



CLINTON CITY COUNCIL MINUTES
6:00 pm Special Work Session
Community Development Conference Room
2267 North 1500 W Clinton UT 84015

MAYOR
Brandon Stanger

CITY COUNCIL MEMBERS

Anna Stanton
Gary Tyler
Marie Dougherty
Dane Searle
J. Stark

Date of Meeting: August 7, 2023		Call to Order: 6:00 pm	
Staff Present	City Manager Dennis Cluff, Community Development Director Peter Matson, Treasurer Steve Hubbard, Fire Chief Dave Olsen, Recreation Director Brooke Mitchell, Police Chief Shawn Stoker, Public Works Director David Williams and Lisa Titensor recorded the minutes.		
Citizens Present	There were none.		
Roll Call & Attendance	Present were: Councilmember Dougherty Councilmember Searle arrived at 6:07 pm, Councilmember Stanton was excused, Councilmember Tyler, Councilmember Stark and Mayor Stanger		
A. PROPOSED PERSONNEL POLICY CHANGE – FIREFIGHTER HOLIDAY ACCRUAL			
Petitioner	Dennis Cluff		
Discussion	<p>Mayor Stanger informed the Council the order of items would be addressed out of order and directed the discussion to Agenda Item B.</p> <p>Below are the proposed changes to the Holiday Leave language for Full Time Firefighters who work the 48 hours on duty shifts. FTE Firefighters work 2880 hours on duty per year, while regular FTE employees work 2080 hours per year. The Firefighters are on duty 38.5% more than other employees. Non-Fire employees receive 104 Holiday hours/year (13 x 8hrs). Due to being required to be on duty 38.5% more, the Firefighters should receive that much more of Holiday leave (13 x 8hrs x 1.385) or 144 hours/year.</p> <p>E. All On-duty full-time firemen fire department personnel working the 48/96 shift schedule shall receive the equivalent of 96 156 144 hours of alternate time off to compensate for the holidays. This may be utilized in four 24 hour shifts off annually. This equals 12 hours 1.385 hours for every 1 hour of alternate time off given to regular schedule employees for each of the 13 holidays (equals 11.08 hours per holiday). Alternate time off accrues with each payday (5.54 hours) and may be subsequently scheduled for time off as approved by the Fire Chief. Alternate time off for holidays should be used within 3 months of the accrual date will accrue separately but may be used in conjunction with vacation time off. A maximum of 48 hours may be carried over at the end of the calendar year for use within the first two months of the new calendar year.</p> <p>The Council discussed the issue at length and expressed a desire to remain fair to all employees.</p> <p>Fire Chief Olsen stated that this new pay schedule for holidays will be put the Clinton Fire Department more in line and competitive with surrounding communities. The calculations show that it is a fair proposal in comparison to work schedules and benefits available to employees who work a regular shift.</p>		
B. DISCUSSION ON TEMPORARY WATER METERS AND WATER USE FEES			
Petitioner	Dennis Cluff		

	<p>Staff recommends the Temporary Water Meter Set fee that has been \$50 since 2009 to be increased to \$65 due to 14 years of inflation and salary increases.</p> <p>Staff recommends the Temporary Water usage to be at the same rate as residential. This means the meters will need to be read monthly like all of the rest instead of just at the beginning and ending of the rental period (which has been over a year in some cases).</p> <p>The Council was in consensus of the fee changes.</p> <p>Mr. Cluff reported these fee changes will be included on the August 8th Regular Council meeting agenda as a Resolution amending the City Fee Schedule.</p> <ul style="list-style-type: none"> a) Temporary Water Meter Set Fee - \$65; b) Temporary Water Use Fees – Meters will be read monthly and billed monthly at the same rates as residential. c) Small Claims Filing Fee (over \$7,500) - \$185 <p>Mayor Stanger directed the Council to Agenda Item C.</p>
C. DISCUSSION ON POTENTIAL SEWER, STORM AND GARBAGE FEES	
Petitioner	Dennis Cluff
Discussion	<p>Three of the Enterprise funds, Sewer, Storm Drain & Solid Waste (garbage) have had inflationary cost and receiving entity increases over the years since their last fee increase. The dates of the last fee increases are: sewer=2016; storm=2013; and garbage=2022. Fund reserves have been being used to help pay for the costs of operations. Ideally operation costs should be covered by the user fee revenue.</p> <p>Mr. Cluff suggested that if the Council agrees there is a need to increase the fee revenue in these accounts, it could be done incrementally, some this year and additional increases in future years. For this year he recommends at least a \$2/mo/edu for sewer and a \$1.50/mo/edu for both storm and garbage. He explained these increases will not totally cover the revenue needed but will greatly slow down the drain on the reserve funds.</p> <p>As of the beginning of July, these three funds had fund balances of: Sewer = \$459,682; Storm = \$568,204 + \$517,116 impact; Garbage = \$388,860. When taking into account the remittance of the depreciation expense back into the fund balance of each fund, the net reduction of using fund balances for operations will be: Sewer = \$-90,050; Storm = \$-175,345; and Garbage = \$-108,906.</p> <p>He further explained that as opined in earlier meetings, the Franchise funds can make it through this next fiscal year, but their fund balances which are meant for maintenance, repair and emergencies will continue to diminish. Just for clarification, \$150,000 of the Sewer use of fund balance is for a maintenance project and \$165,000 of the Storm use of fund balance is for repair and maintenance projects. This shows that a good portion of the fund balance use is for the proper purpose, but still the end result is the reduction of the fund balance in reserve.</p> <p>The City Council discussed their options of incremental increases vs. the full increase for this FY. They agreed to move forward with the increases identified below to avoid further depleting the reserve funds for these accounts.</p> <ul style="list-style-type: none"> a) Temporary Water Meter Set Fee - \$65; b) Temporary Water Use Fees – Meters will be read monthly and billed monthly at the same rates as residential; c) Sewer monthly fee - \$3.00 increase to \$29.70/ERU inside city; d) Sewer monthly fee - \$3.00 increase to \$31.70/ERU outside city; e) Sewer monthly fees for commercial, same ERU increases for inside and outside city; f) Storm Drain - \$4.00 increase to \$8.50/ERU; g) Solid Waste - \$1.50 increase to can, 1st can = \$18, 2nd can(s) = \$14.50 each.

