



**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 13, 2018	Call to Order	7:00 p.m.
Staff Present	City Manager Dennis Cluff, Community Development Director Will Wright, Asst. Public Works Director Dave Williams, Engineer Bryce Wilcox, Recreation Director Bruce Logan, and Lisa Titensor recorded the minutes.		
Citizens Present	Dereck Bauer, Saril French, Taylor Maughn, Justin Barrow, Hyrum Cook		
Pledge of Allegiance	Mayor L. Mitch Adams		
Prayer or Thought	Councilmember Mike Petersen		
Roll Call & Attendance	Present were: Mayor L. Mitch Adams, Councilmember M. Petersen, Councilmember Mitchell, Councilmember K. Peterson, Councilmember Stanton and Councilmember Patterson.		
Public Input	There was none.		
A. <u>RESOLUTION 05-18, INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR ANIMAL CARE AND CONTROL</u>			
Petitioner	Dennis Cluff		
Discussion	<p>Mayor Adams explained Davis County Animal Control works on a calendar year basis. The new division of costs for animal control for 2018 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 Clinton City for 2018 is \$81,415.12 (\$75,076.67 for O&M; \$1,364.75 for Wildlife; and, \$4,973.70 for Capital Projects).</p> <p>Since last year, the total cost has increased by \$7,788.52 or 10.6%. The rates are based on: 1) our city's billable calls average from 2016/2017 (917 calls) divided by total billable calls average for those two years (10,363), which is 8.85%; 2) the actual number of wildlife calls for 2017 (53 calls); and, 3) our call usage of 8.85% for the Capital Projects fund.</p> <p>Since Clinton works on a Fiscal year, any increases in the County's rates impact our budget for ½ of our budget year. So for the 2017-18 Fiscal Year we will be about <u>\$2,650</u> short of these new County Animal Control rates. However, the County also changed their billing basis for Dispatch Services which appears to reduce our cost by about the same amount. In June of this year when we redo the fee schedule we will probably want to review both of these "pass through" fees for sufficiency.</p>		
CONCLUSION	<p>Councilmember Mitchell moved to adopt Resolution 05-18, approving the Interlocal Agreement with Davis County for Animal Care and Control. Councilmember Patterson seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember Mitchell, aye; Councilmember Stanton, aye; Councilmember M. Petersen, aye; Councilmember K. Peterson, aye.</p>		
Mayor Adams directed the Council to Agenda Item G.			
B. <u>7:15 P.M. – PUBLIC HEARING, RESOLUTION 2-18 - REVIEW AND ACT UPON A REQUEST FOR A FINAL PLAT FOR THE TRYXEN MEADOWS SUBDIVISION LOCATED AT APPROXIMATELY 717 W 2300 N.</u>			

Petitioner	Justin Barrow & Pat Burns, owners/agents developing this subdivision.
Discussion	<p>Justin Barrow said he and his partner who is an excellent builder are excited to undertake this project in Clinton which they believe will help improve the community.</p> <p>The existing home on this property will be fully renovated; an inspection has been completed and shows the home to be sound.</p> <p>Mr. Wright reviewed the following information included in the staff report:</p> <ol style="list-style-type: none"> 1. The Preliminary Plat for Tryxen Meadows Subdivision was approved by the Planning Commission on September 5, 2017 with similar design for seven (7) lots as shown on this Final Plat, except for phasing. 2. The Master Land Use Map in the General Plan and Zoning Map shows this area in a Residential Single Family (R-1-8) Zone, which the parcel is approximately 1.6 acres for a proposed seven (7) lot subdivision. 3. This Final Plat shows 7 lots that all meet the minimum size requirement of 8,000 sq. ft. in the R-1-8 zone with these seven (7) lots averaging just over 10,000 sq. ft. in size and lot 6, a corner lot, exceeding 8,000 sq. ft. 4. This Final Plat shows that these proposed lots meet the frontage requirement of being a minimum of 60 feet wide with an average of 70 feet. The minimum widths of these lots average just over 71 feet when calculated with the lots that front onto 2300 North and the proposed 2200 North, except the corner lot, Lot 6 meets the minimum width requirement of 80 feet at 96.18 feet on 730 W and 87.13 feet on 2200 N. 5. In Agenda Item G of this agenda, a development agreement has been approved by the City Council that pertains to the City costs for purchase and construction of a half street on this section of 2200 North as well as allows lots 1 thru 5 to proceed with building after escrow and improvement agreements are in place. <p>Comments and/or questions related to changes needed in drawings have been provided to the developer and City staff has received their response to these comments.