

CLINTON CITY COUNCIL MINUTES

2267 North 1500 W

Clinton UT 84015

MAYOR

L. Mitch Adams

CITY COUNCIL

Councilmember Brice Mitchell

Councilmember Anna Stanton

Councilmember Mike Petersen

Councilmember Karen Peterson

Councilmember Barbara Patterson

Clinton City Council	August 13, 2014	Call to Order: 7:04 P.M.
Staff Present	City Manager Dennis Cluff, Community Development Director Lynn Vinzant, Public Works Director Mike Child, and Lisa Titensor recorded the minutes.	
Citizens Present	Bruce Logan, Joanne Hansen, Elizabeth Adams, Erik Peterson, Grant Peterson, Jillian Peterson, Spencer Peterson	
Roll Call & Attendance – Excused Were:	Bryce Mitchell was excused.	
A. CONTINUED - 7:05 P.M. PUBLIC HEARING - RESOLUTION 15-14, CERTIFICATION OF TAX RATE AND ADOPTION OF FINAL BUDGET FOR FISCAL YEAR 2014-15		
	This issue was addressed at the August 12, 2014 City Council Meeting.	
B. TABLED FROM AUGUST 12, 2014 – 7:05 PM PUBLIC HEARING – RESOLUTION 15-14, CERTIFICATION OF TAX RATE AND ADOPTION OF FINAL BUDGET FOR FISCAL YEAR 2014-15:		
Petitioner	Dennis Cluff	
Discussion	<p>The Tax Rate for FY 2013-14 was .001831. The proposed new tax rate for FY 2014-15 was .002497. During the Truth in Taxation public hearing that was previously addressed on Agenda Item A, the City Council passed a tax revenue increase of \$327,649 which was a reduction from the proposed \$502,555.</p> <p>The exact tax rate verified by Davis County with the \$327,649 tax increase is .002253.</p> <p>Mr. Cluff clarified the Final Budget is very similar to the Tentative Budget. The only added items are increases in the Fire and Ambulance personnel costs to more adequately cover the cost of the full-time position being filled by part-time people, and, a small increase in the fund balance carryover of the Park Construction Fund. The new budget also takes into consideration an increase in City Water (\$1) and City Sewer (\$1) fees, as well as the Sewer District pass through increase (\$3). The anticipated new revenue from the Property Tax increase is listed in the Transfers section of the budget and will be transferred to the Fund 37, Special Roadway/Street Projects Fund.</p> <p>The economy continues its gradual up swing. Its continuance this new fiscal year in conjunction with this balanced budget will help the City maintain a good financial footing.</p> <p>Councilmember K. Peterson reported that she had been in contact with the Tax Payer Association, she felt that some of the comments made by their representative during the August 12, 2014 TNT Public Hearing may have been misleading. The gas tax must be addressed by the Utah Legislature and not by the County or City. She has attended many legislative meetings where the issue was discussed but no action has been taken. She is hopeful that the gas tax will be adjusted and if so would be will to review the property tax rate.</p> <p>Councilmember Stanton stated she feels that the increase in taxes is necessary for roads. The budget will need to be reevaluated in the future if the gas tax increase comes through.</p>	

Councilmember M. Petersen said he feels that a plan for road maintenance needs to be addressed. He explained it costs over \$250,000.00 to do a ¼ mile road. The County has artificially raised the property values in Davis County. He hopes to be able to trim the budget in the future.

Councilmember Patterson said that there is not \$250,000 in the budget to cut. She doesn't feel it should be on the backs of the employees. These funds will only be used for roads. This is a necessary increase.

Elizabeth Adams asked if a sunset is enacted, can it be retroactive.

Mr. Cluff said it will be determined during the budget review each year.

Tim Morris asked about the Old City Building and why it sits vacant.

Mayor Adams responded the City does not own the old City building anymore. The decision 7 years ago to sell the existing City property to purchase the new property and build new facilities stemmed from a need to bring the Fire Station up to code. The Police Station also needed a significant amount of work. New facilities were also needed for City Hall.

Clinton City sold 26 acres and bought 50+ acres to build the new buildings and double the size of the Civic Park. The total bond taken out to build these buildings and construct the park was \$4.9 million. The total cost of everything was \$23 million. The bond was then refinanced for a lower rate and the length of the bond was reduced.

The economic down turn impacted the City due to a decrease in both commercial and residential development.

Mr. Morris asked what about cutting Recreation programs.

Mayor Adams said the City tries not to subsidize adult programs; however the youth programs are subsidized by the City. These programs are important to the residents.

Mr. Cluff said the City has an obligation to provide services to its citizens. He said he will continue to look into regionalization of services.

Councilmember Stanton commented that she feels that the Recreation Department provides a lot of benefits for the youth. She is committed to continue to look at the budget and determine where cuts can be made.

Mayor Adams said Clinton City is a top class city. We have a top notch Recreation Department, Fire Department and Police Department.

