



**CLINTON CITY COUNCIL MINUTES  
CITY HALL  
2267 North 1500 W Clinton UT 84015**

**MAYOR  
L. Mitch Adams**

**CITY COUNCIL MEMBERS**

***Anna Stanton  
Karen Peterson  
Mike Petersen  
Barbara Patterson  
TJ Mitchell***

Date of Meeting	February 12, 2019	7:00 PM	Call to Order: 7:00 p.m.
<b>Staff Present</b>	City Manager Dennis Cluff, Community Development Director Valerie Claussen, Public Works Director Mike Child, Parks Advisor Zac Martinez, Recreation Director Bruce Logan, Lieutenant Shawn Stoker, Officer Keldon Beazer, Treasurer Steve Hubbard, Jamie Pengelly, Ben Nielson, Spencer Arave and Lisa Titensor recorded the minutes.		
<b>Citizens Present</b>	Larry Stuart, Ranae Stoker, Vince Brown, Emily Bailey, Necha Coombs, David Coombs, Tammy Hubbard, Breanne Arave, Keith & Jana Brown, Dereck Bauer, Bry & Nancy Lougy, Ashley Pengelly, Gayla Pengelly, Allen Bluemel, Brock Zabriskie, Aiden Gibson, Kegan Jolley, Gunner Stone, Josh Evans, S. Curtis Nye		
<b>Pledge of Allegiance</b>	Josh Evans Troop 554		
<b>Prayer or Thought</b>	Aiden Gibson Troop 554		
<b>Roll Call &amp; Attendance</b>	Present were: Mayor L. Mitch Adams, Councilmember M. Petersen, Councilmember Mitchell, Councilmember K. Peterson, Councilmember Patterson and Councilmember Stanton.		
<b>Public Input</b>	Larry Stuart expressed appreciation for the Council and Police Department for their efforts. He commented that he and his neighbors are concerned they have a drug issue in their neighborhood. He asked the Council to consider hiring four or five new officers to address drug issues in the community. He stated the safety of the citizens is important and should be a priority.		
Lieutenant Stoker introduced the newest police officer Keldon Beazer to the City Council.			
Councilmember K. Peterson stated that she appreciates the public comment. She assured them the City Council takes the public's safety and the budget very seriously.			
<b>A. EMPLOYEE OF THE MONTH FOR JANUARY 2019 – JAMIE PENGELLY – TREASURER OFFICE</b>			
<b>Petitioner</b>	Dennis Cluff, Steve Hubbard		
<b>Discussion</b>	<p>Mr. Hubbard explained he has nominated Jamie Pengelly as Employee of the Month for January 2019. Jamie is usually the employee of first contact for most residents or visitors of the City. She is definitely the primary PR person who provides direction, answers questions about the City and receives payments for utility bills.</p> <p>Since beginning employment in December 2010, Jamie's title has changed from Secretary/ Receptionist to Customer Service Lead. Her skills of dealing with difficult people are excellent. She has such a positive impact on customers that many ask for her when they come to pay their bill and are disappointed if she is not here.</p> <p>Along with her excellent customer service skills, Jamie also assists in all functions of the Treasurer Department. She efficiently performs all front office functions, assists other associates where needed, diagnoses and resolves issues with Xpress Bill Pay, Caselle and the Recreation Department software in conjunction with the support of those vendors. She is also cross-trained for Utility Billing duties.</p> <p>Steve also stated the City staff enjoys working with Jamie because of her good nature and fun personality.</p>		

