



**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 14, 2017	Call to Order	7:00 p.m.
Staff Present	City Manager Dennis Cluff, Community Development Director Will Wright, Public Works Director Mike Child and Lisa Titensor recorded the minutes.		
Citizens Present	Justin Bennett, Dennis Hepworth, Dan Noorda		
Pledge of Allegiance	Councilmember Stanton		
Prayer or Thought	Mayor Adams		
Roll Call & Attendance	Present were: Councilmember K. Peterson, Councilmember Stanton, Councilmember M. Petersen, Councilmember Patterson, Councilmember Mitchell and Mayor Adams.		
Public Input	There was none.		
A. 7:15 PM PUBLIC HEARING, RESOLUTION 08-17 – REQUEST FOR MINOR SUBDIVISION AT 763 W 1300 N BY OUT WEST BUILDERS			
Petitioner	Outwest Builders, represented by Justin Bennett as property owner		
Discussion	<p>The following information was provided in the staff report:</p> <p>Both parcels requesting to be subdivided exceed 11,500 square feet in area with parcels created being .265 and .267 of an acre in size, respectively. Therefore, both lots to be subdivided exceed 8,000 square feet and meet minimal zoning development standards, since the proposed lots which are being subdivided are both in the R-1-8 land use zone in both the Zoning Map and the Master Land Use Map of the General Plan.</p> <p align="center"><u>Public Works Comments</u></p> <p>The developer shall be responsible to grade each lot such that runoff water is directed to fronting roads. Grading shall ensure that the runoff from each lot does not drain onto neighboring lots or properties.</p> <ul style="list-style-type: none"> • Use ¾" for culinary line • Show pressure irrigation services and tie ins • Prefer utilities and driveway to 780W • There is a Land Drain main on 780W so a lateral is possible • Install sidewalk on 750W • Submit SWPPP for approval <p>Stipulations identified in the resolution include:</p> <ol style="list-style-type: none"> 1 Comply with City requirements regarding restricting access onto an arterial street, namely, 1300 North, restriction to be recorded on the final plat. 2 It is the developer/contractor's responsibility to comply with all Clinton City Standards, Ordinances, Staff, Engineer and requirements established during the approval process. Wherever there is a discrepancy between these drawings and City Standards the more stringent requirement will apply. If there is any doubt as to the requirement the developer is to seek clarification from the Community Development Department and obtain the determination in writing. Copies of the Standards are available at the Community Development Department. 		

	<p>3 Developer/contractor agrees to remove existing house and maintain vacant lot within the subdivision in such a way that weed control, via mowing with a brush hog or similar equipment is possible.</p> <p>4 The developer/contractor is responsible for insuring that all required inspections are performed by the Clinton City Public Works Department, if needed, and the Building Official; and</p> <p>5 It is the developer/contractor’s responsibility to insure adequate dust, trash and weed control practices are observed while any of the lot(s) are under their control.</p> <p>Justin Bennet explained that the existing structures currently on the property will be torn down. There will be 2 lots approximately 11,500 sq. ft each; one will face 780 West and one will face 750 West. A sidewalk will be installed on 750 West.</p> <p>Mayor Adams opened the public hearing at 7:26 p.m., with no public comment he closed the public hearing at 7:26 p.m.</p>
CONCLUSION	<p>Councilmember M. Petersen moved to adopt Resolution 08-17 a request by Outwest Builders for a Minor Subdivision (two lots) at 763 W 1300 N. Councilmember Stanton seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember K. Peterson, aye; Councilmember Stanton, aye; Councilmember M. Petersen, aye; Councilmember Mitchell, aye.</p>
<p><u>B. 7:15 PM PUBLIC HEARING, RESOLUTION 09-17 - FINAL PLAT APPROVAL OF FENWAY ESTATES PHASE 2 (LOCATED AT APPROX. 800 N 2000 W)</u></p>	
Petitioner	<p>Uinta Land Investments, LLC, Dennis Hepworth</p>
Discussion	<p>The following information was provided in the staff report:</p> <ol style="list-style-type: none"> 1. Preliminary Plat Approval was granted for this subdivision on May 5, 2015 that consists of 134 lots on 73 acres to be built in five (5) phases. 2. Phase 2 consists of 25 lots that meet the R-1-15 Zone with lots ranging in size from 12,445 sq. ft. to 16,435 sq. ft. due to the averaging allowance in the R-1-15 zone; and 3. Staff has reviewed the drawings and provided minimal corrective comments that the developer has made, since the plat basically follows the approved Preliminary Plat. <p><u>Public Works Comments</u></p> <p>The developer shall be responsible to grade each lot such that runoff water is directed to fronting roads. Grading shall ensure that the runoff from each lot does not drain onto neighboring lots or properties.</p> <ul style="list-style-type: none"> • Submit SWPPP • PP03 SSMH #203 construct to Sewer District spec’s • The last sheet should be PP05, not PP01 <p>Stipulations identified in the resolution include:</p> <ol style="list-style-type: none"> 1 Install a 6 foot chain link fence between dissimilar zones before occupancy. 2 The Final Plat shall not be recorded until a Subdivider’s Agreement and Subdivider’s Escrow Agreement have been completed and executed to insure the completion of the development. 3 All comments related to the plat and engineering shall be corrected before the final plat and engineering is presented for signatures. 4 Developer shall schedule, through the City, a preconstruction meeting once all engineering drawings have been corrected and approved by the City Engineer. 5 It is the developer/contractor’s responsibility to comply with all Clinton City Standards, Ordinances, Staff, Engineer and requirements established during the approval process. Wherever there is a discrepancy between these drawings and City Standards the more stringent requirement will apply. If there is any doubt as to the requirement, the developer is to seek clarification from the Community Development Department and obtain the determination in writing. Copies of the Standards are available at the Community Development Department.

