



CLINTON CITY COUNCIL AGENDA

2267 N 1500 W Clinton, UT 84015

This meeting may be attended electronically by one or more members.

March 12, 2024 – 6 PM

[Click Here for ZOOM Meeting Link](#)

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 891 7487 5476 Pass Code: 012738

I. REGULAR CITY COUNCIL MEETING

1. Call to Order
2. Pledge of Allegiance
3. Invocation or Thought
4. Roll Call

II. PUBLIC INPUT

Any public member who wishes to address the Council shall, prior to the meeting, sign the “list to present” with the Clerk of the Council. They will be allowed up to three minutes to make their presentation. Please send requests to titensor@clintoncity.com or call 801-614-0700. (According to Utah State Code, the Council cannot take action on items not advertised on the agenda).

III. BUSINESS

- A. Conditional Acceptance Fenway Estates Phase 3
- B. Update to Annual Fee Schedule for NDSD Fees
- C. Award Bid for Legal Services for Clinton City

IV. OTHER BUSINESS

- a. Approval of Minutes: February 13, 2024 CC Meeting & Work Session
- b. Approval of Accounts Payable: February 27, 2024, February 28, 2024, March 06, 2024
- c. Planning Commission Report
- d. City Manager’s Report
- e. Staff Reports
- f. Council Reports on Areas of Responsibility
- g. Mayor’s Report
- h. Action Item Review

V. ADJOURN

VI. SPECIAL CITY COUNCIL WORK SESSION

1. Call to Order
 - A. Discussion on Administrative Code Enforcement

VII. ADJOURN

I, The City Recorder of Clinton City, certify that this agenda for the Clinton City Council has been properly noticed on the Utah Public Notice Website, the Clinton City Website and at Clinton City Hall.

Dated this 5th day of March, 2024

/s/Lisa Titensor, Clinton City Recorder

Mayor

Brandon Stanger

City Council

Marie Dougherty

Gary Tyler

Dane Searle

Spencer Arave

Austin Gray

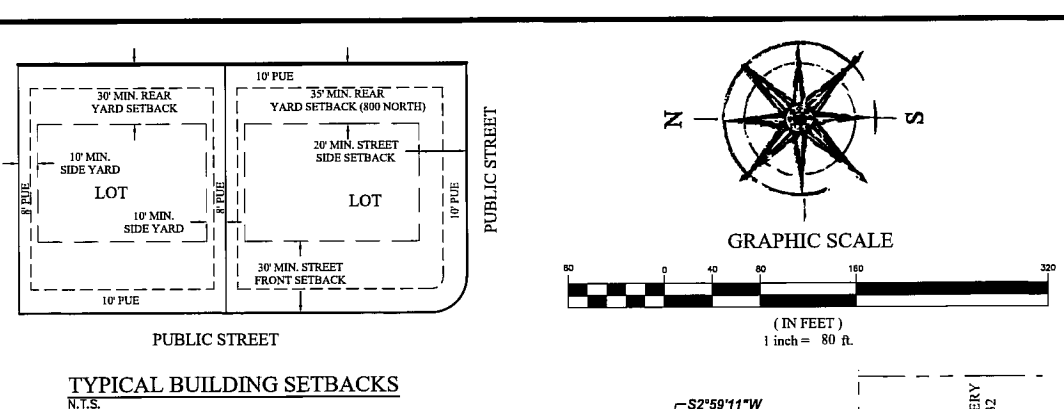
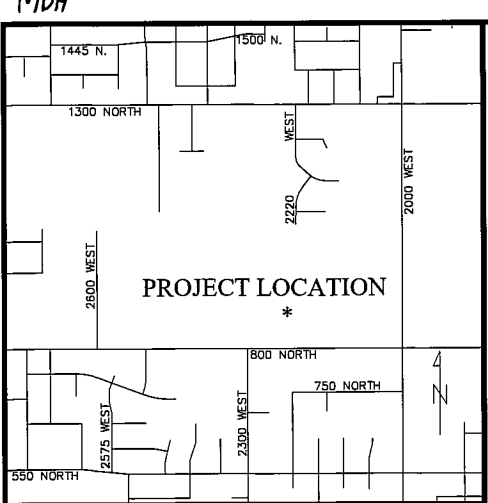
CLINTON CITY COUNCIL AGENDA ITEM

SUBJECT: Conditional Acceptance of public improvements for Fenway Estates Phase 3 Subdivision located in the vicinity of 840 North and 2475 West.	AGENDA ITEM: A
SUBMITTED BY: Peter Matson, Community Development and Dave Williams, Public Works	MEETING DATE: March 12, 2024
RECOMMENDATION: Move to approve conditional acceptance of Fenway Estates Phase 3 Subdivision, authorize the release of appropriate funds held in escrow and enter the subdivision into the one-year warranty period.	ROLL CALL VOTE: NO
FISCAL IMPACT: N/A	
BACKGROUND: (A) City Council approved Fenway Estates Phase 3 in 2019. This phase has since been constructed. Public Works has inspected the subdivision improvements for this phase and the developer requests Conditional Acceptance of the subdivision, the release of appropriate escrow funds and authorization to enter into the one-year warranty period.	
ATTACHMENTS: (A) Fenway South Recorded Plat (B) Fenway South Public Works Inspection Report	

**CLINTON CITY SUBDIVISION
INSPECTION
CONDITIONAL ACCEPTANCE**

DL Walker

SUBDIVISION		Fenway3			
REQUIRED INSPECTIONS	INSPECTED ON DATE	DATE	INITIALS	COMMENTS	
BLUE PRINT INSPECTIONS					
REVIEW OF PRELIMINARY PLANS		11/16/18	GF		
REVIEW OF AS BUILTS		6/13/19	GF		
WIRING DIAGRAMS/STREET LIGHTS		4/26/23	GF		
CONSTRUCTION INSPECTIONS					
SEWER					
MANHOLES	X	1/29/24	GF		
VIDEO		5/21/19	GF		
LAND DRAINS					
VISUAL PIPE INSPECTION	X	1/29/24	GF		
MANHOLES	X	1/29/24	GF		
WATER					
CHLORINE TEST		4/4/19	GF		
BACTERIA TEST		4/4/19	GF		
PRESSURE TEST		4/3/19	GF		
CONNECT TO EXISTING SYSTEM		4/8/19	GF		
FLUSH		4/3/19	GF		
HYDRANT CHECK (PRIOR TO HOME CONSTRUCTION)		6/4/19	GF		
VALVE & VALVE BOXES	X	1/29/24	GF		
FIRE HYDRANTS	X	1/29/24	GF		
METER BOXES	X	1/29/24	GF		
BLOW OFF HYDRANTS		6/4/19	GF		
STORM DRAINS					
VISUAL PIPE INSPECTION	X	1/29/24	GF		
MANHOLES	X	1/29/24	GF		
COLLECTION BOXES	X	1/29/24	GF		
STREETS					
SUB GRADE		5/21/19	GF		
FINAL GRADE / ROADBASE		6/19/19	GF		
ASPHALT	X	1/29/24	GF		
CURB & GUTTER (PRE -POUR)		5/15/19	GF		
CURB & GUTTER (POST-POUR)	X	1/29/24	GF		
SIDEWALK (POST-POUR)	X	1/29/24	GF		
COLLARS ON BOXES	X	1/29/24	GF		
SURFACE TREATMENT	X	1/29/24	GF		
STREET LIGHTS					
BASE INSPECTION		8/13/19	GF		
PRE POWER INSPECTION	X	1/29/24	GF		
LIGHTS ARE FUNCTIONING	X	1/29/24	GF		
MISC INSPECTIONS					
LOTS CLEANED UP	X	1/29/24	GF		
AS BUILTS SUBMITTED/ RED LINED PLANS	X	1/29/24	GF		
VACANT LOTS GRADED SMOOTH	X	1/29/24	GF		
FENCE INSTALLED	X	1/29/24	GF		
MAILBOX POLE IN CULDISAC	X	1/29/24	GF		



FENWAY ESTATES PHASE 3

A PORTION OF THE NE1/4 OF SECTION 33, T5N, R2W, SLB&M CLINTON CITY, DAVIS COUNTY, UTAH

- NOTES**
- MANY AREAS IN CLINTON CITY HAVE WATER PROBLEMS DUE TO A SEASONALLY HIGH (FLUCTUATING) WATER TABLE. APPROVAL OF THIS PLAT DOES NOT CONSTITUTE REPRESENTATION BY CLINTON CITY THAT ANY BUILDING AT ANY SPECIFIED ELEVATION WILL SOLVE GROUND WATER PROBLEMS. SOLUTION OF THESE PROBLEMS IS THE SOLE RESPONSIBILITY OF THE PERMIT APPLICANT AND PROPERTY OWNER.
 - THIS PROPERTY IS LOCATED IN THE VICINITY OF AN ESTABLISHED AGRICULTURAL OPERATION IN WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES HAVE BEEN AFFORDED THE HIGHEST PRIORITY USE STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FUTURE BE CONDUCTED ON PROPERTY INCLUDED IN THE AREA IN WHICH THE AGRICULTURAL OPERATION IS BEING CARRIED ON. THE USE AND ENJOYMENT OF THIS PROPERTY IS EXPRESSLY CONDITIONED ON ACCEPTANCE OF ANY ANNOYANCE OR INCONVENIENCE WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USES AND ACTIVITIES, (UTAH STATE CODE 17-41-403)
 - UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE PUE. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE PUE AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PUE OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE PUE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH THE FACILITIES IN THE PUE.
 - LOTS 301 TO 307 SHALL HAVE NO ACCESS OFF 800 NORTH.