</p> <p>Mayor Adams opened the public hearing at 7:18 p.m.; with no comment, he closed the public hearing at 7:19 p.m.</p> <p>Mr. Wright clarified there is only one phase in this development. Lots 6 and 7 will begin construction once the improvements for those lots are in place.</p> <p>Bryce Wilcox of JUB Engineers clarified construction will start sooner on lots 1-5 because the road improvements are already in.</p>
CONCLUSION	<p>Councilmember Mitchell moved to adopt Res 2-18 approving the Final Plat for Tryxen Meadows Subdivision located at approximately 717 W 2300 N. Councilmember M. Petersen seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember Mitchell, aye; Councilmember Stanton, aye; Councilmember M. Petersen, aye; Councilmember K. Peterson, aye.</p>
C. LICENSE AGREEMENT WITH UNION PACIFIC RAILROAD FOR UNDERCROSSING OF TRACKS	
Petitioner	Dennis Cluff, Bryce Wilcox
Discussion	<p>Mayor Adams explained as part of the 2300 North new water line project we need to go under the Union Pacific track right of way. The actual undercrossing will be closer to the alignment of 2400 N in Sunset and extend into Meadows Park. This agreement with Union Pacific carries with it a \$3,000 fee for the license.</p> <p>Bryce Wilcox of JUB Engineers stated this is a standard agreement. The \$3,000 license fee will protect the City. The Contractor will carry the insurance and provide the City with a certificate listing Clinton as additional insured.</p>
CONCLUSION	<p>Councilmember Stanton moved to approve the License Agreement with Union Pacific Railroad and authorize the Mayor to sign. Councilmember Patterson seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye;</p>

	Councilmember Mitchell, aye; Councilmember Stanton, aye; Councilmember M. Petersen, aye; Councilmember K. Peterson, aye.
D. AWARD STREET PROJECT CONCRETE WORK TO YARBOUROUGH CONSTRUCTION COMPANY	
Petitioner	Dennis Cluff, Bryce Wilcox
Discussion	<p>During the City Council meeting of November 14, 2017 staff was given direction to delay the construction of the signalized intersection at 1300 N/1000 W and use the funds instead for the next priorities in street improvements. The desired use is to repair and replace damaged concrete in advance of next year’s street rebuild projects. The bid package was given to 5 different contractors as an informal invitation to bid with the hope to get this project awarded early and have it on the winning contractor’s schedule. However, only 1 of the 5 returned a bid for the project because the rest are already scheduled out for the up coming season.</p> <p>Yarbourough Construction Co. returned a bid of <u>\$166,657.50</u>. Staff has compared the bid cost to that of last years projects and found them to be in line, even slightly less. Yarbourough Construction has been used in Clinton many times in the past and have been found to do excellent work and they are an outstanding company to work with. Staff’s recommendation is to award the bid to Yarbourough Construction Co.</p>
CONCLUSION	Councilmember Mitchell moved to award the bid for concrete work to Yarbourough Construction Company for \$166,657.50. Councilmember M. Petersen seconded the motion. Councilmember’s Patterson, Mitchell, Stanton, M. Petersen and K. Peterson voted in favor of the motion.
E. BID AWARD FOR 630 WEST WATERLINE REPLACEMENT PROJECT	
Petitioner	Dennis Cluff, Bryce Wilcox
Discussion	Assistant Public Works Director David Williams explained 11 bids were received for this waterline replacement project. Bids ranged from \$330,372 to \$467,271. The low bidder is Thurgood Excavating. Thurgood has provided good service to the City in the past and staff recommends awarding this bid to them.
