



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

**MAYOR
L. Mitch Adams**

CITY COUNCIL MEMBERS

***Anna Stanton
Karen Peterson
Mike Petersen
Barbara Patterson
TJ Mitchell***

Date of Meeting	November 8, 2016	Call to Order	7:03 p.m.
Staff Present	Manager Dennis Cluff, Community Development Director Will Wright, Recreation Director Bruce Logan, Cathy Derrick and Lisa Titensor recorded the minutes.		
Citizens Present	Sierra Watson, Ashley Watson, Milinda and David Watson, Denisse Borja, Rosa Borja, A. Borja, Scott Jenkins, Wendy and Kenzi Jenkins, Bailey O’leary, Megan Espinosa, Deanna Larsen, Addison Larsen, Breeley Larsen, Cecily Mills, James Mills, Rylan Mills, Wade Johnson, Melinda Johnson, Gates Family, Rick Smith, Patterson Family, Rob Elggren, Jacob Briggs, Bryce Wilcox, Rick Mazeika, Marilyn Mazeika, Dannelia Borja, Tiffany Borja, Deann Burnham, Kami Coleman, Casey Coleman, Marcus Murdock,		
Pledge of Allegiance	Bailey O’Leary		
Prayer or Thought	Rylan Mills		
Roll Call & Attendance	Present were: Councilmember K. Peterson, Councilmember Stanton, Councilmember M. Petersen, Councilmember TJ Mitchell and Mayor Adams. Councilmember Patterson arrived at 7:12 p.m.		
A. INTRODUCTION AND SWEARING IN OF THE 2016-17 YOUTH COUNCIL MEMBERS			
Petitioner	Mayor Adams, Wendy Jenkins, Amy Mills		
Discussion	<p>Wendy Jenkins introduced the 19 new 2016-17 Youth Council Members</p> <p>Denisse Borja Shayla Burnham Carter Coleman Tyler Gates McKenzi Jenkins Zannah Krey Lindsay Johnson Hunter Lamereaux Addison Larsen Gustavo Medina Lexi Miles Cecily Mills Bailey O’Leary Gracious Pack Isaiah Pack Eryn Patterson Kolton Stoddart Ashley Watson Sierra Watson</p> <p>Councilmember Stanton introduced the new Youth Council Co-Advisors Wendy Jenkins and Amy Mills. She explained that former advisor Amber Harsin will continue to assist when possible.</p>		

	<p>Wendy Jenkins reported the Youth Council have already participated in several service projects and are looking forward to a busy year serving the community.</p> <p>Mayor Adams performed the swearing in for the 2016-17 Youth Council. He said they are a source of pride for the City and he is confident they will continue with being a “Youth Council of Action” who benefits the community.</p>
B. EMPLOYEE OF THE MONTH FOR OCTOBER 2016 – CATHY DERRICK, RECREATION	
Petitioner	Dennis Cluff, Bruce Logan
Discussion	<p>Bruce Logan said he is recommending the Recreation Receptionist Cathy Derrick for Employee of the Month for October 2016. He explained she has a great attitude and is very upbeat and positive. She conveys a professional image while in the office and has a positive enthusiastic manner with the public. She is thorough, well-organized, and has good work habits, such as maintaining a master book with important information related to the many functions of the Recreation Department; which helps her answer all the questions the public might have.</p> <p>He explained that Cathy is also terrific with all the office staff, which he appreciates and applauds; she treats everyone fairly and with great respect making the environment and the way she approaches her job extremely productive and positive. Cathy always looks at the good of everyone.</p> <p>And he stated that Cathy is a true public servant. She is passionate about the Recreation Department, the City and her family. She possesses humility, dependability, responsibility, honesty and initiative, all of which contribute to the effective service she renders the community on behalf of the Clinton City Recreation Department.</p> <p>Mayor Adams expressed appreciation for Cathy’s service to the City and presented her with an award and gift certificate donated by Texas Road House in Riverdale.</p>
C. PRESENTATION FROM D&W COUNTIES CANAL COMPANY	
Petitioner	Dennis Cluff, Rick Smith-Canal Company Manager
Discussion	<p>Rick Smith, Manager of the Davis and Weber Counties Canal Company explained the Canal Company (D&W) will begin installing secondary water meters on existing connections. Meters have been required on all new secondary water connections since 2013 and upgrades to existing connections have also begun. The Canal Company received a Bureau of Reclamation WaterSMART grant to help fund the installation of meters on some existing connections. The installation of the new meters will allow residents to learn about their water use and better conserve their secondary water.</p> <p>The meter installations will begin in November and continue through April 2017. The work will consist of a contractor removing the existing green box which contains the emergency shutoff valve and replacing it with a new meter box. There will be some minimal excavation required. The contractor (Thurgood Excavating) will restore the landscaping in the area affected by the installation. If the existing meter box is located in asphalt or concrete, the contractor will have to remove enough of the hardscape to replace the meter box and allow future access in the event D&WCCC needs to service the new boxes in the future.</p> <p>Property owners that are receiving meters will receive an informational postcard and a door hanger providing a 24 to 48 hour notice as to when this work will take place at their property. Attached is a map of the areas in West Point City and Clinton City that will receive meters in the coming months. D&W has hired a public information team (The Langdon Group) to help answer questions regarding the meter installations. Residents with questions can contact Marcus Murdock at (801) 499-7377 or mmurdock@langdongroupinc.com.</p> <p>Mr. Smith provided a power point presentation which included information on the reason, process, location and results of the meters.</p>

