



**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	March 13, 2018	Call to Order	7:00 p.m.
Staff Present	City Manager Dennis Cluff, Community Development Director Will Wright, Public Works Director Mike Child, Engineer Bryce Wilcox, Treasurer Steve Hubbard, Amber Fowles, Fire Chief Dave Olsen, Asst. Fire Chief Justin Benavides and Lisa Titensor recorded the minutes.		
Citizens Present	Holly Nielson, Denise Hadfield, Russel Goodman, Colby Dalton, Nathan Woolley, Jaxon Kohler, Bryken Peterson, Zac Kohler, Pam Steadman, Dennis Hepworth, Dereck Bauer, Julie Davis, Ben McBride, Janae Davis, Chris & Patricia Haggard, Wade & Melinda Johnson, Nelly Orosso, Jaylee Harris, Ashleigh Norman		
Pledge of Allegiance	Jaxon Kohler, Troop 317		
Prayer or Thought	Bryken Peterson Troop 317		
Roll Call & Attendance	Present were: Mayor L. Mitch Adams, Councilmember Mitchell, Councilmember K. Peterson, Councilmember Stanton and Councilmember Patterson. Excused was: Councilmember M. Petersen		
Public Input	There was none.		
A. EMPLOYEE OF THE MONTH FOR JANUARY 2018 – AMBER FOWLES			
Petitioner	Dennis Cluff, Steve Hubbard		
Discussion	<p>Treasurer Steve Hubbard explained Amber Fowles has served in the position of Finance Specialist in the Treasurer Department since August of 2016 and has been selected as Employee of the Month for January 2018.</p> <p>Since becoming the Finance Specialist, Amber has also taken on the responsibility of managing the cell phone contracts for city personnel in addition to the general accounting and financial reporting she completes on a timely basis every month. Her distinctive capabilities in this area are established in part due to her educational achievements with a BA and MBA degree in Accounting and also in part to her natural talent with numbers. She has worked as an accountant for Roy City and as Finance Director for Syracuse City.</p> <p>She is thought of as our internal auditor, which helps keep us on track for when the annual external audit takes place. Because of her background and skills, she was able to save the city about \$1,000 during this past year’s audit.</p> <p>Although much of her work is done behind the scenes, Amber’s talents and skills are a great asset to the overall operations of the Treasurer Department and the City of Clinton.</p> <p>Amber stated she enjoys working for Clinton City.</p> <p>Mayor Adams presented Amber with an award and gift card in recognition and expressed appreciation for the good job she does.</p>		
B. EMPLOYEE OF THE MONTH FOR FEBRUARY 2018 – DAVE POWERS			
Petitioner	Dennis Cluff, Fire Chief Olsen		
Discussion	Fire Chief Dave Olsen stated he would like to recommend Dave Powers for		

	<p>Employee of the Month for February 2018. Dave began his career in Clinton City in September 2014 as a part-time Firefighter/AEMT. He is currently a full-time Senior Firefighter on “B” Shift. Dave has demonstrated numerous times that he is willing to step up and help out in times of need. As a Senior Firefighter he has a supervisory role as acting Captain, when his Captain is off duty. He has been very proactive in his assignment of tracking the department’s vehicle maintenance. He is responsible for tracking mileage, run hours, aerial maintenance etc. to ensure that the equipment is being serviced at the appropriate intervals in conjunction with the motor pool department or other third party vendors. Preventative maintenance helps keep the maintenance costs down and improves the longevity of the equipment; which is crucial to ensuring the equipment is safe and able to respond in the time of need.</p> <p>Dave is currently one of two Clinton Firefighters who is assigned to the Davis County USAR (Urban Search and Rescue) team. He is working hard towards the certifications and skill sets required.</p> <p>In addition to this, Dave also works as a part-time firefighter for the North Davis Fire District and is very talented with his hands as a gifted carpenter.</p> <p>Dave is a true team player and is always willing to help anyone he can. He is a great mentor to others in the fire service and leads by example. Dave has demonstrated the qualities and values of a Clinton City Firefighter and is well deserving of being Employee of the Month. He is a great asset to the Fire Department, City and Community.</p> <p>Dave Powers stated he enjoys working for Clinton City.</p> <p>Mayor Adams expressed appreciation for Dave’s service and presented him with an award and gift card in recognition.</p>
C. BID AWARD FOR SUN RAY SUBDIVISION STORM DRAIN PROJECT	
Petitioner	Dennis Cluff, Mike Child
Discussion	Mr. Child explained that six bids for this storm drain project were received which ranged from \$135,590.40 to \$301,441.50. The Engineer’s estimate was \$146,420. The low bidder of \$135,590.40 is from AAA Excavating who has provided good service to the City in the past.