	Mayor Adams expressed appreciation for Jamie’s good work. He presented her with an award and a gift card in recognition.
<b>B. EMPLOYEE SERVICE AWARDS</b>	
	Dennis Cluff
<b>Discussion</b>	<p>Mr. Cluff explained that three employees who were eligible for Service Awards last year were accidentally overlooked. The City would like to retroactively recognize the following individuals:</p> <p>Ben Nielson            5 &amp; 10 years - Fire                  Jason Hastings        5 &amp; 10 years - Fire                  Spencer Arave         5 years - Recreation</p> <p>Mayor Adams stated the City is grateful for these employee’s outstanding work ethic and great attitudes and presented them with an award and check in recognition</p>
<b>C. REQUEST BY PROPERTY OWNERS IN THE POLLOCK ESTATES AMENDED SUBDIVISION TO DEDICATE A PRIVATE EASEMENT TO THE CITY FOR ACCEPTANCE AS A PUBLIC ROAD</b>	
<b>Petitioner</b>	Brady & Susan Cox, Jarrod & Kelli Irwin, & Brittney Christensen (property owners in Pollock Estates Amended Subdivision)
<b>Discussion</b>	<p>Community Development Director Valerie Claussen reported the applicants declined to attend the meeting and referred to the following information in the staff report:</p> <p>During a public comment at the December 11, 2018 City Council meeting, a real estate agent representing a potential buyer for a property in Pollock Estates Amended spoke to Council to request the private driveway that services the four lots in this subdivision be dedicated and accepted as a public road. The City Council directed Staff to work with the property owners to get the request heard by the Planning Commission who would provide recommendation to the City Council.</p> <p>The Planning Commission heard the request of the property owners at the January 15, 2019 Planning Commission meeting and forwarded the following recommendation for Council consideration.</p> <p><i>The Planning Commission’s recommendation is that the road not be adopted by the City because the Planning Commission, as the land use authority, has reviewed and heard information identifying that the road does not meet the legal standards of the City. It is important for the land owners to get together and come to an agreement for road maintenance.</i></p> <p>The recommendation for denial of the request for the private drive easement to be dedicated to the City for a public road is based on the following findings:</p> <ol style="list-style-type: none"> <li>1) The existing private drive easement does not meet the City’s minimum street standards, including but not limited to ROW and paved widths, roadway structure (e.g. asphalt, base, subgrade), or location of utility lines (currently on private property).</li> <li>2) The property was developed in accordance with the zoning ordinance that was in effect at the time of development.</li> <li>3) Every lot’s property deed references the Pollock Estates Amended plat. The existing private drive easement has always been delineated on the recorded plat for Pollock Estates Amended, which document is available for review and retrieval by potential buyers and agents during the due diligence period. Furthermore, the owner’s dedication of the Plat explicitly states dedication of the private easement is to each lot owner. Furthermore, the property owners are strongly encouraged to work with a professional (e.g. Real Estate Attorney) to either establish an HOA or some other kind of formal organization, to collect and manage the funds that will be needed for future and on-going maintenance of the subdivision’s private infrastructure. The January 15, 2019 Planning Commission Staff Report and meeting minutes (draft form) are attached for reference.</li> </ol> <p>The Council agreed they should take the Planning Commission’s recommendation and make a</p>