	<p>6 Prior to Conditional Acceptance and Final Acceptance by the City, the Subdivider shall clear any construction debris from lots within the subdivision, except lots with buildings under construction, and level vacant lots within the subdivision in such a way that weed control, via mowing with a brush hog or similar item, is possible and all vacant lots will be mowed for weed control.</p> <p>7 The developer/contractor is responsible for insuring that all required inspections are performed by the Clinton City Public Works Department. If the developer is unsure of what inspections are required he can obtain a list from Public Works. The developer is cautioned not to proceed past an inspection point without insuring that the inspection has been performed and work passed by Public Works.</p> <p>8 It is the developer/contractor’s responsibility to insure adequate dust, trash and weed control practices are observed while any of the lots are under their control.</p> <p>Dennis Hepworth addressed the Council and explained this is a standard subdivision which meets all the requirements of the zone. There are 25 lots that average 15,000 sq. ft in the subdivision.</p> <p>Mr. Hepworth confirmed that a fence will be installed to protect the adjacent property owner from trespassers with the completion of phase 1. He explained the fence is not a condition of phase 2.</p> <p>Mayor Adams opened the public hearing at 7:37 p.m. and with no public comment he closed the public hearing at 7:37 p.m.</p>
CONCLUSION	<p>Councilmember M. Petersen moved to adopt resolution 09-17, approving the Final Plat for Phase 2 of Fenway Estates Subdivision, located at approximately 800 North 2000 West. Councilmember Mitchell seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember K. Peterson, aye; Councilmember Stanton, aye; Councilmember M. Petersen, aye; Councilmember Mitchell, aye.</p>
<p>C. <u>RESOLUTION 06-17, INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR ELECTION SERVICES</u></p>	
Petitioner	<p>Dennis Cluff</p>
Discussion	<p>Mr. Cluff explained Clinton City has contracted with the Davis County Election Services for prior elections and the service has been excellent. The County has the personnel, equipment and knowledge to effectively and efficiently provide for the election needs of the Davis County cities. With this agreement, the County will run all of the election functions except the initial candidate sign-ups and the canvassing of the vote (required to be performed by the City Council). This will be a great saving of time on the part of the City Recorder and Deputy Recorder. Most of the Davis County cities have indicated a desire for the County staff to take care of their 2017 elections.</p> <p>Once all the city agreements have been signed and the County knows what jurisdictions (cities, special districts etc...) will be participating in the cost of the elections, they will provide a refined detailed cost break down for the election. Without other jurisdiction participation the anticipated cost will be around \$14,320 per election (primary and general).</p> <p>Mayor Adams and Councilmember M. Petersen expressed concern about the security of vote by mail.</p>
CONCLUSION	<p>Councilmember Stanton moved to adopt Resolution 06-17, approving the agreement with Davis County for election services for the 2017 municipal election. Councilmember Mitchell seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember K. Peterson, aye; Councilmember Stanton, aye; Councilmember M. Petersen, aye; Councilmember Mitchell, aye.</p>
<p>D. <u>RESOLUTION 07-17, INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR ANIMAL CARE AND CONTROL</u></p>	
Petitioner	<p>Dennis Cluff</p>
Discussion	<p>As of 2016, the division of costs for the County and cities after the Animal Control revenues have been deducted is 50/50. The County is responsible if there are</p>

