   |
| EF(S) Overhead Allocation          | 288,402             | 288,375              | 289,580             | 1,205                  | 1,158,321            | 25%            |                   |
| Pay In Lieu Davis County           | -                   | -                    | -                   | -                      | 4,300                | 0%             |                   |
| <b>Other Sources Total</b>         | <b>340,026</b>      | <b>1,543,205</b>     | <b>333,216</b>      | <b>(1,209,989)</b>     | <b>2,375,732</b>     | <b>14%</b>     |                   |
| <b>Total General Fund</b>          | <b>\$ 4,104,111</b> | <b>\$ 28,902,774</b> | <b>\$ 7,009,385</b> | <b>\$ (21,916,724)</b> | <b>\$ 26,211,925</b> | <b>27%</b>     | \$ 6,965,750      |

Revenues

25% of Fiscal Year Complete

Clarification No

| Account Title         | Sept<br>FY21 | Sept<br>FY22 | Sept<br>FY23 | Variance Prior<br>Yr | FY23<br>Budget | % of<br>Budget |
|-----------------------|--------------|--------------|--------------|----------------------|----------------|----------------|
| CDRA - 20             |              |              |              |                      |                |                |
| EDA #3 - ATK          | -            | -            | -            | -                    | 780,663        | 0%             |
| RDA #6                | -            | -            | -            | -                    | 224,391        | 0%             |
| RDA # 7               | -            | -            | -            | -                    | 276,716        | 0%             |
| RDA # 8               | -            | -            | -            | -                    | 252,817        | 0%             |
| RDA # 9               | -            | -            | -            | -                    | 534,668        | 0%             |
| RDA # 10              | -            | -            | -            | -                    | 216,707        | 0%             |
| CDA #1 - Clfd Station | -            | -            | -            | -                    | 170,163        | 0%             |
| CRA #1 - Lifetime     |              |              | -            |                      | 125,140        |                |
| Interest              | 19,664       | 7,653        | 914          | (6,739)              | 30,000         | 3%             |
| Sale of Assets        |              |              |              | -                    | -              | #DIV/0!        |
| Misc Revenues         | -            | -            |              | -                    | -              | #DIV/0!        |
| TRNF from EF          | -            | 1,134,177    |              | (1,134,177)          | -              | #DIV/0!        |
| CDRA Fund             | \$ 19,664    | \$ 1,141,830 | \$ 914       | \$ (1,140,916)       | \$ 2,611,265   | 0%             |

Sale of land for  
interdepartmen

GO Debt Service - 31

|                          |        |   |   |   |  |         |
|--------------------------|--------|---|---|---|--|---------|
| Current General Property | 14,351 |   |   | - |  | #DIV/0! |
| TRNF from EF             |        | - | - | - |  | #DIV/0! |

Park Capital Improvement - 40

|                   |         |         |        |           |         |            |
|-------------------|---------|---------|--------|-----------|---------|------------|
| Park Impact Fees  | 239,561 | 153,706 | 16,373 | (137,333) | 120,000 | 14% growth |
| Interest Earnings | 1,527   | 1,613   | 14,659 | 13,046    | 3,000   | 489%       |

Capital Improvement - 45

|                   |       |          |  |         |           |    |
|-------------------|-------|----------|--|---------|-----------|----|
| Interest Earnings | 5,949 | \$ 3,887 |  | (3,887) | 15,000    | 0% |
| Transfer from GF  | -     | -        |  | -       | 6,170,301 | 0% |