SURVEYOR'S CERTIFICATE

I, Spencer W. Llewellyn, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 10516507 in accordance with Title 58, Chapter 22 of Utah State Code. I further certify by authority of the owner(s) that I have completed a Survey of the property described on this Plat in accordance with Section 17-23-17 of said Code, and have subdivided said tract of land into lots, blocks, streets, and easements, and the same has, or will be correctly surveyed, staked and monumented on the ground as shown on this Plat, and that this Plat is true and correct.

Spencer W. Llewellyn
Professional Land Surveyor
Certificate No. 10516507

[Signature]
Date 4/30/19

LICENSED LAND SURVEYOR
SPENCER W. LLEWELLYN
STATE OF UTAH

VICINITY MAP
N.T.S.

Curve Table				
CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION
C1	15.00	46°11'13"	12.09	N66°53'09"W
C2	50.00	272°22'26"	237.69	N00°01'15"E
C3	15.00	46°11'13"	12.09	N66°55'39"E
C4	15.00	16°42'10"	4.37	N81°37'40"W
C5	15.00	29°29'03"	7.72	N58°32'03"W
C6	50.00	79°04'05"	69.00	N83°19'35"W
C7	50.00	57°17'45"	50.00	S28°29'30"W
C8	50.00	57°17'45"	50.00	S28°48'15"E
C9	50.00	78°42'51"	68.69	N83°11'27"E
C10	15.00	18°49'30"	4.93	N53°14'47"E
C11	15.00	27°21'43"	7.16	N76°20'24"E
C12	15.00	89°59'20"	23.56	S44°59'05"E
C13	15.00	90°00'00"	23.56	S45°00'35"W
C14	15.00	46°11'13"	12.09	N66°53'09"W
C15	50.00	272°22'26"	237.69	N00°01'15"E
C16	15.00	46°11'13"	12.09	N66°55'39"E
C17	15.00	90°00'00"	23.56	S44°59'25"E
C18	15.00	90°00'00"	23.56	S45°00'35"W
C19	15.00	89°59'28"	23.56	S44°59'41"E
C20	15.00	90°00'32"	23.56	N45°00'19"E
C21	15.00	49°59'41"	13.09	S64°59'34"E
C22	55.00	189°59'23"	182.38	S45°00'35"W
C23	15.00	49°59'41"	13.09	N24°59'15"W
C24	15.00	90°00'40"	23.56	N45°00'55"E
C25	50.00	79°17'17"	69.19	N83°26'10"W
C26	50.00	57°10'44"	49.90	S28°19'49"W
C27	50.00	57°05'13"	49.82	S28°48'10"E
C28	50.00	78°49'12"	68.78	N83°14'38"E
C29	55.00	34°34'59"	33.20	S77°17'13"E
C30	55.00	61°27'46"	59.00	N74°41'24"E
C31	55.00	93°56'37"	90.18	N03°00'47"W
C32	15.00	40°00'37"	10.48	N29°58'38"W
C33	15.00	9°58'44"	2.61	N04°58'47"W

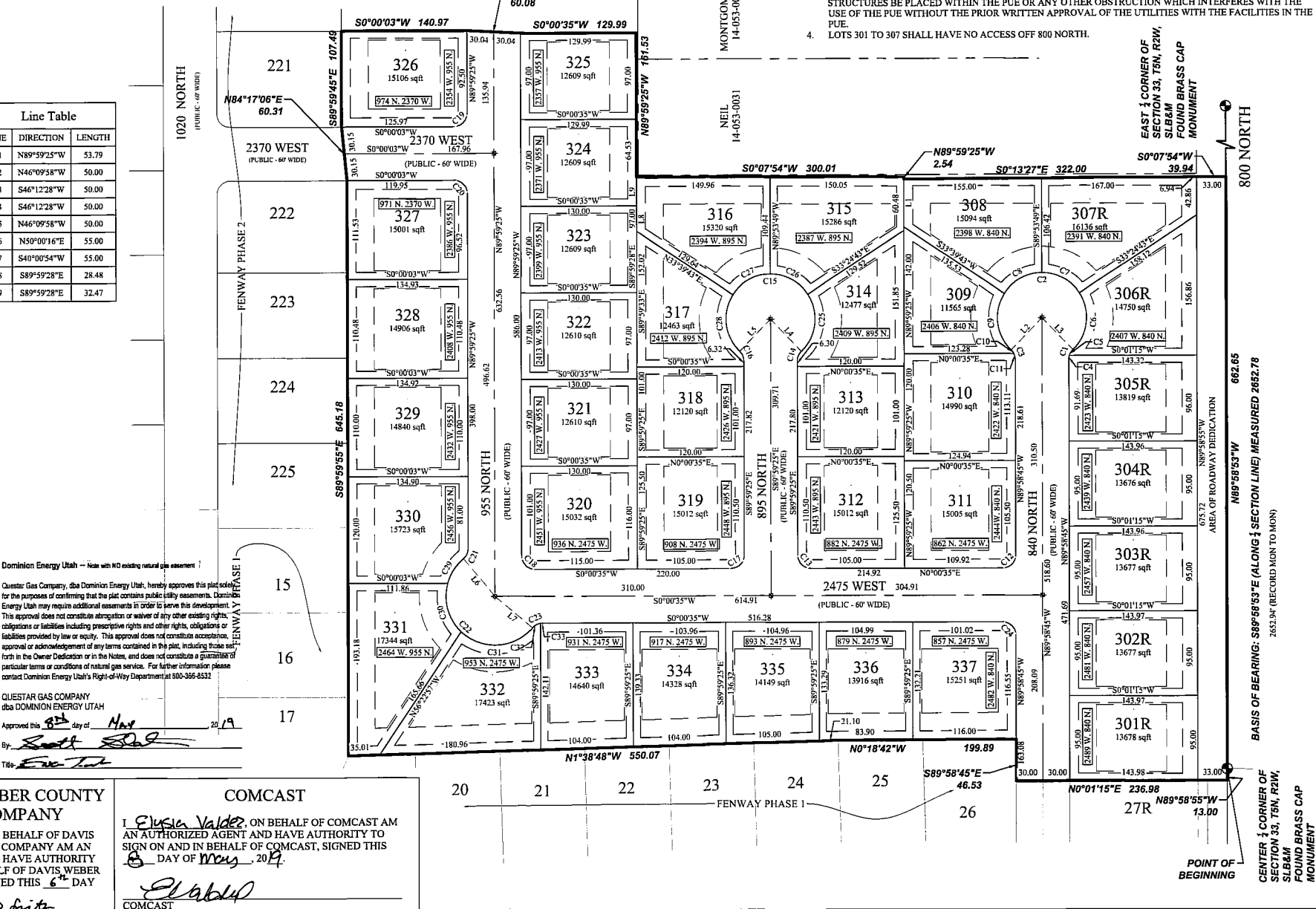
Line Table		
LINE	DIRECTION	LENGTH
L1	N89°59'25"W	53.79
L2	N46°09'58"W	50.00
L3	S46°12'28"W	50.00
L4	S46°12'28"W	50.00
L5	N46°09'58"W	50.00
L6	N50°00'16"E	55.00
L7	S40°00'54"W	55.00
L8	S89°59'28"E	28.48
L9	S89°59'28"E	32.47