	motion regarding this issue.																								
<b>CONCLUSION</b>	<b>Councilmember M. Petersen moved to deny the request of the private easement to be dedicated as a public road for Pollock Estates Amended, based on the recommendation of the Planning Commission. Councilmember Patterson seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember K. Peterson, aye; Councilmember Mitchell, aye; Councilmember M. Petersen, aye; Councilmember Stanton, aye.</b>																								
<b>D. DECLARATION OF SURPLUS PROPERTY FOR SALE AT AUCTION</b>																									
<b>Petitioner</b>	Dennis Cluff, Mike Child																								
<b>Discussion</b>	<p>Mr. Cluff stated the following vehicles have served their purpose for the City and are ready to be sold at auction. He asked the Council to declare these items as surplus.</p> <table border="0"> <tr> <td>Ford</td> <td>F350 – Water Dept</td> <td>2000</td> </tr> <tr> <td>Ford</td> <td>Explorer – Police</td> <td>2008</td> </tr> <tr> <td>Dodge</td> <td>Charger – Police</td> <td>2008</td> </tr> <tr> <td>Dodge</td> <td>Charger – Police</td> <td>2008</td> </tr> <tr> <td>Kawasaki</td> <td>Mule – ATV</td> <td>2007</td> </tr> <tr> <td>Kawasaki</td> <td>Mule – ATV</td> <td>2006</td> </tr> <tr> <td>Elgin</td> <td>Pelican Street Sweeper</td> <td>2001</td> </tr> <tr> <td>Coates</td> <td>5065E – tire changer equip</td> <td>1997</td> </tr> </table>	Ford	F350 – Water Dept	2000	Ford	Explorer – Police	2008	Dodge	Charger – Police	2008	Dodge	Charger – Police	2008	Kawasaki	Mule – ATV	2007	Kawasaki	Mule – ATV	2006	Elgin	Pelican Street Sweeper	2001	Coates	5065E – tire changer equip	1997
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<b>CONCLUSION</b>	<b>Councilmember Patterson moved to declare the listed vehicles as surplus and authorize their sale by auction. Councilmember Stanton seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember K. Peterson, aye; Councilmember Mitchell, aye; Councilmember M. Petersen, aye; Councilmember Stanton, aye.</b>																								
<b>E. RESOLUTION 02-19, INTERLOCAL AGREEMENT – AMENDMENT 3 WITH DAVIS COUNTY FOR ANIMAL CARE AND CONTROL</b>																									
<b>Petitioner</b>	Dennis Cluff																								
<b>Discussion</b>	<p>Mr. Cluff explained as a result of the 2016 new agreement format with Davis County Animal Control, the new division of costs is 50/50 for the County and cities after the Animal Control revenues have been deducted. If there are additional costs beyond the anticipated budget, the County will be responsible for them. The cost areas are now separated into 3 sections: <u>operation and maintenance</u>; <u>wildlife services</u>; and, <u>capital facility projects</u>. The total cost of services for the City for this year (2019) is \$89,208 (\$82,545 for O&amp;M; \$1,803 for Wildlife; and, \$4,860 for Capital Projects).</p> <p>This new fee is based on Clinton City billable calls amounting to 8.65% of the Animal Control’s total calls (down from 8.85% last year). The County works on a <u>Calendar year</u> and bills the City this way. Since Clinton is on a <u>Fiscal year</u>, any increases in the County’s rates impact us for ½ of the budget year. So, for the 2<sup>nd</sup> half of the 2018-19 Fiscal Year we will be about <u>\$3,896</u> short of these new County Animal Control rates which began in January 2019. Our current Animal Control Fee of \$1.00/month has brought in enough revenue to cover the 1<sup>st</sup> six months of our Fiscal Year, but with the County’s new increase for the 2<sup>nd</sup> six months we need another (rounded off) 9 cents per month added to the Animal Control Fee or cover the cost increase internally.</p> <p>Mayor Adams said he feels it is appropriate to pass the increase of the animal control fee on to the citizens in conjunction with the City approving the amendment to the agreement with Davis County. The Council agreed and directed staff to begin the process to get the pass through fee added to the fee schedule and on the next possible agenda.</p>																								
<b>CONCLUSION</b>	<b>Councilmember K. Peterson moved to adopt Resolution 02-19 approving the Interlocal Agreement Amendment 3 with Davis County for Animal Care and Control. Councilmember Patterson seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember K. Peterson, aye; Councilmember Mitchell, aye; Councilmember M. Petersen, aye; Councilmember Stanton, aye.</b>																								
<b>F. RESTROOM BID AWARD FOR POND PARK AND CEMETER</b>																									
<b>Petitioner</b>	Dennis Cluff, Mike Child																								
<b>Discussion</b>	Parks Director Zac Martinez explained 1 restroom was budgeted for Pond Park in the																								