# Revenues

25% of Fiscal Year Complete

Clarification No

| Account Title             | Sept<br>FY21        | Sept<br>FY22        | Sept<br>FY23        | Variance Prior<br>Yr | FY23<br>Budget      | % of<br>Budget |     |
|---------------------------|---------------------|---------------------|---------------------|----------------------|---------------------|----------------|-----|
| <b>Utility Admin - 50</b> |                     |                     |                     |                      |                     |                |     |
| Interest Earnings         | 2,028               | -                   | -                   | -                    | 9,000               | 0%             |     |
| Late Fees/Penalty         | 34,893              | 38,215              | 42,229              | 4,014                | 135,000             | 31%            |     |
| Water Service Fees        | 5,586               | 2,468               | 3,522               | 1,054                | 19,000              | 19%            |     |
| TRNF from EF              | 89,951              | 80,954              | 73,301              | (7,652)              | 293,206             | 25%            |     |
| <b>Utility Admin Fund</b> | <b>\$ 132,458</b>   | <b>\$ 121,637</b>   | <b>\$ 119,052</b>   | <b>\$ (2,585)</b>    | <b>\$ 456,206</b>   | <b>26%</b>     |     |
| <b>Water - 51</b>         |                     |                     |                     |                      |                     |                |     |
| Water Impact Fees         | 22,388              | 14,507              | 3,442               | (11,065)             | 35,000              | 10%            |     |
| Interest Earnings         | 6,803               | 1,819               | 1,985               | 166                  | 30,000              | 7%             |     |
| Water Charges             | 1,291,454           | 1,153,925           | 1,276,551           | 122,626              | 4,200,000           | 30%            | 11% |
| <i>kgals</i>              | 768,613             | 539,869             | 536,119             | (3,750)              |                     |                | -1% |
| Water Meter Fee           | 11,611              | 12,252              | 2,711               | (9,541)              | 20,000              | 14%            |     |
| <b>Water Fund</b>         | <b>\$ 1,431,359</b> | <b>\$ 1,271,970</b> | <b>\$ 1,382,091</b> | <b>\$ 110,121</b>    | <b>\$ 4,385,500</b> | <b>32%</b>     |     |
| <b>Sewer - 52</b>         |                     |                     |                     |                      |                     |                |     |
| Sewer Impact Fees         | 45,506              | 33,307              | 4,291               | (29,016)             | 100,000             | 4%             |     |
| Interest Earnings         | 5,106               | 3,883               | 901                 | (2,982)              | 7,000               | 13%            |     |
| Sewer Charges             | 1,170,189           | 1,173,981           | 1,209,662           | 35,681               | 4,785,000           | 25%            | 3%  |
| <b>Sewer Fund</b>         | <b>\$ 1,220,801</b> | <b>\$ 1,211,171</b> | <b>\$ 1,214,854</b> | <b>\$ 3,683</b>      | <b>\$ 4,892,000</b> | <b>25%</b>     |     |
| <b>Storm Water - 53</b>   |                     |                     |                     |                      |                     |                |     |
| Storm Sewer Impact Fees   | 3,999               | 2,944               | 448                 | (2,496)              | 5,500               | 8%             |     |
| MIDA                      | 193                 | -                   | -                   | -                    | 2,320               | 0%             |     |
| Interest Earnings         | 7,070               | 3,564               | 718                 | (2,845)              | 10,000              | 7%             |     |
| Storm Water Charges       | 288,724             | 305,249             | 362,264             | 57,015               | 1,490,004           | 24%            | 19% |
| <b>Storm Fund</b>         | <b>\$ 299,987</b>   | <b>\$ 311,757</b>   | <b>\$ 363,430</b>   | <b>\$ 51,673</b>     | <b>\$ 1,507,824</b> | <b>24%</b>     |     |
| <b>Garbage - 54</b>       |                     |                     |                     |                      |                     |                |     |
| Interest Earnings         | 2,616               | 1,569               | -                   | (1,569)              | 4,000               | 0%             |     |
| Garbage Charges           | 419,328             | 422,294             | 434,914             | 12,620               | 1,750,000           | 25%            |     |
| <b>Solid Waste Fund</b>   | <b>\$ 421,944</b>   | <b>\$ 423,863</b>   | <b>\$ 434,914</b>   | <b>\$ 11,051</b>     | <b>\$ 1,754,000</b> | <b>25%</b>     |     |