Domination Energy Utah - Note with NO existing natural gas easement

Questar Gas Company, dba Domination Energy Utah, hereby approves this plat solely for the purposes of confirming that the plat contains public utility easements. Domination Energy Utah may require additional easements in order to serve this development. This approval does not constitute allocation or waiver of any other existing rights, obligations or liabilities including prescriptive rights and other rights, obligations or liabilities provided by law or equity. This approval does not constitute exception, approval or acknowledgment of any terms contained in the plat, including those set forth in the Owner Dedication or in the Notes, and does not constitute a guarantee of particular terms or conditions of natural gas service. For further information please contact Domination Energy Utah's Right-of-Way Department at 800-865-8532

QUESTAR GAS COMPANY
dba DOMINATION ENERGY UTAH

Approved this 8th day of May, 2019
By: *[Signature]*
Title: Surveyor



BOUNDARY DESCRIPTION

A portion of the NE1/4 & NW1/4 of Section 33, Township 5 North, Range 2 West, Salt Lake Base & Meridian, located in Clinton, Utah, more particularly described as follows:
Beginning at the Center 1/4 Corner of Section 33, T5N, R2W, SLB&M, thence N89°58'55"W along the 1/4 Section line 13.00 feet to the Southeast Corner of FENWAY ESTATES PHASE 1, thence to the Official Plat thereof on file in the Office of the Davis County Recorder; thence along said plat the following 4 (four) courses and distances: N00°01'15"E 236.98 feet; thence S89°58'45"E 46.53 feet; thence N00°18'42"W 199.89 feet; thence N01°38'48"W 550.07 feet; thence S89°59'55"E along said plat and along FENWAY ESTATES PHASE 2, according to the Official Plat thereof on file in the Office of the Davis County Recorder 645.18 feet; thence along said FENWAY ESTATES PHASE 2 the following 2 (two) courses and distances: N84°17'06"E 60.31 feet; thence S89°59'45"E 107.49 feet; thence S00°00'03"W 140.97 feet; thence S02°59'11"W 60.08 feet; thence S00°03'35"W 129.99 feet to the 1/64th Section line; thence N89°59'25"W along the 1/64th Section line 161.53 feet to the Northeast Corner of the SW1/4 of the SW1/4 of the NE1/4 of said Section 33; thence S00°07'54"W along the 1/64th Section line 300.01 feet; thence N89°59'25"W 2.54 feet to a fence line; thence S0°13'27"E along said fence 322.00 feet; thence S0°07'54"W 39.94 feet to the 1/4 Section line; thence N89°58'53"W along the 1/4 Section line 662.65 feet to the point of beginning.
Contains: 15.87 acres +/-.

OWNER'S DEDICATION

WE, THE UNDERSIGNED OWNERS OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT, AND NAME SAID TRACT

FENWAY ESTATES PHASE 3

AND DO HEREBY DEDICATE, GRANT AND CONVEY TO CLINTON CITY, DAVIS COUNTY, UTAH, ALL THOSE PARTS AND PORTIONS OF SAID TRACTS OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND DRAINAGE AS MAY BE AUTHORIZED BY CLINTON CITY.

SIGNED THIS 8th DAY OF May, 2019.

[Signature]

LIMITED LIABILITY ACKNOWLEDGMENT

STATE OF UTAH
S.S.
COUNTY OF Weber

ON THE 8 DAY OF May, A.D. 2019 PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF Weber, IN SAID STATE OF UTAH, Mike Schultz WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE/SHE IS THE President OF Castle Creek Homes L.L.C., A UTAH L.L.C. AND THAT HE/SHE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: 09/08/2019

[Signature]
A NOTARY PUBLIC COMMISSIONED IN UTAH RESIDING IN Weber COUNTY
Joni Nielsen
PRINTED FULL NAME OF NOTARY

ACKNOWLEDGEMENT OF CLINTON CITY OFFICIALS

State of Utah }
County of Davis }
On the 18 day of June, 2019, personally appeared before me L. Mitch Adams, Mayor of Clinton City and Dennis W. Cluff, Clinton City Recorder, who being by me duly sworn or affirmed, did say that they are the Mayor and City Recorder respectively and signed in behalf of Clinton City by authority of the Clinton City Council and acknowledged to me that the Clinton City Council executed the same.

Lisa K. Jensen COMMISSION EXPIRES 10/01/2020
691108

FOCUS
ENGINEERING AND SURVEYING, LLC
32 WEST CENTER STREET
MIDVALE, UTAH 84047 PH: (801) 352-0075
www.focusutah.com

DAVIS AND WEBER COUNTY CANAL COMPANY

I, Richard D. Smith, ON BEHALF OF DAVIS WEBER COUNTIES CANAL COMPANY AM AN AUTHORIZED AGENT AND HAVE AUTHORITY TO SIGN ON AND IN BEHALF OF DAVIS WEBER COUNTY CANAL CO., SIGNED THIS 6th DAY OF May, 2019.

[Signature]
Richard D. Smith

COMCAST

I, Eluska Valdez, ON BEHALF OF COMCAST AM AN AUTHORIZED AGENT AND HAVE AUTHORITY TO SIGN ON AND IN BEHALF OF COMCAST, SIGNED THIS 8 DAY OF May, 2019.

[Signature]
COMCAST

CENTURY LINK

APPROVED THIS 7th DAY OF May, 2019, BY CENTURY LINK

[Signature]
BY: Cindy Stoterven
TITLE: Engineer

ROCKY MOUNTAIN POWER

APPROVED THIS 6 DAY OF May, 2019, BY ROCKY MOUNTAIN POWER

[Signature]
BY: Craig W. Brucatt
TITLE: ESTIMATOR

DOMINATION ENERGY

APPROVED THIS 8th DAY OF May, 2019, BY DOMINATION ENERGY

[Signature]
BY: Scott Blair
TITLE: Surveyor

PLANNING COMMISSION

APPROVED THIS 20 DAY OF May, 2019, BY THE CLINTON CITY PLANNING COMMISSION.

[Signature]
CHAIRMAN, PLANNING COMMISSION

CITY ENGINEER

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

[Signature]
CLINTON CITY ENGINEER

CITY COUNCIL

PRESENTED TO THE CLINTON CITY COUNCIL THIS 18 DAY OF June, 2019, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

[Signature]
MAYOR

[Signature]
CITY RECORDER

RECORDED # 3179467

STATE OF UTAH, COUNTY OF DAVIS
RECORDED AND FILED AT THE REQUEST OF Clinton City

DATES: 13-19 TIME: 9:26 BOOK: 7324 PAGE: 1983

[Signature]
COUNTY RECORDER

CLINTON CITY COUNCIL AGENDA ITEM

SUBJECT: Sewer Fee rate correction on Utility Fee Schedule	AGENDA ITEM: B
PETITIONER: Steve Hubbard	MEETING DATE: 03/12/2024
RECOMMENDATION: Council approve an update to the Consolidated Fee Schedule for NDSB charges.	TYPE OF VOTE: Roll Call
FISCAL IMPACT:	
BACKGROUND: In a recent conversation with North Davis Sewer District personnel, it was discovered that the rate we were paying NDSB for City connections outside the City boundaries was different from the rate they have been charging. The correction to our fee schedule would change the fee to properly reflect the \$43 rather than the \$37 we have billed and passed through on behalf of one resident. NDSB is good with this change moving forward.	
ATTACHMENTS:	

UTILITY FEES ASSESSED BY THE CITY (Continued)

Sanitary Sewer West Point Service Area 800 N and 3000 West (Footnote 2) Interlocal Agreement with West Point September 18, 2012

Interlocal Agreement 2015	est.	Clinton City Fee est. 2015	\$ 7.70 for the first ten thousand gallons of water used
		NDSF Fee est. 2016	West Point City Collects
		Clinton City Fee est. 2015	\$ 0.77 / 1,000 gallons of water over 10,000 gallons
		NDSF Fee est. 2016	West Point City Collects

1 - Equal to West Point City Fee plus NDSF Fee plus Clinton City Fee

2 - Equal to Outside Clinton Sewer Fee less NDSF fee, West point collects and pays the NDSF Fee.