	<p>current year's budget and another one planned for using TAP funds that will serve the Rail Trail and Cemetery. Both restrooms are prefabricated and have 2 separate dual bathroom facilities so that either can serve both genders. The City will install the foundations and water and sewer pipe connections. The bid includes transporting the restrooms and setting them up at each site.</p> <p>There will be a cost to bore the utility lines to the location of the new restroom at the Cemetery.</p>
<b>CONCLUSION</b>	<p><b>Councilmember Stanton moved to approve the purchase of two restrooms for \$74,970 each. Councilmember K. Peterson seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember K. Peterson, aye; Councilmember Mitchell, aye; Councilmember M. Petersen, aye; Councilmember Stanton, aye.</b></p>
<b>Approval of Minutes</b>	<p><b>Councilmember K. Peterson moved to approve the minutes of the January 8, 2019 City Council Meeting. Councilmember Mitchell seconded the motion. Councilmember's Mitchell, K. Peterson, Patterson, Stanton and M. Petersen voted in favor of the motion.</b></p>
<b>Accounts Payable</b>	<p><b>Councilmember Patterson moved to pay the bills. Councilmember Stanton seconded the motion. Councilmember's Mitchell, K. Peterson, Patterson, Stanton and M. Petersen voted in favor of the motion.</b></p>
<b>Planning Commission Report</b>	<ul style="list-style-type: none"> <li>Community Development Director Claussen reported on the January 15, 2019 Planning Commission Meeting as recorded in the minutes.</li> </ul>
<b>City Manager</b>	<ul style="list-style-type: none"> <li>The City Offices will be closed on February 18, 2019 in honor of Presidents Day.</li> <li>City Staff will meet with UDOT regarding the project at the intersection of 3000 W 1300 N.</li> <li>The Parks Board will meet on Wednesday, Feb 20 at 7:00 p.m.</li> <li>Davis County City Managers will meet with County Officials on Friday, Feb 22 to discuss paramedics and dispatch services.</li> <li>He and the Mayor will meet with Weber Basin on Monday, Feb 25 at 2:00 p.m.</li> </ul>
<b>Mayor Adams</b>	<ul style="list-style-type: none"> <li>Wasatch Integrated Waste Management voted by majority to bond to build an advance recycling facility. The garbage rate will go up \$2 a can per month in June.</li> </ul> <p>He noted he did not vote in favor nor does he support this decision.</p> <ul style="list-style-type: none"> <li>He was released from the Wasatch Front Regional Council Transcom Committee to make room for new members.</li> </ul>
<b>Councilmember Patterson</b>	<ul style="list-style-type: none"> <li>Heritage Days plans are moving along; the Golf Tournament will be held at Cranefield Golf Course in Clinton this year.</li> <li>The Parks Board has two vacancies.</li> </ul>
<b>Councilmember K. Peterson</b>	<ul style="list-style-type: none"> <li>Received an email from Chris Young regarding the speed of traffic on the round-a-bout on 3000 W.</li> </ul> <p>Mr. Cluff responded that staff is looking at options to slow the traffic down. Signs will be installed very soon.</p> <ul style="list-style-type: none"> <li>The Arts Board will host family karaoke night on Friday, February 15.</li> </ul>
<b>Councilmember M. Petersen</b>	<ul style="list-style-type: none"> <li>Nothing at this time.</li> </ul>
<b>Councilmember Stanton</b>	<ul style="list-style-type: none"> <li>The Youth Council will attend the Utah State Leadership Council March 7 -9.</li> <li>Attended the Sewer Board meeting on Thursday, February 7.</li> </ul>
<b>Councilmember Mitchell</b>	<ul style="list-style-type: none"> <li>Stated he receives requests from residents for updates on the progress of the 1800 North widening.</li> </ul> <p>Mayor Adams responded it will still be several years.</p>
	<p>Curtis Nye asked on behalf of the Scouts asked when 2000 West will it be widened to four lanes.</p> <p>Mayor Adams responded it is a funding issue and it will most likely be four years before</p>

	<p>it is widened.</p> <p>Councilmember K. Peterson encouraged the scouts to contact the Legislators to help encourage them to widen 2000 W.</p>
<b>ADJOURNMENT</b>	<p><b>Councilmember K. Peterson moved to adjourn. Councilmember Stanton seconded the motion. Councilmembers M. Petersen, K. Peterson, Patterson, Stanton and Mitchell voted in favor. The meeting adjourned at 8:12 p.m.</b></p>
<b><u>ACTION ITEMS</u></b>	<ul style="list-style-type: none"> <li>• Subdivision Ordinance – recommendation for concrete in the park strips along UDOT roads. (August 2016) – Planning Commission Review</li> <li>• Bring back Chapter 4 of the Subdivision Ordinance regarding allowing a letter of credit for escrow and researching what surrounding jurisdictions allow (26-4-8). 6g(January 2017) Planning Commission Review</li> <li>• Update Ordinance to eliminate pressurized sewer lines in the Clinton City streets on new residential development (January 2018).</li> <li>• Create a facilities maintenance plan before the next budget cycle in FY 19-20 (May 2018).</li> <li>• Pickle Ball Courts at Meadows Park (applying for grant in January) (Oct 2018).</li> </ul>

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**Dennis W. Cluff, Clinton City Recorder**