CONCLUSION	Councilmember M. Petersen moved to award the bid for the 630 West Waterline Replacement Project to Thurgood Excavating for \$330,372. Councilmember Stanton seconded the motion. Councilmember’s Patterson, Mitchell, Stanton, M. Petersen and K. Peterson voted in favor of the motion.
F. AUTHORIZATION TO GO TO BID FOR 2300 NORTH WATERLINE REPLACEMENT PROJECT PHASE 2	
Petitioner	Dennis Cluff, Bryce Wilcox
Discussion	<p>Bryce Wilcox explained staff would like the Council to consider the possibility of going to bid for the 2nd phase of the 2300 N water line replacement project. This would include the replacement of the existing 6” Asbestos Cement water line with a new 12” PVC line from 970 W to approximately 550 W on 2300 N. There will be approximately four phases in the entire project.</p> <p>Phase 1 - 630 W awarded in agenda item E above which is a 12” loop between 2300 N and 1800 N (where UDOT’s road will come in); Phase 2 - the line on 2300 N from the railroad tracks down which will be a 12” distribution line; Phase 3 - the line running through Sunset; Phase 4 - a line along 700 W to upsize and connect to a larger line. This will be complete when the tank and well are installed.</p> <p>There was a high level of interest in the recently bid 1st phase (630 W) with 11 competitive bids. Staff feels it would be to Clinton’s advantage to bid the 2nd phase while there is a lot of interest. The third phase of the project (through Sunset) is not ready to go forward yet. Some of the details such as the location of the meter station, the chlorination station plans and the Interlocal Agreement with Sunset City are still being worked through.</p> <p>Funding for this project is already in the 2300 North new water main project fund account #47.</p>

CONCLUSION	Councilmember Stanton moved to authorize staff to seek bids for the 2300 N. Waterline Replacement Project Phase 2. Councilmember Mitchell seconded the motion. Councilmember’s Patterson, Mitchell, Stanton, M. Petersen and K. Peterson voted in favor of the motion.
G. LAND PURCHASE AND DEVELOPMENT AGREEMENT WITH TRYXEN MEADOWS SUBDIVISION	
Petitioner	Dennis Cluff, Bryce Wilcox
Discussion	<p>Mr. Cluff explained that before Tryxen Meadows began, the City was seeking to acquire property adjacent to the future new water well/reservoir site in order to be able to access 730 West from City property. Subsequently the Tryxen Meadows group acquired all of the vacant property north of the future well site. Initially Tryxen had planned to front all their lots off of 730 W. and not put in the extension off 2200 N, which would front our well property. Tryxen has modified their Plat to now include the 2200 N. extension.</p> <p>A Development Agreement has been negotiated which includes the purchase of the 2996 sq. ft. needed for access to the well as well as for utility installations and street construction. The costs of the street and sewer improvements will be split and the City will have the water and storm drain installed.</p> <p>The Planning Commission recommended that the Tryxen Final Plat (see agenda item B above) be approved by the Council with the caveat that this Development Agreement be approved by the Council prior to the Final Plat.</p> <p>Justin Barrow was present to address this request with the Council. He said he and his partner feel this is a fair agreement to share the cost of the road with the City.</p>
CONCLUSION	Councilmember K. Peterson moved approve the Development Agreement with Tryxen Meadows Subdivision, which includes the purchase of 2996 Sq Ft of property for \$8,388.80. Councilmember Stanton seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember Mitchell, aye; Councilmember Stanton, aye; Councilmember M. Petersen, aye; Councilmember K. Peterson, aye.
At 7:14 p.m. Mayor Adams directed the Council back to agenda item B.	
H. DECLARATION OF SURPLUS PROPERTY	
Petitioner	Dennis Cluff, Chief Dave Olsen
Discussion	Mr. Cluff explained that with the purchase of the new air compressor unit and cascade system used to fill the Fire Department’s SCBA’s, the old system is no longer needed. Chief Olsen has put out some inquiries about selling the old system and has received some potential interest. Staff would like to sell the old system for the best price offered.
CONCLUSION	Councilmember Mitchell moved to declare the Fire Department’s old air compressor and cascade system as surplus and authorize staff to sell it for the best price. Councilmember M. Petersen seconded the motion. Councilmember’s Patterson, Mitchell, Stanton, M. Petersen and K. Peterson voted in favor of the motion.