UTILITY FEES ASSESSED BY THE CITY

July 28, 2015 Interlocal Agreement for Sanitary Sewer with West Point for Service Area - forty-acre (40 acre) area in Clinton that is north of 1800 North and south of the 2050 North Davis County Storm Channel and west approximately 3250 West and extending west to the Clinton / West Point boundary

Interlocal Agreement 2015	est.	Clinton City Fee est. 2023	\$ 8.20 for the first ten thousand gallons of water used,
		West Point Wheeling Fee	\$ 7.70 per month
		NDSF Fee est. 2017	\$ 21.50 Clinton City Collects

Sanitary Sewer Special Service District (Cranefield Subdivision)

FEE	AMOUNT	
Residential Connection	SSSSD Fee est. 2023	\$ 24.70 per Month
	NDSF Fee est. 2017-18	\$ 21.50
Non-Residential Connection (Commercial) (Golf Course)	NDSF Fee est. 2017-18	\$ 21.50 for the first 5,500 gallons of water used
	SSSSD Fee est. 2023	\$ 24.70 for the first 5,500 gallons of water used
	NDSF Fee est. 2017-18	\$ 2.15 / 1,000 gallons of water over 5,500 gallons
	SSSSD Fee est. 2023	\$ 2.47 / 1,000 gallons of water over 10,000 gallons
Residential Connection Outside SSSSD And Outside NDSF	SSSSD Fee est. 2023	\$31.70 per Month (2 homes in Hooper)
	NDSF Fee est. 2017-18	\$ 37.00 Change to \$43
	NDSF Fee est. 2017-18	\$ 3.70 / 1000 gallons of water over 5,500 gallons
Non-Residential Connection Outside SSSSD	Fees will be calculated based upon established fee schedule when the need arises.	
Trash Disposal (Residential)		
90 Gallon Can est. 2023	\$ 18.00 month	
Additional Can est. 2023	\$ 14.50 month	
	\$ 135 each	
Additional Can Delivery est. 2022	\$25 each	
Can Retrieval est. 2022	\$25 each	
Storm Water Utility		
Residential est. 2023	\$ 6.50 per month	
Residential Multi-Family or Planned Development est. 2013 2023	\$ 6.50 per month when billed individually or based upon calculations from the Stormwater Fees Worksheet	
Commercial est. 2023	Based upon calculations from the Stormwater Fees Worksheet	
West Fairfield Subdivision Serviced by West Point est. 2023	\$ 6.50 per month	

Utility Connections Outside of Clinton Limits (Fees in addition to impact fees)

Residential	
Culinary Water est. 2010	\$1,586.00
Sewer est. 2010	\$1,246.00
Commercial	

CLINTON CITY COUNCIL AGENDA ITEM

SUBJECT: Award Bid for Legal Services for Clinton City	AGENDA ITEM: C
PETITIONER: Trevor Cahoon – City Manager	MEETING DATE: March 12, 2024
RECOMMENDATION: Approve Resolution 07-23 Appointing Hayes Godfrey Bell, P.C. as the City Attorney with Todd J. Godfrey as the Primary Attorney.	TYPE OF VOTE: Roll Call
FISCAL IMPACT: There is no monetary retainer just a retainer of services.	
BACKGROUND: <p>Clinton City, Utah, issued an official Request for Proposals (RFP) seeking comprehensive legal services from qualified law firms or individual attorneys. This RFP detailed a need for general legal counsel covering a broad spectrum of requirements including city operations, land use, zoning, environmental regulations, local government policies, public policy matters, litigation, contract negotiation, and employment law related to public employment. To be considered, applicants were required to demonstrate proven expertise in municipal law, experience with land use and zoning, a strong background in public policy, the ability to represent effectively in litigation, possess excellent communication skills, and a commitment to the community values of Clinton City.</p> <p>Interested parties were instructed to submit detailed proposals outlining their approach, experience, and fee structure by February 12, 2024, with any inquiries directed to a specified email address. Proposals would be evaluated based on experience, approach, cost-effectiveness, and alignment with the city’s needs, with Clinton City reserving the right to reject any or all submissions.</p> <p>After a thorough review by a selection committee, which independently scored the submissions, Hayes Godfrey Bell P.C. emerged as the top candidate. The committee recommended appointing the firm as the City Attorney, with Todd J. Godfrey serving as the Primary Attorney, highlighting their alignment with the specified criteria and overall best fit for Clinton City’s legal service needs.</p>	
ATTACHMENTS: Hayes Godfrey Bell Submission and Contract	

AGREEMENT FOR LEGAL SERVICES

THIS AGREEMENT is made and entered into effective as of the 6th day of March, 2024, by and between **CLINTON CITY**, a municipal corporation of the State of Utah, hereinafter referred to as the “City,” and **HAYES GODFREY BELL, P.C.**, a Utah professional corporation, hereinafter referred to as the “Attorney”. City and Attorney are hereinafter referred to individually as a “Party” and collectively as the “Parties.”

WITNESSETH:

WHEREAS, the City is a legal municipal corporation duly organized under the laws of the State of Utah; and

WHEREAS, the City requires various civil legal services to be performed in connection with its purposes and business and the Attorney is willing to perform said legal services as more particularly set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Attorney’s Services.** Attorney agrees to perform or provide legal services for the City as requested in connection with civil matters of the City and to give legal consultation and advice to the City with respect to the same, and to prepare resolutions, contracts and other documents relating to the business of the City, and to attend meetings of the City and other meetings and hearings as requested by the City.

2. **Appointment.** The City hereby appoints Hayes Godfrey Bell, P.C., as City attorney. Services performed under this Agreement will primarily be performed by Todd J. Godfrey or Jayme Blakesley. Other members of the firm may occasionally provide services.

3. **Attorney Compensation.** For the professional services outlined in paragraph 1 hereinabove, Attorney shall charge and be paid in accordance with Attorney’s regularly charged municipal rates of \$210 per hour for partners and \$135 per hour for associates. The City should expect the majority of services to be performed by Mr. Godfrey and Mr. Blakesley. The hourly rate for attorneys who are expected to provide services to the City are as follows:

Todd Godfrey:	\$215/hour
Jayme Blakesley:	\$215/hour
Mark Bell:	\$215/hour
Brad Christopherson:	\$185/hour

Where possible, and in the client’s interest, Attorney will utilize associates to perform work for the City. Hourly rates charged by Attorney shall be deemed to include Attorney’s internal overhead office costs. Rates are subject to change by Attorney from time to time to reflect increases in the cost of doing business. No rate change shall be implemented by Attorney without specific consultation with the City. The City agrees to reimburse Attorney for all costs and expenses advanced by Attorney on the City’s behalf with respect to litigation or otherwise.

4. **Termination.** This Agreement may be terminated by either party hereto by giving written notice of such termination to the other party. If such termination is without cause, the party terminating this Agreement shall give the other party a minimum of thirty (30) days advance written notice of termination.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective duly authorized representatives as of the date and year first hereinabove written.

“CITY”

CLINTON CITY

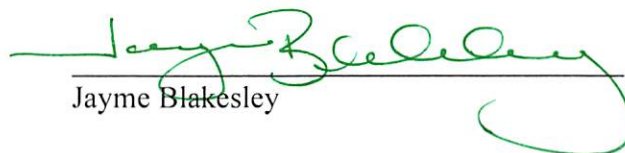
ATTEST:

Lisa Titensor
City Recorder

Brandon Stanger, Mayor

“ATTORNEY”

HAYES GODFREY BELL, P.C.



Jayme Blakesley

Legal Experience

Hayes Godfrey Bell, P.C., is a Utah law firm specializing in the representation of local government entities. The firm employs five attorneys – Todd J. Godfrey, Mark F. Bell, Jayme Blakesley, Brad Christopherson, and Heather Comeau Rupp (currently working as a law clerk pending receipt of Utah State Bar license).

Our firm was established in 1986 and focuses in the practice of municipal law. Over the years we have represented numerous communities across the state. We currently provide contract city attorney services to the cities of Francis, Fruit Heights, Holladay, Monticello, Salina, South Weber, Vineyard and Woods Cross, and to the Town of Cedar Fort. We also provide general counsel services to several local districts and associations of governments, and land use law consulting services for the Utah League of Cities and Towns. The firm has combined experience of over 100 years of municipal representation. As an independent law firm with multiple attorneys, we believe we can provide the City with excellent, efficient, and economical representation.

Please feel free to contact our current or former clients, or attorneys from other law firms whom we have practiced with and against. Below are five individuals with personal knowledge of Mr. Blakesley's, Mr. Godfrey's, and the firm's work habits, skills, and expertise:

- David Larson, City Manager, South Weber City
 - Phone: (801) 479-3177
 - E-mail: dlarson@southwebercity.com

- Julie Fullmer, Mayor, Vineyard City
 - Phone: (567) 356-2060
 - E-mail: mayor@vineyardutah.org or julie.a.fullmer@gmail.com

- Ken Leetham, City Manager, North Salt Lake City
 - Phone: (801) 335-8725
 - E-mail: kenl@nslcity.org

- Cameron Diehl, Executive Director, Utah League of Cities and Towns
 - Phone: (801) 328-1601
 - E-mail: cdiehl@ulct.org

- Gina Chamness, City Manager, City of Holladay
 - Phone: (801) 699-0286
 - E-mail: gchamness@cityofholladay.com

How We Serve You – Time Availability and “Back-up Attorneys” Services

Our firm does not contract any of our work to third parties. We serve our clients directly. We structure our practice to assign matters based on subject-matter expertise and to ensure there is always an attorney available (24 x 7) to support the City.

