

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
November 22, 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
EXCUSED:	Karece Thompson	Councilmember
STAFF PRESENT:	JJ Allen	City Manager
	Summer Palmer	Assistant City Manager
	Shawn Robinson	Assistant City Attorney
	Kelly Bennett	Police Chief
	Adam Favero	Public Works Director
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Spencer Brimley	Community Development Director
	Brad McIlrath	Senior Planner
	Shaundra Rushton	Communication
	Nancy Dean	City Recorder
	Chersty Titensor	Deputy Recorder

VISITORS: June Backman, Fritz Backman, Carolyn Stoker, Elayne Stoker, Tom Rickeberg, Judy Rickeberg

Mayor Shepherd called the meeting to order at 7:01 p.m.

Mayor Shepherd informed the audience that if they would like to comment during the Public Hearing or Open Comment Period there were forms to fill out by the door.

Councilmember Roper led the opening ceremonies.

APPROVAL OF THE MINUTES FROM THE SEPTEMBER 13, 2022 POLICY SESSION;
OCTOBER 25, 2022 WORK SESSION; NOVEMBER 1, 2022 WORK SESSION AND
NOVEMBER 8, 2022 POLICY SESSION

Councilmember Peterson moved to approve the minutes from the September 13, 2022 policy session, October 25, 2022 work session; November 1, 2022 work session; and November 8, 2022 policy session as written, seconded by Councilmember Bush. The motion

carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None. Councilmember Thompson was not present for the vote.

PRESENT WINNERS OF THE YARD OF THE YEAR CONTEST

The Parks & Recreation Commission had selected the winners of the annual “Yard of the Year Contest” and staff and Council were pleased to recognize and award those residents for their efforts in beautifying the community.

Councilmember Phipps presented the awards to the following:

- First Place Winner: Fritz and June Backman
- Runners Up: Tom and Judy Rickeberg and Carolyn Stoker

OPEN COMMENT PERIOD

There were no public comments.

APPROVAL OF FINAL SUBDIVISION PLAT – TOWNS AT UNIVERSITY PARK FOR 43-LOT SUBDIVISION FOR TOWNHOMES AND A COMMERCIAL DEVELOPMENT AT THE PROPERTY LOCATED AT 938 SOUTH UNIVERSITY PARK BOULEVARD (TIN: 09-302-0009). PARCEL AREA: 3.46 ACRES

BACKGROUND: The applicant proposed to develop 40 townhomes and a commercial building on the subject property, which was located Between the University Ridge Twin Homes to the south and the Academy Mortgage office building to the north. The development would be provided vehicular access by using the existing shared access to the Academy Mortgage office building. Because the townhomes and commercial buildings would be sharing an access, a shared access easement would need to be recorded on the plat. According to the proposed plat, the units themselves were designated as private and a two and a half foot (2.5') space in front of the garages was designated as limited common area. The remaining area of the development would be common area and would include private roads and project landscaping. The project was limited to two-story homes no greater than six townhomes connected in one row. It was a split zone with C-2 on the frontage R-3 on the rear 2.74 acres. Development required an 8,000 square foot commercial building. Phase one included twenty-two townhomes and the commercial building. Phase 2 consisted of eighteen additional townhomes.

Brad McIlrath, Senior Planner explained he had communicated Council’s comments from the last meeting to the developer about Parcel A being separated into its own parcel. Mr. McIlrath stated the site plan was being revised to reflect the new property lines which would be part of the conditions of approval. Furthermore, he explained language would be added to the CC&Rs, not previously included, which would define the percentage of homeowners’ votes needed to determine, under the circumstance the townhomes were destroyed or deteriorated, if they rebuild or sell, as well as any other element required by State code standards. Mr. McIlrath informed the Council that the Planning Commission made recommendation for approval based upon the following conditions:

1. The plat shall be revised to include addresses for the townhomes.

2. The subdivision plat and improvement drawings shall be revised to address Clearfield City planning and engineering requirements prior to final approval.
3. The project shall include the creation of a Homeowners Association (HOA) to maintain all the private common spaces of the project, including but not limited to landscaping, snow removal, building maintenance, trash collection, and open space areas. The proposed CC&Rs shall be revised to provide the needed information required by City Code as outlined in the staff report.
4. The applicant was responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but was not limited to curb and gutter, sidewalks, landscaping park strip improvements, driveways, etc.
5. A shared access easement between the subject property, the existing office building to the north, and the future commercial property would need to be recorded on the plat.
6. An escrow or cash bond agreement as required by section 12-9-2 of the Subdivision Ordinance for public improvements shall be provided and would be subject to approval by the City Engineer and City Attorney. The agreement for the public improvements shall be established prior to obtaining any permits for the properties or plat being recorded.