CONCLUSION	Councilmember Mitchell moved to award the Bid for the Sun Ray Storm Drain Project to AAA Excavating for \$135,590.40. Councilmember K. Peterson seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember Mitchell, aye; Councilmember Stanton, aye; Councilmember K. Peterson, aye.
D. REQUEST TO TABLE TO APRIL 10, 2018 - 7:15 PM PUBLIC HEARING – RESOLUTION 09-18 REQUEST FOR APPROVAL OF PHASE 6 FINAL PLAT FOR HARRISBURG COUNTRY ESTATES SUBDIVISION	
Petitioner	Will Wright, Eric Craythorne
Discussion	<p>The applicant requested this item to be tabled. The Final Plat of Phase 6 for Harrisburg Country Estates Subdivision, located at approximately 800 North 2000 West is ready for final approval by the City Council.</p> <p>Because this was advertised as a public hearing Mayor Adams asked if there was anyone present to address this issue; there was none.</p>
CONCLUSION	Councilmember K. Peterson moved to table Resolution 09-18 approval for the Final Plat of Phase 6 of the Harrisburg Country Estates Subdivision located at approximately 800 North 2000 West to April 10, 2018. Councilmember Stanton seconded the motion. Councilmember’s Patterson, Mitchell, Stanton and K. Peterson voted in favor of the motion.
E. RESOLUTION 06-18 AMENDING RESOLUTION 02-18 BY ADDING AN ADDITIONAL CONDITION AND FINDING TO THE FINAL PLAT APPROVAL OF THE TRYXEN MEADOWS SUBDIVISION LOCATED AT 717 W 2300 N	
Petitioner	Will Wright

<p>Discussion</p>	<p>Mr. Wright explained that the Tryxen Meadows Subdivision Final Plat was approved by the City Council with Resolution 02-18 on February 13, 2018. The 10th Finding and Condition of that Resolution was accidentally left off of the version presented and approved by the City Council. This action, by amending the Resolution, adds this 10th Finding and Condition to Resolution 02-18.</p> <p><i>10. There is an east side yard variance for the existing structure on lot 1 of 5.57 feet as indicated on the plat and if it is demolished and a new structure constructed, it shall be positioned on the lot to be in conformance with the standard side lot requirement.</i></p>
<p>CONCLUSION</p>	<p>Councilmember Stanton moved to approve Resolution 06-18 amending Resolution 02-18 that approved the Final Plat for the Tryxen Meadows Subdivision by adding paragraph 10 that was inadvertently left off of Resolution 02-18 when approved by the City Council. Councilmember Mitchell seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember Mitchell, aye; Councilmember Stanton, aye; Councilmember K. Peterson, aye.</p>
<p>Mayor Adams directed the Council to Agenda Item G.</p>	
<p>F. 7:25-PUBLIC HEARING – RESOLUTION 08-18 APPROVING PHASE 3 FINAL PLAT FOR FENWAY ESTATES SUBDIVISION</p>	
<p>Petitioner</p>	<p>Will Wright , Uinta Land Investments, LLC, Dennis Hepworth</p>
<p>Discussion</p>	<p>The following information was included in the staff report:</p> <ol style="list-style-type: none"> 1. The Preliminary Plat Approval was granted for this subdivision on May 5, 2015 and consists of 134 lots on 73 acres to be built in five (5) phases. 2. Phase 3 consists of 37 lots on 8 acres that meet the requirements for the R-1-15 Zone with lots ranging in size from 12,445 sq. ft. to 16,435 sq. ft.; and 3. Staff has reviewed the drawings and provided minimal corrective comments that the developer has made with this final plat basically following the approved Preliminary Plat. <p><u>Public Works comments</u></p> <ul style="list-style-type: none"> • Submittal Date: 1/31/18 <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. <p>SWPPP will be submitted before the pre-construction meeting.</p> <ul style="list-style-type: none"> • Note: sewer and land drain mains minimum .50%. <p>Sewer and land drain mains have been changed to minimum 0.50%</p> <ul style="list-style-type: none"> • Note: call out stop signs with the address signs at the intersections. <p>Stop signs with address signs have been added to intersections.</p> <ul style="list-style-type: none"> • C5 eliminates all the SD manholes from the intersections and replace with catch basins. <p>Catch basins have been added around curb returns, but the manholes are necessary to maintain grade and cover over storm drain pipes. We feel that for the design to work correctly, the manholes will need to remain.