We will provide first-rate service, including attendance at any City meetings where that is appropriate and desired. We are selective in our client base and strive to provide objective, ethical, sound, and timely legal advice to our clients. Having worked in the municipal arena for decades, we understand the dynamic and changing needs of a community and the pressures related to such change.

Our past practice and policy with local government clients is to assign one member of the firm as the principal legal counsel for the City. The City should expect that if we are selected to act as City Attorney, Todd Godfrey will be the primary lawyer representing the City. To ensure continuity in all aspects of our representation, Jayme Blakesley will assist Mr. Godfrey and will always be aware of matters affecting Clinton City. In addition to Mr. Blakesley and Mr. Godfrey, you will have continual access to the other attorneys in the firm.

At the direction of the principal lawyer, we frequently assign different tasks to lawyers with specific expertise or with recent or applicable experience to better assist the client and to more efficiently provide the needed advice and counsel. If the principal lawyer will be unavailable for a period of time (e.g., vacation), we will always advise the client and indicate which lawyer will be handling matters in his or her absence.

We communicate immediately about all matters affecting the client. This is routinely done by forwarding copies of all correspondence, all court pleadings and documents, and summaries of all communications with non-city individuals or agencies. As a general rule, all such communications are directed to the City Manager and to the Director of the affected department. Representing city government is not a nine-to-five occupation. We provide our mobile numbers to clients and are available for consultation anytime (24 x 7).

With respect to timelines, upon receipt of directions for a project we immediately identify all deadlines and assess the time required for completion. Dates are entered on our calendars in the same manner as litigation deadlines described below. Where time requirements change, we promptly advise the client of the same and of issues and circumstances necessitating the change.

All of the experienced and capable lawyers in our office are available for consultation and to address any issues the City may have at any time. Each lawyer in the firm has current experience acting as a contract city attorney, lead counsel for public agencies, and has relevant experience dealing with the issues commonly occurring in cities. The experience reflected in our Firm Resume demonstrates our commitment to public agency service and an unsurpassed level of knowledge and exposure to issues of local government.

Qualifications and Experience

We have current and significant municipal legal knowledge and experience in each of the topics listed in the City Attorney Duties and Responsibilities, including but not limited to the following:

- a. Powers and duties of public officials
- b. Compliance with the constitutions, laws, rules, regulations and policies governing the operation of the municipality
- c. Land use and development, including community development, redevelopment, and economic development
- d. Construction of public works and buildings
- e. Contract law
- f. Employment law
- g. Police liability, general municipal liability and governmental immunity
- h. Eminent domain
- i. Water law
- j. Municipal finance
- k. Collections and bankruptcy
- l. Real estate law
- m. Franchises and public utilities
- n. Interlocal agreements
- o. Procurement of goods and services, including competitive bidding
- p. Public utilities
- q. Annexation
- r. First amendment issues, including signs, public gatherings, public forums, etc.
- s. Public policy

We are presently involved in, and have recently completed, complex negotiations and contracts for development of large regional and local commercial projects. Our work in this arena routinely involves negotiation and execution of contracts and other instruments for developers' zoning, infrastructure and building entitlements, local governments' participation in tax increment financing, coordination with local redevelopment agencies, and compliance with local, state and federal laws. This work requires expert communication skills to coordinate the interests of multiple stakeholders, including other municipalities and local government agencies, developers, property owners, redevelopment agencies, and other advocacy organizations.

We routinely handle employment law matters for our clients and are always involved in drafting and revising various employment policies, personnel manuals and related documents. We routinely represent our clients in a variety of employment disputes including basic administrative disciplinary proceedings, termination proceedings, administrative proceedings before state agencies, and litigation in trial and appellate courts.

We have handled public finance work for many years on behalf of cities, towns and districts, serving as issuer's counsel on projects ranging from a few hundred thousand dollars to multi-million dollars.

Our work has always required skill and expertise in managing the governmental and legislative concerns of our clients. We routinely provide training for our clients in matters such as open and public meetings, ethics laws, government records issues, election laws, and rules relating to the appointment of officials to governing boards. We follow all legislation and case law affecting our clients. We receive daily updates of all cases from Utah's appellate courts and review every case that may affect local governments. During each legislative session we carefully review all legislation that may affect municipalities, and we follow and participate in legislative work performed by the Utah League of Cities and Towns. In addition, we follow the work of the Utah State Legislature in its interim meetings and sessions.

We are seasoned and expert litigators. We routinely represent our clients in the courts and administrative tribunals on matters affecting Utah cities. By way of example, we are currently handling or have recently resolved litigation matters as diverse as eminent domain proceedings, zoning disputes, civil rights, and employee discipline and termination claims.

In terms of the specific needs of Clinton we presently represent cities and other agencies that provide all of the services offered by Clinton. This includes police departments, fire departments, planning and zoning, public finance, code enforcement, building codes, business licensing, and all aspects of public works including water, sewer, streets, recreation facilities, etc.

We recognize and respect the community values of each city we represent. Clinton City will be no different. When we provide legal advice, it will be from the perspective of protecting the City's decisions from legal challenge and providing parameters and advice for decisions confronting the City. We will provide honest, thorough, and independent advice while respecting your role as the decision-maker. We will never supplement our policy preferences or values for those of the City and its elected and appointed officials.

Fees Proposal

Hayes Godfrey Bell, P.C. does not generally require or collect a monthly retainer for our legal services. However, as discussed below, we are willing to consider a retainer arrangement if desired by the City. Our experience has shown that the interests of our local government clients are best met by providing legal services on an hourly basis. We provide our clients detailed statements describing our work, the time involved, and the amount billed for each service.

The hourly rates for attorneys who are expected to provide services to Clinton are as follows:

Todd Godfrey	\$215/hour
Mark Bell	\$215/hour
Jayne Blakesley	\$215/hour
Brad Christopherson	\$185/hour

These hourly rates are inclusive of all support staff and general office costs and are current as of the date of this proposal. The City should expect modest, occasional increases in the applicable hourly rates consistent with inflation and other factors. We will advise and obtain the City's approval prior to any change in our billing rates.

If the City would prefer to have a retainer-type arrangement, we would establish the retainer based on the expected hours of work such as day to day advice and consultation and routine document preparation. Litigation, meeting attendance and non-routine project work may require an arrangement outside of the monthly retainer.

Please be assured that we are scrupulous and conservative in our billing practices and are mindful of the scarce public resources being allocated by our clients. It has also been our observation that the combined experience in our firm allows us to do certain work at a higher level, utilizing less time. We aspire to the highest ethical standards not just in our law practice, but also in our client relationships and billing practices.

With respect to the term of a contract for legal services, we have always maintained arrangements where we serve at the pleasure of the City.

Transition of Services

Continuity in a transition of legal counsel is a critical moment for any client. Given the complexities of a city's operations, the wide variety of legal issues always presented to cities, and the need to respond on a moment's notice it is essential that new legal counsel holds the skills and expertise to handle the city's ongoing and immediate needs. We also recognize it is critical that legal counsel understand and appreciate an organization's culture.

If selected as City Attorney, we will be immediately available to meet with the City, at its direction, including meetings with elected and appointed officials of the City to hear and understand the City's priorities and needs. Our experience has been that hearing the City's priorities right away and assessing and understanding its vision builds relationships that will further the City's objectives.

RESOLUTION No. 07-24

A RESOLUTION OF THE CLINTON CITY COUNCIL AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR LEGAL SERVICES.