Approval of Minutes	Councilmember K. Peterson moved to approve the minutes of the January 23, 2018 City Council meeting and January 23, 2018 closed meeting. Councilmember Stanton seconded the motion. Councilmember’s Mitchell, K. Peterson, Stanton, Patterson and M. Petersen voted in favor of the motion.
Accounts Payable	Councilmember Stanton moved to pay the bills. Councilmember M. Petersen seconded the motion. Councilmember’s Patterson, Mitchell, K. Peterson, Patterson, Stanton and M. Petersen voted in favor of the motion.
Planning Commission Report	Mr. Wright reported on the February 6, 2018 Planning Commission meeting as recorded in the minutes.
City Manager	<ul style="list-style-type: none"> • Lunch with the local schools will be held at Clinton Elementary at 11:45 a.m. on February 28. • Presidents Day holiday is Monday Feb 19 and the City offices will be closed. • The Parks Board will meet on Wednesday Feb 21 at 7 p.m. • A Wasatch 2050 Meeting will be held at Clearfield City Hall from 4 to 6 p.m. on Thurs. Feb 26.

Mayor Adams	<ul style="list-style-type: none"> Wasatch Integrated did a budget amendment for plastic roll down machines to be placed on top of the waste that is being buried.
Councilmember Patterson	<ul style="list-style-type: none"> Nothing at this time.
Councilmember K. Peterson	<ul style="list-style-type: none"> Arts Board Karaoke Night is Friday February 16. At least one person has applied for the RAB Committee. Requested staff look into inviting West Point and Sunset Jr. High to attend the meetings with the local school officials.
Councilmember M. Petersen	<ul style="list-style-type: none"> Nothing at this time.
Councilmember Stanton	<ul style="list-style-type: none"> Nothing at this time.
Councilmember Mitchell	<ul style="list-style-type: none"> Appreciates hearing about previous experience with contractors on the back up information of the agenda items.
I. ENTER INTO CLOSED SESSION	
8:03 P.M.	Councilmember Stanton moved to enter into closed session in accordance with Utah Code 52-4-205 (1) (d) – to discuss the purchase of property and perpetual easements. Councilmember Mitchell seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember Mitchell, aye; Councilmember Stanton, aye; Councilmember M. Petersen, aye; Councilmember K. Peterson, aye.
J. ACTION AFTER CLOSED SESSION ITEMS 1, 2 &3	
CONCLUSION	Councilmember K. Peterson moved to authorize the City Manager to make an offer to Rocky Mountain Power for the Powerline Park Perpetual Easement as outlined in the closed session; also to authorize the City Manager to purchase the 2300 N water line project needed easements in Sunset and authorize Mayor Adams to sign those documents; and to authorize the purchase of property and development agreements approval with Ivory Homes for Monarch Meadows Subdivision and for the Mayor to sign the needed documents. Councilmember Patterson seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember Mitchell, aye; Councilmember Stanton, aye; Councilmember M. Petersen, aye; Councilmember K. Peterson, aye.
ADJOURNMENT	Councilmember Mitchell moved to adjourn. Councilmember Stanton seconded the motion. Councilmember’s M. Petersen, K. Peterson, Stanton, Patterson and Mitchell voted in favor. The meeting adjourned at 8:55 p.m.
<u>ACTION ITEMS</u>	<ul style="list-style-type: none"> Subdivision Ordinance – recommendation for concrete in the park strips along UDOT roads. (August 2016) – Planning Commission Review Consider code enforcement during future budget discussion for 2017-18 (August 2016) 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 Discuss moving Veteran’s Memorial to the property on 1000 W & 1300 N where the Rail Trailhead will be and discuss renaming Veteran’s Park back to its original name Founders Park. (October 2017). Request the Planning Commission review the ordinance to consider restricting road cuts on new streets for a specified period of time after it has been improved with new construction of unimproved lots. (November 2017). Accounts Payable – more detail identifying specific information for both projects and subdivisions (January 2018). Update Ordinance to eliminate pressurized sewer lines in the Clinton City streets (January 2018).