</p> <ul style="list-style-type: none"> • Add catch basin 955N at lot 326, and one on property line lots 324/325. <p>Catch basins have been added.</p> <ul style="list-style-type: none"> • Put a fire hydrant foot valve on the main in the cul-de-sac in the asphalt 10’ off of the toe of curb. <p>Foot valves have been added to the fire hydrants in the cul-de-sac.</p> <ul style="list-style-type: none"> • Move water valves to line up with property lines. Water valves have been moved up to line up with property lines. • Put fire hydrant foot valves on the main line connection. <p>Foot valves have been placed on main line connections.</p> <ul style="list-style-type: none"> • C3 call out fencing with a mow strip along 800N frontage. <p>Fencing with mow strip along frontage has been called out.</p> <ul style="list-style-type: none"> • Pp1 add catch basin between lots 303/304. <p>Catch basin has been added.</p> <ul style="list-style-type: none"> • On land drain, 5’ man holes needed at direction change only.

	<p>5' manholes are now only being used at 90° bends and tees.</p> <ul style="list-style-type: none"> • Pp1 sewer and land drain manholes #301 not needed Existing pipe stubs were laid at 0.33%. We have to include these manholes if pipes in this phase are to be laid at a minimum 0.50%. <p>The resolution includes the following findings and conditions:</p> <ol style="list-style-type: none"> 1 Construct an approved fence required on the boundary adjacent to dissimilar uses per the Zoning Ordinance. 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 infrastructure improvements. 3 All comments related to the plat and engineering shall be corrected before the final plat and engineering is presented for signatures. 4 The City shall schedule a preconstruction meeting once all engineering drawings have been corrected and approved by the City Engineer as well as signatures obtained on plat. 5 It is the developer/contractor's responsibility to comply with all Clinton City Standards, Ordinances, Engineer, staff 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. 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. 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. 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. 9 Minimum 35' rear setbacks on lots 301-307 and recorded as restricted, prohibiting driveway access onto 800 N. 10 Hard surface park strip and a mow strip under the fence along the property line on 800 N from property line to the sidewalk. <p>The Council discussed their concern for aesthetics in the City moving forward allowing this and clarified that snow removal will be the responsibility of the property owner. They discussed the possibility of gates to allow for easier access.</p> <p>Mayor Adams opened the public hearing at 7:39 p.m.</p> <p>Mr. Hepworth said he feels that requiring or preventing a gate may be difficult; it should be an option for the property owner but not required.</p> <p>He explained this is the third of five phases. It is under contract with a builder.</p> <p>With no further public comment, Mayor Adams closed the public hearing at 7:42 p.m.</p>
CONCLUSION	<p>Councilmember Mitchell moved to adopt Resolution 08-18 approving the Final Plat for Phase 3 of the Fenway Estates Subdivision located at approximately 800 North 2000 West. Councilmember K. Peterson seconded the motion. Councilmember's Patterson, Mitchell, Stanton and K. Peterson voted in favor of the motion.</p>
<p>Mayor Adams directed the Council to Agenda Item I.</p>	
<p>G. RESOLUTION 10-18, AMENDMENT TO 2004 BLUE SPRUCE ESTATES SUBDIVISION DEVELOPMENT AGREEMENT</p>	
Petitioner	Denise Hadfield, current HOA President and Will Wright
Discussion	The Blue Spruce Estates Subdivision Development Agreement was approved by the

