

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 PM WORK SESSION
May 23, 2023

City Building
55 South State Street
Clearfield, Utah

PRESIDING: Mayor Mark Shepherd

PRESENT: Councilmember Kent Bush, Councilmember Nike Peterson, Councilmember Vern Phipps, Councilmember Tim Roper, Councilmember Karece Thompson

STAFF PRESENT: City Manager JJ Allen, Assistant City Manager Summer Palmer, Community Services Director Eric Howes, Community Development Director Spencer Brimley, Senior Planner Brad McIlrath, City Attorney Stuart Williams, Public Works Director Adam Favero, Police Chief Kelly Bennett, Communications Manager Shaundra Rushton, Finance Manager Rich Knapp, City Recorder Nancy Dean, Deputy City Recorder Chersty Titensor

VISITORS: Megan Ratchford

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

DISCUSSION ON A ZONING TEXT AMENDMENT TO PARKING REGULATIONS AS FOUND IN TITLE 11, CHAPTERS 11G AND 14 OF THE CLEARFIELD MUNICIPAL CODE

Brad McIlrath, Senior Planner, presented proposed changes to the parking regulations based on the Parking Study completed in September 2022 and feedback from the Planning Commission and City Council. The City Code chapters affected were Title 11, Chapter 14, Off Street Parking and Loading Regulations and Title 11, Chapter 11G, Downtown Clearfield Form Based Code Parking Standards (Chapter 9). Mr. McIlrath addressed parking ratio additions to the following use types added to chapter 14:

- Daycare, commercial – 1 space per 5 students and one space per employee at the highest shift
- Rehabilitation Treatment Center – 1 space per 2 beds and 1 space per employee at the highest shift
- Open Space and Recreation – Based on a case-by-case parking study
- Residential Care (Assisted Living, Rest Home, etc) – 0.5 spaces per unit and 1 space per employee at the highest shift

Mr. McIlrath reviewed the proposed changes section by section with the Council. The parking structures height minimum was discussed. He pointed out the proposed change in the multi-family dwellings to reflect parking space count would be based on per bedroom instead of per unit. Councilmember Peterson objected to having fewer parking spaces than the actual number of bedrooms per unit based on how the City saw the units being used. Mr. McIlrath explained the reasoning behind the study's recommendation. A discussion was held to evaluate whether an increase to the 3+ bedrooms to 3.125 instead of 2.625 was warranted. Mayor Shepherd pointed out the main parking problem was at Clearfield Junction Apartments and not at the other projects. He suggested the extra room without a

window in the Clearfield Junction Apartments could be the reason because that extra room was treated as another bedroom to some residents, increasing the need for additional parking spaces. He suggested the ratio for 3+ bedrooms remained at 2.625 as long as the Code included bedrooms plus any additional office/room area (without windows) in the bedroom count. Councilmember Peterson suggested to avoid having to specify each different type of room, add language that said as determined by Zoning Administrator. It was determined that the parking ratio, as written in the draft, was adequate based on the low supply of 3+ bedroom units. Mr. McIlrath expressed the fact that parking science was an imperfect science.

Mr. McIlrath reviewed minimum parking standards for the various uses within the Code. Mr. McIlrath reviewed changes that removed the requirement for Planning Commission's review and approval. The Council had a discussion regarding section 11-14-7: Private Garage Standards. Mayor Shepherd expressed his opposition to the requirement to have 220-volt power source in new construction to accommodate potential electrical vehicle charging stations. He anticipated backlash from developers for requiring them to provide the capacity for charging whether their client had an electric vehicle or not. He suggested the Code could specify the developer needed to offer the increase power capacity as an option but not make it a requirement.

Councilmember Phipps arrived at 6:35 p.m.

The Council agreed to strike 11-14-7(A)(4). Megan Ratchford, Planning Commissioner, explained the perspective of the Planning Commission was the importance of evolving with future needs. Councilmember Thompson expressed his opinion that type of requirement shouldn't be regulated by City Code but by market forces. The Council requested that any reference to 220-volt power would be removed from the revisions. Councilmember Thompson asked if developers were benefiting from federal funds for green energy would it be an issue for multi-family commercial projects. Summer Palmer, Assistant City Manager, offered information about building code saying 220-volt power did not require GFCI in garages.

Mr. McIlrath reviewed possible revisions to the Form Based Code. JJ Allen, City Manager, asked if Council had decided to revise 3+ bedrooms parking ratio. Mr. McIlrath said he understood that the Council recommended language was to be added that specified a Zoning Administrator would determine what counts for room count and they would use the 2.625 ratio.

DISCUSSION ON A REQUEST BY DEAN GARRETT WITH MORGAN PAVEMENT TO REZONE THE SUBJECT PROPERTY AT 593 SOUTH MAIN STREET FROM P-F (PUBLIC FACILITIES) TO M-1 (MANUFACTURING)

Brad McIlrath, Senior Planner, presented some historical information regarding the past zoning of the City's Maintenance and Operations Center (MOC) area for the Council to consider as it reviewed the possible rezoning of the Morgan Pavement property. Morgan Pavement acquired the property from the City and requested it be rezoned to M-1 (Manufacturing) to create consistency with their other properties and to allow for the expansion of their asphalt operations.

DISCUSSION ON THE 2023 FRAUD RISK ASSESSMENT

Rich Knapp, Finance Manager, said auditors brought to his attention that the Fraud Risk Assessment needed to be presented to the Council every year. He informed the Council that the City's fraud risk score was in the very low risk category as indicated on the assessment. He reviewed some of the changes that had been made to mitigate fraud risk. The City had implemented a process which allowed

employees to commit in writing annually to abide by a statement of ethical behavior. He said every councilmember would complete training regarding separation of duties every four years. The City had created an Internal Audit Committee. He informed Council that the new auditors had a different interpretation of what an internal audit meant. It was their position that the internal audit needed to be completed externally, however, the prior auditor thought staff could complete the internal audit as long as they were not involved in the cash receipting or accounts payable process of the audit being performed. Mr. Knapp said he had asked fellow peers and it was not consistent but a majority chose not to address it and accepted a lower score. His plan was to contract with an accountant to perform an internal audit but after speaking with a firm they weren't interested. He would need to evaluate the options further. The auditor suggested the Audit Committee, Vern Phipps and Nike Peterson, could perform the internal audit. Mr. Knapp inquired whether it was worth the time and/or money to perform the internal audit or if Council wanted to take a reduction in their score. Mr. Knapp thought they needed to complete an internal audit but questioned the urgency of need for an internal audit process.

There being no further business to come before the City Council, **Councilmember Peterson moved to adjourn at 6:52 p.m., seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Peterson, and Roper. Voting NO – None.**

APPROVED AND ADOPTED
This 13th day of June 2023

/s/ Mark R. Shepherd, Mayor

ATTEST:

/s/ Nancy R. Dean, City Recorder

I hereby certify that the forgoing represents a true, accurate, and complete record of the Clearfield City Council meeting held Tuesday, May 23, 2023.

/s/ Nancy R. Dean, City Recorder