WHEREAS, Clinton City requires legal services for advice and representation in legal matters; and

WHEREAS, Clinton City has determined that retaining external legal services is in the best interest of the City and its residents; and

WHEREAS, Hayes, Godfrey & Bell has demonstrated to Clinton City competence and expertise in municipal law relevant to the needs of Clinton City; and

WHEREAS, Clinton City wishes to enter into an agreement with Hayes, Godfrey & Bell, P.C. for the provision of said municipal legal services;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLINTON, DAVIS COUNTY, UTAH as follows:

- 1. That Mayor Brandon Stanger is hereby authorized to execute an Agreement for Legal Services with Hayes, Godfrey & Bell, P.C.**
- 2. Hayes, Godfrey & Bell, P.C. shall provide legal services to Clinton City as described in the agreement.**
- 3. The agreement will remain in place until such time that either party provides written notice of termination to the other party with a thirtdy (30) day advance notice.**

Adopted by the Clinton City Council this 12th day of March, 2024

**CLINTON CITY
A MUNICIPAL CORPORATION**

ATTEST:

BRANDON STANGER, MAYOR

LISA TITENSOR, RECORDER



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

**MAYOR
Brandon Stanger**

**CITY COUNCIL MEMBERS
Marie Dougherty
Gary Tyler
Dane Searle
Spencer Arave
Austin Gray**

Date of Meeting	February 27, 2024	Call to Order: 7:00 PM
City Council & Staff Present	City Manager Trevor Cahoon, Police Chief Shawn Stoker, Fire Chief David Olsen, Community Development Director Peter Matson, Recreation Director Brooke Mitchell, Public Works Director David Williams, IT Specialist Dereck Bauer, JUB Engineer Bryce Wilcox, Treasurer Steve Hubbard, Court Administrator Amy Durrans and Lisa Titensor recorded the minutes.	
Attendees who signed the record	John Diamond, Laretta Beesley, Robert Beesley, Ally Bryson, Lori Bryson, Joanne Daniels, Larry Solien, Marilyn Diamond, John Diamond, Kellie Cowley, Shannon Busse, Dereck Terry, Garrett Seely, Judy Frandson, Beth Johnson,	
Invocation or Thought & Pledge of Allegiance	Councilmember Gray	
Roll Call & Attendance Of City Council	Mayor Stanger, Spencer Arave, Marie Dougherty, Austin Gray, Dane Searle, and Gary Tyler attended electronically.	
Public Input	There was none.	
A. COMMUNITIES THAT CARE PRESENTATION		
Petitioner	Shannon Busse	
Discussion	<p>Ms. Busse addressed the Council and presented their goals and action plan to help youth; working with risk factors and protective factors.</p> <p>She reviewed the North Davis Communities that Care Mission and Action Plan during her presentation as identified in Attachment A below. She explained their focus is on families. They would also like to get the Clinton City Youth Council involved.</p> <p>The Mayor expressed his appreciation for this organization and their willingness and effort to support the youth.</p>	
B. <u>PUBLIC HEARING RESOLUTION 20-23, PROPOSED DEVELOPMENT AGREEMENT FOR APPROX. 19.20 ACRES ZONED R-M (MULTI-FAMILY RESIDENTIAL) AND 4.20 ACRES ZONED PZ (PERFORMANCE ZONE) LOCATED AT APPROX. 2541 NORTH 2000 WEST</u>		
Petitioner	<p>Petitioners: Charles G. Summers Family Trust, Sharon S. Bingham and Doug F. Summers Trustees, Judy Frandsen Trustee, and Ellis F. and Emma Jane Bouwhuis Summers Trustees. Property Owners are represented by Derek Terry and Garrett Seely.</p> <p>Submitted by: Peter Matson, Community Development</p>	
Discussion	<p>Since approval of the R-M/PRD ordinance on February 13, 2024, the applicant has revised the development agreement concept plan to align with the new code guidelines and regulations as follows:</p> <ul style="list-style-type: none"> • All single-family lots are 3,500 square feet or larger; • All roads are public with 60' wide right of way with the exception of the three shared drive in the town home portion of the site; • The lots along the western boundary of the site adjacent to the R-1-15 zone are 7,500 square feet or larger; 	

- The south boundary is transitioned with a 45' open space area and a 60' public road creating 105' buffer from the adjacent R-1-15 zone;
- The required 7.5% open space acreage is 1.43 acres and the concept plan provides 1.45 acres as follows:
 - 0.80-acre open space area at south boundary with dog park, walking trail around the border, and trees and benches along the trail;
 - 0.50-acre central open space area with tot lot and two pickle ball courts; and 0.15-acre, 33' wide open space area between to connect townhomes with central open space area to meet pedestrian circulation requirement.

The PRD Overlay Zone lot size, setback, site development and private drive standards are incorporated into the updated concept plan so Section 4.10 and Section 4.15.2 of the development agreement are no longer needed and are removed in the latest draft.

Additionally, the applicant is requesting a slight modification to Section 4.14 of the development agreement allowing some flexibility for occasional construction access through the two residential connections should access to 2000 West not be available.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission reviewed the development agreement during their December 12th meeting. The Commission recommended the Council not approve Resolution 20-23 denying the request to approve the development agreement because the R-M (multi-family) zone should be updated and the 2 development agreement should follow the updated code with respect to larger single-family lots, no private drives, more open space and a maximum of four units per townhome building. The motion was approved by a unanimous vote.

DISCUSSION: The approved minutes from the December 12th Council meeting indicate the motion to approve the General Plan amendment and P-Z/ R-M zoning was subject to the approval development agreement. The updated development agreement is consistent with the recently adopted PRD Overlay standards. The attached comparison table provides a summary of the consistency between the ordinance and the agreement.

Staff recommends the Council adopt Resolution 20-23 approving the development agreement based on the adjustments to the concept plan bringing the agreement in line with the site development and open space standards of the recently adopted PRD Overlay Zone. Incidentally, the proposed density of 8.47 units/acre is markedly less than what this development could qualify for under the density bonus provisions of the PRD Overlay Zone.

Mayor Stanger opened the public hearing at 6:12 pm. With no public comment, he closed the public hearing.

City Manager Trevor Cahoon explained based on a review by the City Attorney, the following modifications should be considered;

4.4.5

Clarify construction material for walkways. Staff recommends following City standards

He clarified the intent is not to supersede Utah State Law.

4.14.2.1

Clarify who is in charge of the construction. This will be the owner.

Community Development Director Peter Matson explained that regarding 4.1 the Home Owners Association, staff agrees with all comments from counsel and that any carry through should be applicable to the HOA and be added to the plats.

Mayor Stanger clarified the two areas to be added to the plat are no parking on private drives

	<p>along with the dissolution of the HOA cannot be done without approval by the City Council.</p> <p>Mr. Matson continued regarding 4.1.2; clarification needed from the developer regarding fencing. Staff confirmed the perimeter of the development will be maintained by the HOA.</p> <p>City Manager Cahoon reviewed recommended changes in the Recitals; these are minor changes to where as statements.</p> <p>1.4 point to the version adopted Feb. 13, 2024 of RM Zoning. Because there was no land use application for a subdivision at that time, the addition was not challenged by the developer.</p> <p>There was a question if this should be an ordinance or resolution. It is a resolution because it is considered a contract.</p> <p>4.4 Density transition; this indicates single family lots should account for 50% of the area.</p> <p>4.5 75% communal open space is consistent with the code.</p> <p>4.5.6 Details and open space shall not be calculated to include areas occupied by multiple buildings. Regarding the buffer, the zoning text does not clarify the minimum lot building space. This should be 90 ‘.</p> <p>Mayor Stanger asked for clarification on the shared drives and asked if there will be a sidewalk on both sides or on one side.</p> <p>The developer responded no, that shared drives will act as the sidewalk.</p> <p>Councilmember Searle expressed appreciation for the Developer and City Council’s willingness to cooperate so well on this agreement.</p> <p>Councilmember Arave appreciates the visual aesthetics of this development.</p> <p>Mayor Stanger stated he is concerned with one area that enters the south side of the project where there is a curve. He clarified this will be addressed with the site plan.</p>
CONCLUSION	<p><i>Councilmember Searle moved to adopt Resolution 20-23 approving the Development Agreement with the Property Owners of approximately 19.20 acres zoned R-M (Multi-Family Residential) and 4.20 acres zoned PZ (Performance Zone) located at approximately 2541 North 2000 West. (Parcels 13-490-0028, 13-049-0009, 13-049-0013, 13-049- 0014, and 13-049-0015) and now the previously provisionally approved Resolution 19-23, Ordinance 23-07Z and Ordinance 23-08Z are fully approved and effective as of this approval action with changes and action by Council as discussed staff, HOA Attorney, Land Use Attorney and Councilmember Dougherty’s comments. Councilmember Gray seconded the motion. Voting by roll call is as follows: Councilmember Arave, aye; Councilmember Dougherty, aye; Councilmember Gray, aye and Councilmember Tyler, aye.</i></p>
Approval of Minutes	<p><i>Councilmember Arave moved to approve the minutes of the February 13, 2024 City Council Meeting. Councilmember Searle seconded the motion. Voting is as follows: Councilmember Arave, aye; Councilmember Dougherty, aye; Councilmember Gray, aye; Councilmember Searle, aye; and Councilmember Tyler, aye.</i></p>
Accounts Payable	<p><i>Councilmember Searle moved to authorize the payments. Councilmember Dougherty seconded the motion. Council members’ Arave, Dougherty, Gray, Searle and Tyler voted in favor of the motion.</i></p>
Planning Commission Report	<p>The Planning Commission will meet next on March 7, 2024.</p>
City Manager Reports	<ul style="list-style-type: none"> • Received Legal RFP Responses – scored will interview and bring a recommendation on March 12. • Met with Department Heads regarding budget – budget retreat will be