# Revenues

25% of Fiscal Year Complete

Clarification No

| Account Title                  | Sept<br>FY21        | Sept<br>FY22         | Sept<br>FY23         | Variance Prior<br>Yr   | FY23<br>Budget       | % of<br>Budget |                  |
|--------------------------------|---------------------|----------------------|----------------------|------------------------|----------------------|----------------|------------------|
| <b>Fleet Management - 61</b>   |                     |                      |                      |                        |                      |                |                  |
| Fleet Charges GF               | 36,032              | 38,721               | 39,449               | 728                    | 157,798              | 25%            |                  |
| Fleet Charges Water            | 7,231               | 7,847                | 8,874                | 1,027                  | 35,496               | 25%            |                  |
| Fleet Charges Sewer            | 3,260               | 3,538                | 4,920                | 1,382                  | 19,680               | 25%            |                  |
| Fleet Charges Storm            | 1,810               | 1,964                | 3,954                | 1,990                  | 15,816               | 25%            |                  |
| Consum. Chrgs GF               | 31,621              | 47,488               | 50,094               | 2,606                  | 264,150              | 19%            | fleet exps incur |
| Consum. Chrgs Water            | 13,941              | 6,986                | 6,700                | (286)                  | 52,850               | 13%            | fleet exps incur |
| Consum. Chrgs Sewer            | 4,515               | 750                  | 1,240                | 490                    | 25,100               | 5%             | fleet exps incur |
| Consum. Chrgs Storm            | 1,128               | 884                  | 2,994                | 2,110                  | 19,100               | 16%            |                  |
| Consum. Chrgs Outside Ser      | -                   | -                    | -                    | -                      | 13,000               | 0%             |                  |
| Vehicle Replace GF             | -                   | -                    | -                    | -                      | 636,518              | 0%             |                  |
| Vehicle Replace Water          | -                   | -                    | -                    | -                      | 134,350              | 0%             |                  |
| Vehicle Replace Sewer          | -                   | -                    | -                    | -                      | 87,350               | 0%             |                  |
| Vehicle Replace Storm          | -                   | -                    | -                    | -                      | 79,350               | 0%             |                  |
| Sale of Capital Assets         | 35,000              | 31,946               | -                    |                        | 100,000              |                |                  |
| Fuel Charges                   | 3,733               | 3,989                | 5,778                | 1,788                  | 20,000               | 29%            |                  |
| <b>Fleet Management Fund</b>   | <b>\$ 138,271</b>   | <b>\$ 144,113</b>    | <b>\$ 124,002</b>    | <b>\$ (20,110)</b>     | <b>\$ 1,660,558</b>  | <b>7%</b>      |                  |
| <b>Risk Management - 63</b>    |                     |                      |                      |                        |                      |                |                  |
| Risk Charges - GF              | 45,130              | 57,698               | 66,101               | 8,403                  | 287,947              | 23%            |                  |
| Risk Charges - Water           | 7,501               | 8,343                | 9,103                | 761                    | 39,654               | 23%            |                  |
| Risk Charges - Sewer           | 4,240               | 4,555                | 5,114                | 559                    | 22,278               | 23%            |                  |
| Risk Charges - Storm           | 1,805               | 1,716                | 1,988                | 273                    | 8,661                | 23%            |                  |
| Risk Charges - Fleet           | 628                 | 356                  | 387                  | 31                     | 1,686                | 23%            |                  |
| Risk Charges - Garba           | 1,728               | 1,324                | 1,555                | 231                    | 6,772                | 23%            |                  |
| Misc Revenue                   | -                   |                      | 4,350                | 4,350                  | 9,000                |                |                  |
| <b>Risk Management Fund</b>    | <b>\$ 61,032</b>    | <b>\$ 73,991</b>     | <b>\$ 88,599</b>     | <b>\$ 14,608</b>       | <b>\$ 366,998</b>    | <b>24%</b>     |                  |
| <b>Perpetual Cemetery - 70</b> |                     |                      |                      |                        |                      |                |                  |
| Perpetual Care                 | 2,850               | 3,650                | 9,700                | 6,050                  | 9,000                | 108%           |                  |
| Interest Earnings              | 335                 | 164                  | 1,217                | 1,053                  | 1,200                | 101%           |                  |
| <b>Cemetery Fund</b>           | <b>\$ 3,185</b>     | <b>\$ 3,814</b>      | <b>\$ 10,917</b>     | <b>\$ 7,103</b>        | <b>\$ 10,200</b>     | <b>107%</b>    |                  |
|                                |                     |                      |                      |                        |                      |                |                  |
| <b>Total</b>                   | <b>\$ 8,094,201</b> | <b>\$ 33,766,125</b> | <b>\$ 10,779,190</b> | <b>\$ (22,986,936)</b> | <b>\$ 50,164,777</b> | <b>21%</b>     |                  |