	<p>City Council on January 29, 2004. Part of this Agreement included the establishment of an HOA with the main purpose of maintaining a small linear landscaped area at an entrance to the subdivision fronting 1800 North. The landscaped area was established on an easement at the rear of the cul-de-sac lots which back ended to 1800 North. When the lots developed, their back yard fences abutted the north side of the landscape easement so the landscape could be viewed from 1800 North.</p> <p>This landscape easement is on land owned by the adjacent property owners. They pay the taxes on the property (for it is part of their individual lot) and have maintained the landscaped and sidewalk area outside of their back fence line. The landscaped area is <u>not</u> common HOA property and has <u>not</u> been maintained by the HOA. Initially the HOA was established by the developer and initial property owners, but has ceased to function and has neither maintained the landscaped area nor charged fees to have it maintained.</p> <p>The petition from the majority of the Blue Spruce Estates property owners, including the three owners on which the landscaped area sits as well as the side lot that serves as an entrance to this subdivision, is to amend the Development Agreement by removing the HOA and the landscaped area requirements. The three property owners with the landscaped area on their properties desire, at their own expense, to move their back fences to incorporate the landscaped areas within their regular back yards. They also agree to continue maintaining snow removal on the sidewalk area abutting 1800 North.</p> <p>The Amendment strikes out all references to the HOA and landscaped area requirements from the Development Agreement, yet leaves all other Development Agreement requirements in place.</p>
CONCLUSION	<p>Councilmember Mitchell moved adopt Resolution 10-18, approving the amendment to the Blue Spruce Estates Subdivision Development Agreement and authorize the Mayor to execute the amendment. Councilmember Patterson seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember Mitchell, aye; Councilmember Stanton, aye; Councilmember K. Peterson, aye.</p>
<p>H. RESOLUTION 11-18 INTERLOCAL AGREEMENT WITH SUNSET CITY FOR CLINTON CITY INSTALLATION OF WATER LINE THROUGH SUNSET STREETS</p>	
Petitioner	<p>Dennis Cluff, Mike Child</p>
Discussion	<p>This Agreement is part of the 2300 North water line project. This will allow the City to hire a contractor to install the water line through the designed route along certain Sunset City streets.</p> <p>This agreement has been approved by Sunset City and has been reviewed by the Clinton City Attorney.</p>
CONCLUSION	<p>Councilmember K. Peterson moved to adopt Resolution 11-18, approving an Interlocal Agreement with Sunset City for Clinton City Installation of a Water Line through Sunset streets. Councilmember Stanton seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember Mitchell, aye; Councilmember Stanton, aye; Councilmember K. Peterson, aye.</p>
<p>At 7:24 PM Mayor Adams directed the Council back to agenda item F.</p>	
<p>I. ORDINANCE 18-01E, AMENDING CITY CODE TITLE 9, ENGINEERING AND STANDARD SPECIFICATIONS AND STANDARD DRAWINGS</p>	
Petitioner	<p>Dennis Cluff, Mike Child</p>
Discussion	<p>Mr. Child explained that in an effort to maintain the asphaltic integrity of new streets and newly repaved streets, staff is asking the Council to consider adopting a basic 2 year non-street cutting moratorium for all newly paved City streets. Emergency exceptions are provided. The proposed section reads:</p> <p>“21.02. MORATORIUM: <i>Newly paved streets shall not be cut for two (2) years from the time of paving. This standard applies to new streets, streets that have been reconstructed and overlaid</i></p>

	<p><i>streets. Exceptions may be made at the city's discretion for emergency situations. Streets that are cut during a moratorium shall be restored per the APWA Bituminous Pavement T Patch latest edition. The moratorium shall begin on the date of substantial completion for City projects or the start of warranty for new developments."</i></p> <p>The Council said they like the idea of requiring higher standards for new road cuts but expressed concerns about requiring a moratorium; they also discussed other options to consider for managing road cuts in new roads. They asked staff to bring back three options to consider during a future discussion on this issue.</p>
CONCLUSION	There was no action on this item.