	<p>March 22.</p> <ul style="list-style-type: none"> • HR Software • The Department Heads will be reviewing personnel policy
Staff reports	Recreation is changing up the Easter celebration to a walk on March 30.
Councilmember Arave	<ul style="list-style-type: none"> • Arts Board Events as identified in the newsletter • Parks Board will meet in March
Councilmember Dougherty	<ul style="list-style-type: none"> • Communities That Care will meet Thursday, February 29.
Councilmember Gray	<ul style="list-style-type: none"> • West Davis Chamber of Commerce – Business Networking Wednesday, Feb 28 at 6 pm. • Youth Council Dinner for Leadership Conference in Logan is March 1.
Councilmember Searle	<ul style="list-style-type: none"> • Nothing at this time.
Councilmember Tyler	<ul style="list-style-type: none"> • Nothing at this time.
Mayor Stanger	<ul style="list-style-type: none"> • VK Lighting is working on solving their lighting issues. • HAFB – Troop 388 has approx. 250 members deployed; will host a spa event for spouses. The Youth Council will participate. • Wasatch Integrated – is selling land to Layton City. An agreement was made 10 years ago. • Construction on 1800 N and 2000 W is beginning.
Discussion	<p>Due to an error in noticing of the time for the previous public hearing, Mayor Stanger re-opened the public hearing at 7:05 p.m.</p> <p>Sheila Bateman expressed a concern that multi housing units will increase the amount of crime in Clinton.</p> <p>She stated that her husband’s dental practice which is down 1800 N across the street from the construction area of the huge storage unit building has already had an impact. They have had a significant amount of graffiti. She is concerned that Fat Cats will also bring in crime and potentially gangs.</p> <p>Mayor Stanger clarified Clinton has not approved mass housing; they have approved mid-level housing including town homes but not apartment buildings.</p> <p>Preston Anderson stated that he appreciates the effort that went into the subdivision ordinance and he feels the end product is a look that Clinton deserves.</p> <p>Mayor Stanger closed the public hearing at 7:19 pm.</p>
ADJOURNMENT	<p><i>Councilmember Gray moved to adjourn. Councilmember Searle seconded the motion. Council members’ Arave, Dougherty, Gray, Searle and Tyler voted in favor of the motion. The meeting adjourned at 6:50 pm.</i></p> <p><i>Councilmember Gray moved to adjourn. Councilmember Arave seconded the motion. Council members’ Arave, Dougherty, Gray, Searle and Tyler voted in favor of the motion. The meeting adjourned at 7:20 pm.</i></p>

*Dated this 12th day of March 2024
/s/Lisa Titensor, Clinton City Recorder*

Clearfield | Syracuse | Clinton | West Point | Sunset

NORTH DAVIS CTC MISSION

Our mission is to foster a **safe & connected community** for our youth by empowering families, schools, and local leaders.

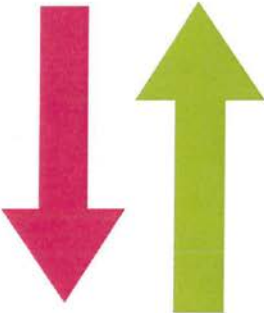
We do this by looking at local data and creating a plan. **Risk factors** increase the likelihood of substance use and mental health challenges and **protective factors** decrease that likelihood.



2025 ACTION PLAN

REDUCE RISK 2%

- 1. Depressive symptoms
- 2. Suicidal Thoughts
- 3. Family Conflict
- 4. Low Commitment to School
- 5. Low Neighborhood Attachment



INCREASE PROTECTION 2%

- 1. Family Attachment
- 2. Rewards for Positive Family Involvement
- 3. Rewards for Positive Community Involvement

The priority substances we want to prevent youth from using are **alcohol, marijuana, and vaping**. Our long-term goal is to maintain less than 5% in 30-day alcohol use by 2032 and reduce vaping (in general and of marijuana) by 2% as measured on the SHARP by 2032. Our mental health goal is to **reduce suicidal thoughts and self-harm** by 2% as measured on the SHARP by 2025.

YEARLY STRATEGIES



PROBLEMS

- Alcohol
- Vaping
- Marijuana
- Self-harm
- Suicidal Thoughts
- Suicidal Behaviors



PROGRAMS

- Strengthening Families
- Circle of Security Parenting
- Learning to Breathe
- Big Brothers Big Sisters
- EveryDay Strong
- Social Development Strategy



PROTECTION

- SFP class-4 Eng, 1 Span
- COSP class-2 Eng, 1 Span
- L2B class-6th graders
- BBBS-1 recruiting event
- EDS-market online class
- SDS-find opportunities

For additional information contact our CTC Coordinator - Shannon Busse at shannonb@dbh.utah.gov

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COALITION COLLABORATION

PLEASE NOMINATE NEW CTC MEMBERS HERE ----->



12 SECTORS OF THE COMMUNITY



BUSINESS



CIVIC & VOLUNTEER GROUPS



SCHOOLS



GOVERNMENT



LAW ENFORCEMENT



MEDIA



PARENTS



RELIGIOUS & FRATERNAL ORGS



HEALTHCARE PROFESSIONALS



YOUTH



YOUTH SERVING ORGS



SUBSTANCE ABUSE ORGS

Membership in North Davis CTC shall reflect the diverse interests, populations, and geographic districts of the geographic region. The coalition is open to individuals, agencies organizations, or government entities that support the mission and goals of the coalition. Membership is without regard to gender, race, color, age, religion, national origin, sexual orientation, or disability. membership shall include, but is not limited to the community sectors listed above and any others who are involved in promoting healthy lifestyle choices as appropriate.

For additional information contact our CTC Coordinator - Shannon Busse at shannonb@dbhutah.org



**SPECIAL WORK SESSION
2267 N 1500 W
CLINTON UT 84015**

***City Council Members
Mayor Brandon Stanger
Council
Marie Dougherty
Dane Searle
Gary Tyler
Spencer Arave
Austin Gray***

Date of Meeting	February 27, 2024	Call to Order	7:22 p.m.
Staff Present	City Manager Trevor Cahoon, Peter Matson and Lisa Titensor recorded the minutes.		
Roll Call/Attendance	Present were: Mayor Stanger, Councilmembers Marie Dougherty, Dane Searle, Gary Tyler attended electronically, Spencer Arave and Austin Gray		
Declaration of Conflicts	There were none.		

CITY COUNCIL WORK SESSION TO DISCUSS ADMINISTRATIVE CODE ENFORCEMENT

Petitioner	Mayor Stanger
Discussion	<p>Mayor Stanger explained the intent of this discussion is to begin the process of updating the city code regarding code enforcement and to establish some tools within the code to enhance enforcement.</p> <p>Currently Clinton City’s Code Enforcement efforts are largely criminal in nature by virtue of the code. The City Council and Mayor has requested that staff modify the ordinance to allow for a civil enforcement to provide greater effectiveness at enforcement.</p> <p>Staff gave the following presentation to provide an overview of the proposed process and an implementation timeline based on the new procedure. It is proposed to expand the tool kit available.</p> <p align="center">Exhibit A - Further Background</p> <ol style="list-style-type: none"> 1. Streamlining Processes: Our goal is to resolve issues more swiftly and efficiently, reducing the need for lengthy legal procedures. This update allows us to handle violations in a more straightforward manner. 2. Adapting to Different Situations: By introducing a variety of enforcement options, we can tailor our approach based on the severity of the violation. This flexibility ensures that minor issues can be resolved quickly, while more serious concerns receive the attention they require. 3. Prioritizing Public Safety: The health and safety of our community are paramount. These changes enable us to address violations more effectively, reducing potential risks to our residents. 4. Encouraging Voluntary Compliance: The updated ordinance emphasizes cooperation over confrontation. By encouraging property owners to work with us in resolving violations, we foster a collaborative community spirit. 5. Ensuring Fairness: With clear procedures for notices, hearings, and appeals, we ensure that

everyone is treated fairly. This transparency builds trust in our enforcement process and clarifies the responsibilities of all parties involved.