# Expenditures

Historic Expenditures All Funds -25% of Year

| Type                 | Sept<br>FY21 | Sept<br>FY22  | Sept<br>FY23  | Variance<br>Previous Yr | FY23<br>Budget | % of<br>Budget |
|----------------------|--------------|---------------|---------------|-------------------------|----------------|----------------|
| Personnel            | \$ 2,537,561 | \$ 2,713,512  | \$ 3,516,610  | \$ 803,098              | \$ 16,192,732  | 22%            |
| Materials & Services | 3,448,022    | 2,570,127     | 2,699,531     | 129,404                 | 16,928,885     | 16%            |
| Capital Outlay       | 400,847      | 832,170       | 2,791,480     | 1,959,310               | 47,972,436     | 6%             |
| Debt Service         | 1,122,688    | 7,939,864     | 1,088,667     | (6,851,197)             | 2,196,779      | 50%            |
| Transfers            | 432,720      | 1,624,324     | 416,517       | (1,207,807)             | 9,882,397      | 4%             |
| Total All Funds      | \$ 7,941,838 | \$ 15,679,997 | \$ 10,512,805 | \$ (5,167,192)          | \$ 93,173,229  | 11%            |

Expenditures

| 25% of Fiscal Year Complete |              |              |              |                      |                |                | Clarification Notes |
|-----------------------------|--------------|--------------|--------------|----------------------|----------------|----------------|---------------------|
| Division                    | Sept<br>FY21 | Sept<br>FY22 | Sept<br>FY23 | Variance Prior<br>Yr | FY23<br>Budget | % of<br>Budget |                     |
|                             |              | <i>a</i>     | <i>b</i>     | <i>b-a</i>           | <i>c</i>       | <i>b/c</i>     |                     |
| General Fund - 10           |              |              |              |                      |                |                |                     |
| General Government          |              |              |              |                      |                |                |                     |
| Mayor & Council             | 61,221       | 66,274       | \$ 78,873    | \$ 12,599            | \$ 409,961     | 19%            |                     |
| Justice Court               | 82,622       | 95,924       | 103,303      | 7,379                | 484,791        | 21%            |                     |
| City Manager                | 89,334       | 99,588       | 117,653      | 18,065               | 501,495        | 23%            |                     |
| City Recorder               | 45,114       | 44,026       | 63,731       | 19,705               | 240,926        | 26%            |                     |
| Legal                       | 111,834      | 126,440      | 134,587      | 8,147                | 627,745        | 21%            |                     |
| Human Resources             | 49,185       | 56,178       | 83,452       | 27,274               | 368,025        | 23%            |                     |
| Information Technologies    | 257,158      | 226,423      | 127,387      | (99,036)             | 1,025,731      | 12%            |                     |
| Finance                     | 87,078       | 92,058       | 117,737      | 25,679               | 562,814        | 21%            |                     |
| Customer Service Center     | 63,905       | 56,630       | 69,747       | 13,117               | 293,390        | 24%            |                     |
| Interdepartmental Service   | 945,359      | 225,415      | 214,896      | (10,518)             | 887,804        | 24%            | CARES Funding FY21  |
| Facilities                  | 107,492      | 150,453      | 136,619      | (13,835)             | 828,148        | 16%            |                     |
| Elections                   | -            | -            | -            | -                    | 1,400          | 0%             |                     |
| Public Safety               |              |              |              |                      |                |                |                     |
| Police Admin                | \$ 149,764   | \$ 184,396   | \$ 226,277   | \$ 41,881            | \$ 1,093,332   | 21%            |                     |
| Patrol & Investigations     | 684,954      | 682,972      | 964,744      | 281,772              | 4,782,902      | 20%            |                     |
| Emergency Services          | 2,778        | 2,632        | 71           | (2,561)              | 46,225         | 0%             |                     |
| Dispatch                    | 152,805      | 168,806      | 206,645      | 37,839               | 1,053,500      | 20%            |                     |