Councilmember Peterson moved to approve and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Roper. Councilmember Bush asked that the motion include "approved with stipulation that all requirements were met per the notes on the plat." Councilmembers Peterson and Roper concurred. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, and Roper. Voting NO – None. Councilmember Thompson was not present for the vote.

COMMUNICATION ITEMS

Mayor Shepherd

1. Updated the Council regarding the 3rd Quarter Sales Tax: County Commission delayed decision for more time to review the applications.
2. Expressed appreciation for the opportunity to attend the National League of Cities (NLC) Conference. Mayor Shepherd was elected to the Board of Director to the NLC. He encouraged councilmembers to review the video of the keynote speaker at the convention.
3. Mayor Shepherd and JJ Allen attended the Veteran's Community Project in Kansas City, Missouri, where tiny homes were being provided for homeless veterans. He was amazed at what had been accomplished without municipal money, but solely through donations. A veteran's average stay was eleven months, and veterans wouldn't have to leave until they had somewhere to go permanently. When the residents left, they were invited to take all the furnishings and then the home was restocked for a new occupant.
4. He informed the Council that he would be serving lunch to the airmen on Wednesday, November 23, 2022, at Hill Air Force Base.
5. Mayor Shepherd would be out of town December 1 through the 3, 2022 for the unveiling of the B-21 Raider stealth bomber and appreciated the opportunity to attend and to witness the work Northrup Grumman had accomplished.
6. Mayor Shepherd wished all a Happy Thanksgiving.

Councilmember Bush

1. Informed the Council that the North Davis Sewer District presented its Impact Fee Analysis, and the impact fees would be increasing slightly.
2. He further informed the Council that the preliminary 2023 budget for the Sewer District was reduced by about \$4.5 million. The budget would be finalized at the meeting on December 8, 2022.

Councilmember Peterson

1. Brought attention to the construction that had started on the North Davis Fire District's new fire station.
2. Reported on the issues presented at the National League of Cities Conference in Kansas City, Missouri.
3. Expressed appreciation to all City staff, especially those that worked through the holidays and those that would be working through the winter.

Councilmember Phipps – Nothing.

Councilmember Roper

1. Informed the Council that he would forward a letter from Nathan Rich which would review the plans for Wasatch Integrated Waste Management District. The Council would be able to download and review its 20-year plan. The District was looking for ways to incentivize recycling with the increased population and limited capacity of the landfill.
2. Informed the Council that he would be out of town December 4 through December 9, 2022 to attend WasteCon in San Diego, California.
3. Happy Thanksgiving

STAFF REPORTS

JJ Allen, City Manager

1. Expressed appreciation for being able to attend the National League of Cities Conference. It was time well-spent. He also appreciated the time spent with Mayor Shepherd and Councilmember Peterson.
2. Asked the members of the Council to mark their calendars on January 13, 2023 for the City's Holiday Party.
3. Informed the Council that the City would be closed Thursday, November 24, 2022, and Friday, November 25, 2022, for the Thanksgiving holiday.
4. Expressed appreciation to the employees that would be working through the holiday.

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

- No meeting on November 29, 2022
- Work Session on December 6, 2022
- Work and Policy Session on December 13, 2022, which would be the last meeting of the year.

Eric Howes, Community Services Director – invited the Council to the Tree Lighting Ceremony on Monday, November 28, 2022 at 6:00 p.m.

Spencer Brimley, Community Development Director – reported the City had received approval of its Moderate Income Housing Plan. He expressed appreciation to the Council for its support.

Councilmember Peterson moved to adjourn at 7:31 p.m., seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, and Roper. Councilmember Thompson was not present for the vote.

**APPROVED AND ADOPTED
This 13th day of December, 2022**

/s/ Mark Shepherd, Mayor

ATTEST:

/s/ Nancy R. Dean, City Recorder

I hereby certify that the foregoing represents a true, accurate, and complete record of the Clearfield City Council meeting held Tuesday, November 22, 2022.

/s/ Nancy R. Dean, City Recorder