	<p>additional costs beyond the anticipated budget. The cost areas are now separated into 3 sections: operation and maintenance; wildlife services; and, capital facility projects. The cost of services for the City for this year (2017) is \$73,626.60 (\$67,974.95 for O&M; \$849.75 for Wildlife; and, \$4,801.90 for Capital Projects).</p> <p>The O&M has increased by \$10,360 or 18% from last year. According to the County, this has resulted mainly from two factors: 1) When the 2016 rates were established, one of the Animal Tech positions had just been removed therefore the staff costs were decreased. However, during the year that position was re-established, thus increasing the cost, which the County had to bear in 2016 and is adding into the overall cost for 2017; 2) The County also provided a COLA increase for 2017, which additionally increased the O&M costs.</p> <p>Mr. Cluff explained that since the County charges by the calendar year, Clinton is already behind in the budgeted amount; he asked the Council to consider a pass thru increase on the Utility Bill rate of \$.15 from \$0.85/month to \$1.00/month to break even with this added 2017 cost.</p>
CONCLUSION	<p>Councilmember M. Petersen moved to adopt Resolution 07-17, approving the Interlocal Agreement with Davis County for Animal Care and Control Services adding a \$.15 increase to the utility bill to cover the increase. Councilmember Patterson seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember K. Peterson, aye; Councilmember Stanton, aye; Councilmember M. Petersen, aye; Councilmember Mitchell, aye.</p>
Approval of Minutes	<p>Councilmember K. Peterson moved to approve the January 24, 2017 City Council Minutes. Councilmember M. Peterson seconded the motion. Councilmembers Patterson, K. Peterson, Stanton, Mitchell and M. Petersen voted in favor.</p>
Accounts Payable	<p>Councilmember Patterson moved to pay the bills. Councilmember Stanton seconded the motion. Councilmembers Patterson, K. Peterson, Stanton, Mitchell and M. Petersen voted in favor.</p>
Planning Commission Report	<ul style="list-style-type: none"> Mr. Wright reported on the February 7th, 2017 Planning Commission meeting as recorded in the minutes.
City Manager	<ul style="list-style-type: none"> Presidents Day is Monday, February 20th; the Clinton City offices will be closed. Syracuse has requested Clinton City and Sunset City join with them to apply for a Federal grant for a full time Victims Advocacy position that would service all three cities. School Lunch with the area Principals will be Feb 22 at West Clinton. The League of Cities and Towns is doing a good job providing regular Legislative Updates. Would like to schedule a work session to discuss water – February 28, 2017 after the regular City Council meeting.
Mayor	<ul style="list-style-type: none"> Discussed some challenges facing the burn plant.
Councilmember Patterson	<ul style="list-style-type: none"> Reported she found there are 285 cul-d-sacs and dead-end in the City which impacts snow plowing.
Councilmember K. Peterson	<ul style="list-style-type: none"> Reported the Arts Council will meet on Wednesday February 15.
Councilmember M. Petersen	<ul style="list-style-type: none"> Nothing at this time.
Councilmember Stanton	<ul style="list-style-type: none"> Reported the Youth Council will attend the Leadership Conference at Utah State University in Logan Utah the end of March.
Councilmember Mitchell	<ul style="list-style-type: none"> Asked staff to address draining lots to the street with the subdivision review.
ADJOURNMENT	<p>Councilmember Stanton moved to adjourn. Councilmember Patterson seconded the motion. Councilmembers Patterson, K. Peterson, Stanton, M. Petersen and Mitchell voted in favor. The meeting adjourned at 8:21 p.m.</p>
<u>ACTION ITEMS</u>	<ul style="list-style-type: none"> Monitor the SWPPP inspection fees over the next year to ensure that the City is charging enough to cover the expense for the inspections (July 2016) Subdivision Ordinance – recommendation for concrete in the park strips along UDOT roads. (August 2016)

	<ul style="list-style-type: none">• Consider code enforcement during future budget discussion for 2017-18 (August 2016)• Consider providing staff administrative power for a minor subdivision during subdivision ordinance rewrite (October 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). (January 2017)
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