| Public Works                |              |              |              |                      |                |                |                     |
|                             | -            |              |              |                      |                |                |                     |
| Public Works Admin          | \$ 113,835   | \$ 40,155    | \$ 34,090    | \$ (6,064)           | \$ 129,654     | 26%            |                     |
| Streets                     | 57,821       | 56,399       | 72,017       | 15,617               | 546,539        | 13%            |                     |
| Community Services          |              |              |              |                      |                |                |                     |
| Community Svcs Admin        | \$ 65,505    | \$ 78,193    | \$ 128,394   | \$ 50,201            | \$ 600,234     | 21%            |                     |
| 4th of July                 | 16,788       | 72,544       | 106,695      | 34,151               | 116,594        | 92%            |                     |
| Parks                       | 133,724      | 131,201      | 258,663      | 127,463              | 1,077,107      | 24%            |                     |
| Open Space                  | 26,379       | 23,702       | 31,142       | 7,439                | 236,764        | 13%            |                     |
| Recreation                  | 113,487      | 135,881      | 146,824      | 10,943               | 670,928        | 22%            |                     |
| Arts                        |              |              | 19,414       | 19,414               | 268,336        | 7%             |                     |
| Aquatics Center             | 345,621      | 353,088      | 459,550      | 106,462              | 2,223,394      | 21%            |                     |
| PARAT                       | 133,357      | 113,812      | 331,230      | 217,418              | 622,001        | 53%            |                     |
| Cemetery                    | 15,358       | 16,137       | 18,941       | 2,804                | 168,375        | 11%            |                     |

Expenditures

| 25% of Fiscal Year Complete  |              |               |              |                      |                |                | Clarification Notes |
|------------------------------|--------------|---------------|--------------|----------------------|----------------|----------------|---------------------|
| Division                     | Sept<br>FY21 | Sept<br>FY22  | Sept<br>FY23 | Variance Prior<br>Yr | FY23<br>Budget | % of<br>Budget |                     |
|                              |              | <i>a</i>      | <i>b</i>     | <i>b-a</i>           | <i>c</i>       | <i>b/c</i>     |                     |
| General Fund - 10            |              |               |              |                      |                |                |                     |
| Community & Econ Development |              |               |              |                      |                |                |                     |
| CED Administration           | \$ 158,144   | \$ 7,075,640  | \$ 118,030   | \$ (6,957,609)       | \$ 595,932     | 20%            | paid off debt FY22  |
| Communications               | 57,327       | 17,190        | 49,942       | 32,752               | 315,456        | 16%            |                     |
| Code Enforcement             | 32,636       | 35,079        | 37,930       | 2,850                | 186,631        | 20%            |                     |
| CDBG                         | 6,388        | 3,826         | 10,197       | 6,371                | 204,936        | 5%             |                     |
| Planning                     | 167,479      | 80,145        | 121,302      | 41,157               | 508,647        | 24%            |                     |
| Inspections                  | 51,323       | 20,910        | 46,371       | 25,461               | 279,015        | 17%            |                     |
| Sales Tax Bond '03&'16       | \$ 848,124   | \$ 858,047    | \$ 868,742   | \$ 10,695            | 935,515        | 93%            |                     |
| Transfers to Other Funds     | \$ -         | \$ -          |              | \$ -                 | 6,385,503      | 0%             |                     |
| General Fund Exp Totals      | \$ 5,233,899 | \$ 11,390,165 | \$ 5,505,197 | \$ (5,884,968)       | \$ 29,279,750  | 19%            | \$ 23,774,553       |