Approval of Minutes	Councilmember K. Peterson moved to approve the minutes of the February 13, 2018 City Council meeting and February 13, 2018 closed meeting. Councilmember Stanton seconded the motion. Councilmember's Mitchell, K. Peterson, Stanton and Patterson voted in favor of the motion.
Accounts Payable	Councilmember Stanton moved to pay the bills. Councilmember Mitchell seconded the motion. Councilmember's Patterson, Mitchell, K. Peterson, Patterson and Stanton voted in favor of the motion.
Planning Commission Report	Mr. Wright reported on the March 6, 2018 Planning Commission meeting as recorded in the minutes. He also reported that due to local political caucuses scheduled for Tues. March 17, the Planning Commission will not meet so they can attend.
City Manager	<ul style="list-style-type: none"> • Asked the Council to set the budget work shop. <p>The Council agreed on Wednesday, April 11 at 5 p.m.</p> <ul style="list-style-type: none"> • Asked the Council to consider cancelling the April 24, 2018 City Council meeting unless needed. <p>The Council agreed to cancel the April 24, 2018 meeting unless it becomes necessary to hold it.</p> <ul style="list-style-type: none"> • Reported the Weber Basin annual meeting will be on March 27 at 1 p.m. • UDOT is planning to go out to bid for an overlay to put on the existing 2300 N going N to SR 126; they will not be widening the road.
Mayor Adams	<ul style="list-style-type: none"> • Asked staff to look into putting a flag back in the parking lot on the flag pole Macey's installed; several residents have requested it. • Ivory Homes has proposed an update to the Development Agreement for Cranefield Estates.
Councilmember Patterson	<ul style="list-style-type: none"> • The Children's Justice Center will hold an open house on April 10.
Councilmember K. Peterson	<ul style="list-style-type: none"> • Construction on the 1300 N round-a-bout is being done by the DWCCC to increase secondary water pressure. • Expressed appreciation for how staff responded to the water leak on Sunday and asked staff to establish a plan for situations such as this for the future. • Asked staff to invite Davis and Weber Counties Canal Company to a meeting in the near future. • Appreciated staff providing information for the potential use of the legacy money, would like Zach Martinez attend the next meeting to discuss it further.
Councilmember M. Petersen	<ul style="list-style-type: none"> • Excused.
Councilmember Stanton	<ul style="list-style-type: none"> • Youth Council Leadership Conference will be held local in April and they will invite the Council. • Appreciates the meeting with the local schools especially the topic of safety for the students. • Appreciates staff for responding to the water leak.
Councilmember Mitchell	<ul style="list-style-type: none"> • Snow plows did a great job this year.
Mr. Child	<ul style="list-style-type: none"> • Would like permission to go out to bid for FY 2018-19 Road Projects. <p>The Council approved Public Works to go out to bid for the 2018-19 Road Projects.</p>
ADJOURNMENT	Councilmember Stanton moved to adjourn. Councilmember Patterson seconded the motion. Councilmember's K. Peterson, Stanton, Patterson and Mitchell

voted in favor. The meeting adjourned at 8:51 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).• Ask Planning Commission to review ordinance to see if it allows gates and if rear frontages are required to be maintained as well as if there are provisions for a gate and hard surface in park strip (March 2018 during discussion of Final Plat approval for Ph3 of Fenway Estates).