He clarified that even with the new tax rate; Clinton's tax rate is less than Clearfield, Sunset and West Point.

Joanne Hansen said she lives in an area in the City that is 40 years old; she appreciates that grants have been sought out and CDBG funds are available for improvements in her area. She hopes that people can understand that per month the tax increase is not overly significant.

Councilmember K. Peterson explained the process of the budget, identifying it is a working document from pre-tentative to tentative to final. She identified the City is audited annually and suggested that the audit be placed on the City website along with the budget information.

Mayor Adams closed the public hearing at 7:50 p.m.

CONCLUSION	Councilmember Patterson moved to adopt Resolution 15-14 adopting and certifying a tax rate of .002253 for FY 2014-15 and adopting the Final Budget for FY 2014-15. Councilmember M. Petersen seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember M. Petersen, aye; Councilmember M. Peterson, aye; Councilmember K. Peterson, aye; Councilmember Stanton, aye.
C. APPOINTMENTS TO THE CLINTON COMMUNITY ENHANCEMENT BOARD – SEE 08/12/14	
	This item was address at the August 12, 2014 City Council Meeting.
D. APPOINTMENT OF ALTERNATE TO THE BOARD OF ZONING ADJUSTMENTS – SEE 10/12/14	
	This item was address at the August 12, 2014 City Council Meeting.
E. 7:45 PM PUBLIC HEARING – RESOLUTION 14-14, REVIEW AND ACTION UPON A RECOMMENDATION FROM THE PLANNING COMMISSION CONCERNING A REQUEST FOR FINAL PLAT APPROVAL OF HARRISBURG COUNTRY ESTATES PHASE 4, A RESIDENTIAL SUBDIVISION LOCATED AT APPROXIMATELY 2800 W 900 N – SEE 8/12/14	
	This item was address at the August 12, 2014 City Council Meeting.
F. 8:00 PM PUBLIC HEARING - ORDINANCE 14-04, ACTION BY ORDINANCE TO VACATE A PORTION OF 950 N ADJACENT TO LOTS 30 AND 31, THE PARSON’S PLACE SUBDIVISION PLAT 1, RUNNING WEST FROM 1235 W TO THE WEST BOUNDARY OF THE SUBDIVISION – SEE 8/12/14	
	This item was address at the August 12, 2014 City Council Meeting.
G. 8:10 PM PUBLIC HEARING – ORDINANCE 14-05 ACTION, BY ORDINANCE UPON A REQUEST TO VACATE A PORTION OF 1615 W ADJACENT TO LOTS 7 AND 8 KENDALL ESTATES PHASE 1, RUNNING SOUTH FROM 1950 N TO THE SOUTH BOUNDARY OF THE SUBDIVISION	
	This item was address at the August 12, 2014 City Council Meeting.
H. TABLED FROM AUGUST 12, 2014 - 8:10 PM PUBLIC HEARING – ORDINANCE 14-06 – ACTION BY ORDINANCE UPON A REQUEST TO VACATE PARCEL “C” ADJACENT TO LOTS 13 AND 14, KENDALL ESTATES PHASE 1	
Petitioner	Community Development/Public Works
Public Comment	<p>Mr. Vinzant reviewed the following information included in the staff report:</p> <ul style="list-style-type: none"> • This parcel was originally established to be an access to the old City Park to the west; it doesn’t provide any access at the present time. • Vacating this parcel will relieve the City of maintaining the area. • When the parcel is vacated the land will be split and attached to the adjacent lots. • Attached is a copy of the formal public notice letter and a follow-on letter sent. <p>There is no infrastructure within this parcel. The City coordinates with the adjacent residents for disposition of improvements in the area.</p>
CONCLUSION	Councilmember M. Petersen moved to adopt Ordinance No. 14-06, vacating parcel C adjacent to lots 13 & 14 of Kendall Estates Phase 1. Councilmember Stanton seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember M. Petersen, aye; Councilmember M. Peterson, aye; Councilmember K. Peterson, aye; Councilmember Stanton, aye.
I. TO BE TABLED 8:30 PM PUBLIC HEARING – ORDINANCE 14-05Z – REVIEW AND ACTION UPON A RECOMMENDATION FROM THE PLANNING COMMISSION UPON A REQUEST FROM BRUCE NILSON, NILSON HOMES, REPRESENTING HE FLYS LLP, FOR A REZONE OF THE PROPERTY LOCATED AT APPROXIMATELY 2382 W 1800 N	
Petitioner	Bruce Nilson, Nilson Homes, representing He Flys LLP.
Discussion	Mr. Vinzant reported the petitioner has requested this item to be tabled to an undetermined date. The public hearing will be re-advertised before it comes back before the City Council.
CONCLUSION	Councilmember Stanton moved to table Ordinance 14-05Z a review and action upon a recommendation from the Planning Commission upon a request from Bruce Nilson for a rezone of property located approximately 2382 W 1800 N and for it to be re-advertised. Councilmember Patterson seconded the motion. All those present voted in favor of the motion.
J. TABLED FROM AUGUST 12, 2014, 8:50 PM PUBLIC HEARING – ORDINANCE 14-03 – REVIEW AND ACTION UPON A RECOMMENDATION FROM THE PLANNING COMMISSION CONCERNING A CHANGE TO THE CLINTON CITY SIGN ORDINANCE, TITLE 24, AMENDING STANDARDS FOR	