Expenditures

| 25% of Fiscal Year Complete   |              |              |              |                      |                |                | Clarification Notes             |
|-------------------------------|--------------|--------------|--------------|----------------------|----------------|----------------|---------------------------------|
| Division                      | Sept<br>FY21 | Sept<br>FY22 | Sept<br>FY23 | Variance Prior<br>Yr | FY23<br>Budget | % of<br>Budget |                                 |
|                               |              | <i>a</i>     | <i>b</i>     | <i>b-a</i>           | <i>c</i>       | <i>b/c</i>     |                                 |
| CDRA - 20                     |              |              |              |                      |                |                |                                 |
| CED Administration            | \$ 2,028     | \$ 500,000   | \$ -         | \$ (500,000)         | \$ -           | #DIV/0!        | debt payoff FY22                |
| RDA #9                        | 7,500        | 7,500        | 7,500        | -                    | 263,800        | 3%             |                                 |
| RDA #6                        | 500          | 500          | 500          | -                    | 132,000        | 0%             |                                 |
| RDA #7                        | 6,250        | 506,250      | 6,250        | (500,000)            | 714,299        | 1%             | debt payoff FY22                |
| RDA #8                        | 13,750       | 12,500       | 11,250       | (1,250)              | 135,000        | 8%             |                                 |
| RDA #10                       | 8,750        | 7,500        | 6,250        | (1,250)              | 215,000        | 3%             |                                 |
| EDA #3                        | 132,938      | 11,372       | 9,758        | (1,614)              | 679,177        | 1%             |                                 |
| CDA #1 Clearfield Station     | 1,936        | 2,086        | 2,127        | 41                   | 8,508          | 25%            |                                 |
| CRA #1 - Lifetime             | -            | -            | -            | -                    | 112,626        | 0%             |                                 |
| CDRA Fund                     | \$ 173,652   | \$ 1,047,709 | \$ 43,635    | \$ (1,004,074)       | \$ 2,147,784   | 2%             |                                 |
| GO Bond Debt Service - 31     |              |              |              |                      |                |                |                                 |
| GO Bond                       | 7,500        | -            | -            | -                    | -              | #DIV/0!        | Bond paid off FY21, FY22 Tx Out |
| GO Bond Debt Service Fund     | \$ 7,500     | \$ -         | \$ -         | \$ -                 | \$ -           | #DIV/0!        |                                 |
| Park Capital Improvement - 40 |              |              |              |                      |                |                |                                 |
| Capital Improve Park          | -            | 207,121      | 565,606      | 143,972              | 1,462,500      | 39%            |                                 |
| Park Capital Improvements     | \$ -         | \$ 207,121   | \$ 565,606   | \$ 143,972           | \$ 1,462,500   | 39%            |                                 |
| Capital Improvement - 45      |              |              |              |                      |                |                |                                 |
| Cap Proj - Buildings          | \$ -         | \$ 196,637   | \$ 304,318   | \$ 107,682           | \$ 2,253,957   | 14%            |                                 |
| Cap Proj - Streets            | 65,926       | 141,122      | 1,478,076    | 1,336,954            | 26,756,400     | 6%             |                                 |
| Cap Proj - Parks              | -            | 40,000       | -            | (40,000)             | 2,313,006      | 0%             |                                 |
| Capital Improvements Fund     | \$ 65,926    | \$ 377,758   | \$ 1,782,394 | \$ 1,404,636         | \$ 31,323,363  | 6%             |                                 |