Criminal Enforcement

Criminal enforcement is utilized for the most serious violations that pose significant risks to public safety, health, or welfare. This type involves violations that are explicitly prohibited by law and are punishable by criminal penalties, such as fines, imprisonment, or both. The process typically starts with a criminal citation issued by law enforcement officers, followed by a court process where the violator is entitled to a trial and legal representation. Criminal enforcement is chosen for egregious violations, repeat offenders, or when the violation causes direct harm to individuals or the community.

Civil Citation

Civil citation is a non-criminal enforcement action used for less severe violations that do not warrant criminal prosecution but still require correction. It is a formal notice issued to the violator, outlining the specific ordinance or code being violated, the necessary corrective action, and a deadline for compliance. Civil citations often come with fines or penalties, which can escalate for repeated violations or non-compliance. This enforcement type encourages voluntary compliance while providing a mechanism for penalties if the violation is not addressed.

Abatement

Abatement actions are taken to physically correct a violation, typically when the violator fails to comply voluntarily or when the violation presents an immediate danger. This process involves the government or authorized entities stepping in to remove, repair, or otherwise correct the violation, with the costs often recovered from the violator. Abatement is used for situations where immediate action is necessary to protect public health or safety, such as removing hazardous materials or securing unsafe structures.

Nuisance

Nuisance enforcement addresses conditions on a property that negatively affect the safety, health, or comfort of the public or community. This can include issues like excessive noise, unsafe buildings, or environmental hazards. Nuisance violations are often subjective and require a balance between the rights of the property owner and the community's interests. Enforcement typically involves notices to the property owner to correct the issue, followed by more severe measures like fines, abatement, or legal action if the problem persists.

Each of these enforcement types serves a different purpose and is chosen based on the nature of the violation, the potential impact on the community, and the violator's history and willingness to comply. They offer a range of tools for code enforcement officers to ensure compliance with local laws and ordinances, protecting public health, safety, and welfare.

Collection of Fines and Recordation on Property**Collection of Fines:**

- The enforcement process emphasizes the importance of recovering costs incurred by the City in ensuring compliance with ordinances. This includes the actual costs of abatement, re-inspection fees, filing fees, attorney fees, hearing officer fees, title search, and any other actual costs incurred for each case.
- The City has the authority to assess these costs against the responsible person. Once a notice of violation has been issued, the property is subject to one inspection upon request. Additional inspections incur re-inspection fees according to the City fee schedule.
- Notification of assessment and collection of re-inspection fees is included in the notice of violation. Failure to pay assessed costs by the specified deadline results in a late fee. The City is also authorized to assess administrative fees for costs related to the code enforcement program, including the investigation of violations, preparation for hearings, and the collection process.

Recordation on Property:

- To enforce violations related to real property, the City records notices of violation and Hearing Officer Orders with the County Recorder. This action does not encumber the property but notifies future interested parties of any continuing violation.
- If a property remains in violation after the deadline established in the notice or if no request for an administrative hearing has been filed following an administrative citation, the Code Enforcement Coordinator records a notice of violation. Similarly, if an administrative hearing results in an order in the City's favor, the order is recorded.
- The recordation includes the property owner's name, parcel number, legal description, a copy of the notice or order, and any other relevant information.
- Upon correcting the violations, the responsible person or property owner can request an inspection for compliance. A notice of compliance is served if the violations have been corrected, which includes correcting all violations listed, issuing and finalizing all necessary permits, and paying all assessed fines, costs, and administrative fees. The issuance of municipal permits and business licenses may be withheld until a notice of compliance is issued. Once compliance is achieved and documented, a notice of compliance is recorded, effectively canceling the previously recorded notice of violation or order but not affecting any outstanding fines, fees, or costs.

Category	Criminal	Civil (Citation)	Civil (Abatement)	Nuisance
Criteria	- Prior violations - Causes injury - Multiple violations in single episode	- Single violation - No abatement or remedial action required	- Violation will continue to exist without abatement or remedial action	- Often involves conditions on real property - Violation is a threat to public health, safety, welfare, or obstructs, injures, or interferes with the reasonable or free use of property
Available Penalties	Class B misdemeanor (\$1,000 fine and/or six months imprisonment)	- Fees (\$100 for 1st violation; \$200 for 2nd; \$400 for 3rd or more) - Civil penalties (\$100 min; \$1,000 max/day)	- Fees - Abatement - Civil penalties (\$100 min; \$1,000 max/day)	- Fees - Abatement - Civil penalties (\$100 min; \$1,000 max/day)
Issuing Authority	Davis County Sheriff	Code Enforcement Officer	Code Enforcement Officer	Code Enforcement Officer
Enforcement Body	Justice Court	Appeal Authority	Appeal Authority	Appeal Authority
Issuing Process	Criminal Citation	Notice of Violation w/ at least ten (10) days to cure	Notice of Violation w/ at least ten (10) days to cure	Notice of Violation w/ at least ten (10) days to cure
Enforcement Process	Criminal Trial	Hearing before Appeal Authority	Civil penalties accrue daily; abatement available after cure period expires	Civil penalties accrue daily; abatement available in some circumstances
Due Process Rights	Trial before Justice Court Judge	Hearing before Appeal Authority	Hearing before Appeal Authority	Hearing before Appeal Authority
Record Against Property	NO	NO	Yes, but may not be converted into lien without District Court order	Yes, and abatement costs may be converted into a tax lien administratively

Administrative Code Enforcement Discussion

Timeline

1. Draft and adopt the code establishing administrative code enforcement / edit existing code

3. Hire a part-time code enforcement officer

2. Staff coordination of administrative processes and tracking of cases

4. Update our ordinances to enhance our ability to enforce the code

Challenges with Current Process

- Our current code only allows for non-compliant cases to be pursued criminally.
- Code enforcement is currently handled by four different departments with four different processes and ways of tracking cases
 - Community Development
 - Police
 - Fire
 - Public Works
- The lack of centralization and not having a person solely focused on code enforcement
- Other problems?

Goals

- ✓ Establish and streamline our enforcement processes
- ✓ Create a code that can adapt to different situations
- ✓ Prioritize the health and safety of the public by reducing potential risks
- ✓ Encourage cooperation over confrontation through voluntary compliance
- ✓ Ensure fairness with clear procedures for notices, hearings, and appeals

Code Enforcement Officers have the choice of whether to pursue a violation as Criminal, Civil (Citation or Abatement, or a Nuisance.	Criminal	Civil		
		Citation	Abatement	Nuisance
What are the criteria?	-Prior violations -Cause Injury -Multiple violation in single episode -Significant health or safety risk	-Single violation -No abatement or remedial action required	-Violation will continue to exist without abatement of remedial action -Often involves conditions on real property	-Violation is a threat to public health, safety, welfare, or obstructs, injures, or interferes with the reasonable or free use of property
What are the available penalties?	- Class B misdemeanor (\$1000 fine and/or six months imprisonment)	- Fees (\$100 for 1 st violation; \$200 for 2 nd ; \$400 for 3 rd or more)	-Civil penalties (\$100 min; \$1,000 max/day) -Fees -Abatement	-Civil penalties (\$100 min; \$1,000 max/day) -Fees -Abatement
Who issues the citation/notice?	Clinton City Police Department	Code Enforcement Officer	Code Enforcement Officer	Code Enforcement Officer
Who enforces the violation?	Justice Court	Appeal Authority	Appeal Authority	Appeal Authority
What is the process for issuing the citation/notice?	Criminal Citation	Civil Citation	Notice of Violation w/ at least ten (10) days to cure	Notice of Violation w/ at least ten (10) days to cure.
What is the process for enforcing the violation?	Criminal Trial	Hearing before Appeal Authority	Civil penalties accrue daily; abatement available in some circumstances	Civil penalties accrue daily; abatement available after cure period expires
What due process rights does the violator have?	Trial before Justice Court Judge	Hearing before Appeal Authority	Hearing before Appeal Authority	Hearing before Appeal Authority
May the violation be recorded against property?	No	No	Yes, but may not be converted into lien w/o District Court order	Yes, and abatement costs may be converted into a tax lien administratively
ADJOURNMENT	Councilmember Searle moved to adjourn. Councilmember Gray seconded the motion. Councilmember’s Arave, Dougherty, Gray, Searle and Tyler voted in favor. The meeting adjourned at 8:30 pm.			