DRIVE-THRU MENU BOARDS, INFLATABLE'S AND PORTABLE SIGNS	
Petitioner	Community Development
Discussion	<p>The Planning Commission reviewed the ordinance and had concerns over the drastic change in sign policy. The new policy takes the temporary sign ordinance from no signs at any time to some signs all of the time. The issue is the ability to enforce. It is easy to enforce no signs because we don't have to find out if there is a permit, or how many days it has been up. To try and regulate between no signs and any sign requires code enforcement and the manpower to do it.</p> <p>The topic of menu boards is because of the number of stores that have established sizes and can't meet our requirements. At present Taco Bell and Zaxby's menu boards don't meet our requirement. As fast food places add more to their menus the size of the board keeps growing. The proposed change is an attempt to deal with these issues but not to have an adverse impact.</p> <p>Mayor Adams opened the public hearing at 8:04 p.m.</p> <p>Tim Morris commented it might help keep businesses in Clinton.</p> <p>Mayor Adams stated the City is looking at ways to improve advertising for businesses but issue needs careful consideration in order to avoid unintended consequences.</p> <p>Brandon Stanger asked the Council to be very careful of allowing A-frame signs. He said Clinton has good visual aesthetics, they don't need to advertise in public right of ways.</p> <p>Elizabeth Adams said she agrees with Mr. Stanger, she feels the City has done a good job of keeping the City uncluttered.</p> <p>Mr. Cluff said he receives many comments about the appeal and appearance of our commercial area.</p> <p>Mayor Adams closed the public hearing at 8:10 p.m.</p>
CONCLUSION	<p>Councilmember K. Peterson moved to adopt Ordinance 14-03 amending the menu board portion of the ordinance. Councilmember Stanton seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember M. Petersen, aye; Councilmember K. Peterson, aye; Councilmember Stanton, aye.</p>
K. CANCELLED - 9:00 PM PUBLIC HEARING – REVIEW AND ACTION UPON A RECOMMENDATION FROM THE PLANNING COMMISSION CONCERNING A CHANGE TO THE CLINTON CITY ZONING ORDINANCE, §28-22-3 PATIO HOME INFILL SITE DEVELOPMENT CHARACTERISTICS	
Petitioner	Community Development
Discussion	Mr. Vinzant requested this issue to be cancelled.
Minutes	Councilmember K. Peterson moved to approve the minutes of the July 8, 2014 City Council Meeting a written. Councilmember Stanton seconded the motion. All voted in favor of the motion.
Bills	Councilmember Stanton moved to pay the bills. Councilmember M. Petersen seconded the motion. All those present voted in favor of the motion.
Planning Commission Report	<p>Mayor Adams reported on the August 5, 2014 Clinton City Planning Commission Meeting as recorded in the minutes.</p> <p>The City Council asked Mr. Vinzant to put allowing rabbits on the agenda for the Planning Commission.</p>
City Manager Report	<ul style="list-style-type: none"> Expressed appreciation for the hard work and dedication the employees' showed and overall good attitude they showed through the water issue the City experienced over the past week.
Mayor Adams Report	<ul style="list-style-type: none"> Wasatch Waste Management Burn Plan was successful in obtaining a 10

	<p>year contract with HAFB.</p> <ul style="list-style-type: none"> • Reported he has met with staff on the water situation; in order to treat the water more effectively, the City will look at installing a chlorine system on the water tank. Staff will also look at having a larger supply of chlorine on hand. • He asked staff to bring forth an ordinance to charge fines for cross connections.
Councilmember M. Petersen	<ul style="list-style-type: none"> • Expressed appreciation for Councilmember K. Peterson attending an Eagle Court of Honor for him. He reported there is another coming up.
Councilmember K. Peterson	<ul style="list-style-type: none"> • Stated the Clinton in Bloom Contest winners will be introduced at the next meeting. • Asked Recreation to identify on Facebook that the prizes they give out are donated by businesses not Clinton City.
Councilmember Mitchell	<ul style="list-style-type: none"> • Excused.
Councilmember Patterson	<ul style="list-style-type: none"> • Has heard concerns about pan handlers in Clinton
Councilmember Stanton	<ul style="list-style-type: none"> • The Youth Council will be conducting interviews on August 20 for 2014-15.
Public Comment	Elizabeth Adams said she appreciates the efforts of the City Council.
ADJOURNMENT	Councilmember M. Petersen moved to adjourn. Councilmember Patterson seconded the motion. All those present voted in favor the motion. The meeting adjourned at 8:55 p.m.