Expenditures

| 25% of Fiscal Year Complete              |              |              |              |                      |                |                | Clarification Notes                 |
|------------------------------------------|--------------|--------------|--------------|----------------------|----------------|----------------|-------------------------------------|
| Division                                 | Sept<br>FY21 | Sept<br>FY22 | Sept<br>FY23 | Variance Prior<br>Yr | FY23<br>Budget | % of<br>Budget |                                     |
|                                          |              | <i>a</i>     | <i>b</i>     | <i>b-a</i>           | <i>c</i>       | <i>b/c</i>     |                                     |
| <b>Utility Admin - 50</b>                |              |              |              |                      |                |                |                                     |
| Utility Administration                   | \$ 110,216   | \$ 1,237,144 | \$ 94,514    | \$ (1,142,630)       | \$ 456,206     | 21%            | interdepartmental loan forgive FY22 |
| Utility Admin                            | \$ 110,216   | \$ 1,237,144 | \$ 94,514    | \$ (1,142,630)       | \$ 456,206     | 21%            |                                     |
| <b>Water - 51</b>                        |              |              |              |                      |                |                |                                     |
| Water Department                         | \$ 569,745   | \$ 590,863   | \$ 618,194   | \$ 27,332            | \$ 4,919,406   | 13%            |                                     |
| Water Capital Projects                   | 173,297      | 18,422       | 80,825       | 62,403               | 3,875,002      | 2%             |                                     |
| Water Fund                               | \$ 743,042   | \$ 609,285   | \$ 699,019   | \$ 89,734            | \$ 8,794,408   | 8%             |                                     |
| <b>Sewer - 52</b>                        |              |              |              |                      |                |                |                                     |
| Sewer Department                         | \$ 920,041   | \$ 905,470   | \$ 997,084   | \$ 91,615            | \$ 5,227,021   | 19%            |                                     |
| Sewer Capital Projects                   | 6,760        | 14,330       | 9,368        | (4,962)              | 4,003,500      | 0%             |                                     |
| Sewer Fund                               | \$ 926,801   | \$ 919,799   | \$ 1,006,452 | \$ 86,653            | \$ 9,230,521   | 11%            |                                     |
| <b>Storm Water - 53</b>                  |              |              |              |                      |                |                |                                     |
| Storm Water                              | \$ 317,756   | \$ 326,988   | \$ 361,219   | \$ 34,231            | \$ 1,548,280   | 23%            |                                     |
| Storm Water Capital Prjct                | 24,659       | 5,594        | 2,981        | (2,613)              | 3,202,377      | 0%             |                                     |
| Strom Water Fund                         | \$ 342,415   | \$ 332,582   | \$ 364,200   | \$ 31,618            | \$ 4,750,657   | 8%             |                                     |
| <b>Solid Waste &amp; Recyclables- 54</b> |              |              |              |                      |                |                |                                     |
| Solid Waste                              | \$ 245,706   | \$ 264,814   | \$ 216,148   | \$ (48,666)          | \$ 1,683,575   | 13%            |                                     |
| Solid Waste Capital                      | 9,767        |              | 104          | 104                  | 1,144,500      | 0%             |                                     |
| Solid Waste Fund                         | \$ 255,473   | \$ 264,814   | \$ 216,252   | \$ (48,666)          | \$ 2,828,075   | 8%             |                                     |
| <b>Fleet Management - 61</b>             |              |              |              |                      |                |                |                                     |
| Fleet Management                         | 195,274      | 452,900      | 572,575      | 119,675              | 1,905,351      | 30%            |                                     |
| Fleet Management Fund                    | \$ 195,274   | \$ 452,900   | \$ 572,575   | \$ 119,675           | \$ 1,905,351   | 30%            |                                     |
| <b>Risk Management - 63</b>              |              |              |              |                      |                |                |                                     |
| ISF - Risk Management                    | 61,091       | 82,173       | 84,595       | 2,422                | 366,988        | 23%            |                                     |
| Risk Management Fund                     | \$ 61,091    | \$ 82,173    | \$ 84,595    | \$ 2,422             | \$ 366,988     | 23%            |                                     |