	Mayor Stanger directed the Council to Agenda Item D.
D. RAP TAX PROPOSAL-DISCUSSION AND DIRECTION	
Petitioner	Dennis Cluff
Discussion	<p>Councilmember Dougherty researched the RAP Tax requirements. There is still time to meet all the deadlines to put a RAP tax on the ballot this year if there is interest from the Council. A Resolution to put this question before the public on the November ballot will need to be brought forth at the August 8, 2023 City Council meeting. There is approximately one month before the first deadlines are required by the guidelines.</p> <p>The Council was in consensus to move forward with putting the RAP Tax on the ballot for the public to vote on.</p> <p>Mayor Stanger directed the Council to Agenda Item E.</p>
E. 6:30 PM DISCUSSION ONLY – REVIEW OF POSSIBLE UPDATES TO THE R-M (MULTI-FAMILY RESIDENTIAL) ZONE CHAPTER OF THE ZONING ORDINANCE INCLUDING PROPOSED DEVELOPMENT STANDARDS AND DESIGN GUIDELINES, AND PRIVATE STREET STANDARDS	
Petitioner	Dennis Cluff
Discussion	<p>Mr. Matson presented the following information regarding Strategy 1 of the City’s Moderate Income Housing Plan which identifies actions related to rezoning for densities necessary to facilitate the production of moderate income housing. This strategy specifically indicates that the city is to review and update the R-M zone to improve site and development standards and add design guidelines.</p> <p>PROPOSED CHANGES FOR CONSIDERATION:</p> <ol style="list-style-type: none"> (1) Existing standards in the R-M zone address development of attached units between two and six units attached. The associated density range is 7-12 units per acre. The zone does not address development of stacked units typical of an apartment complex. (2) The current building setbacks are larger than what is typically found in a multi-family/townhome development. Setbacks need to be examined and updated accordingly. (3) The R-M zone does not include design standards typically found in such a code. Design guidelines can be added to this chapter or a PRUD or Condo/Townhouse zone could be considered. (4) While larger townhome projects can accommodate public streets through the majority of the site, there is often still a need for private drives to accommodate portions of a site not easily accessible to a public street. This could be a drive or alley in front of or to the rear of a row of townhomes. Private street standards should be vetted by the city engineer and fire marshal for consistency with their specific industry standards. <p>The table attached to the staff report compares townhome development standards of Clinton’s existing code and two townhome projects proposed within the city – the west Clinton annexation townhome project (Trail Point) and the Summers Farms project. Staff is finalizing a presentation that shows developments with various public and private street examples with right-of-way width measurement comparisons and recommendations. Staff will also provide more detailed recommendations for specific ordinance amendment amendments to the R-M zone.</p> <p>Mayor Stanger introduced Attorney Todd Godfrey who is an attorney who specializes in land use requirements for cities and towns in Utah. His firm is familiar with the challenges cities face with growth.</p> <p>He feels that Clinton is approaching the problems of growth sound and reasonably based on review of staff reports and the General Plan.</p> <p>Mayor Stanger identified that Clinton is different from surrounding cities in that there are no transit hubs or freeway off ramps.</p> <p>Mr. Godfrey explained that setbacks and parking are big issues with the Legislature right now. He suggested that if private roads are allowed, they should be set up clearly from the</p>

	<p>beginning preferably with an HOA.</p> <p>Regarding roads, Councilmember Dougherty asked if the City decides it is not in the best interest of the residents to allow private roads, if public street widths could be required specific to a type of development as long as it is specifically identified in the code.</p> <p>Mr. Godfrey confirmed it is possible but again, he encouraged the City to make sure requirements are clearly outlined in the code.</p> <p>Mr. Matson asked Mr. Godfrey if he feels that a PRUD should be included as an overlay in the code.</p> <p>Mr. Godfrey responded he recommends the over-lay zone.</p> <p>In regards to parking, he suggested Mr. Matson look at other cities in Utah that are somewhat similar to Clinton with density a consideration.</p> <p>At 8:15 PM Mayor Stanger called for a 15 minute break.</p> <p>The Council reviewed a potential development being considered for a parcel in Clinton and possible road width requirements.</p> <p>Mr. Godfrey suggested that density is a valuable negotiation tool to succeed in getting actual affordable housing in these new developments.</p> <p>Mayor Adams directed the Council back to Agenda Item A.</p>
	<p>Future Work Sessions</p> <ul style="list-style-type: none"> • Code Enforcement/Nuisance • Good Landlord program • Revisit water rates in October
<p>ADJOURN</p>	<p>Councilmember Stark moved to adjourn. Councilmember Tyler seconded the motion. Councilmember’s Dougherty, Searle, Stark and Tyler voted in favor. The meeting adjourned at 9:21 p.m.</p>

Lisa Titensor, Clinton City Recorder