D. 7:15 PM PUBLIC HEARING, ORDINANCE 16-02S – AMENDING TITLE 26 – SUBDIVISIONS, CH 1 – GENERAL

Petitioner	Planning Commission and Community Development staff
Discussion	<p>Mr. Wright explained that the Planning Commission has reviewed Chapters 1 and 3 of the Subdivision Ordinance and forwarded a recommendation for approval onto the City Council. He identified some important areas in Chapter 1 are the vesting of land use authority among the City Council, Planning Commission and the Community Development Director; defining public purpose, providing development guidelines and design standards as described in this chapter. Chapter 3 classifies subdivisions as major and minor with details on the processes and requirements for a preliminary and final plat. Additionally, the application procedures required for processing these subdivisions are described.</p> <p>The City Council discussed the proposed changes to chapter 1 and 3; they requested 26-1-6 be modified to read:</p> <p>26-1-6 <u>Land Use Authority.</u></p> <p>(1) <u>City Council.</u> <i>The City Council of the City of Clinton is vested with the authority to approve, amend and approve, conditionally approve or disapprove an application for the final plat of a subdivision of land unless specifically excepted by this ordinance. The Board of Zoning Adjustment is the appeal authority to hear and decide appeals from decisions regarding final plats.</i></p> <p>(2) <u>Planning Commission.</u></p> <p>(a) <i>The Planning Commission of Clinton City is vested with the authority to review, approve, conditionally approve and disapprove applications for the preliminary plats of subdivision of land. The City Council is the appeal authority to hear and decide appeals from decisions regarding preliminary plats.</i></p> <p>(b) <i>The Planning Commission is vested with the responsibility to review and make recommendation to the City Council concerning the approval, conditional approval or disapproval of the final plat of a subdivision of land unless specifically excepted by this ordinance.</i></p> <p>(3) <u>Community Development Director.</u> <i>The Community Development Director of Clinton City is vested with the authority to:</i></p> <p>(a) <i>Review and recommend approval to the Mayor of Clinton City the approval of minor subdivisions of three (3) lots or less which comply with the requirements of Chapter 3.</i></p> <p>(b) <i>Review conceptual plats proposed by developers to be utilized in the creation of a preliminary plat. The efforts of the Community Development Director are intended to assist developers. However discussions with the Community Development Director are not binding upon the Commission or Council nor are they to imply approval of any development.</i></p> <p>(c) <i>Approve amendments to subdivisions that do not include vacating rights-of-way or easements and which comply with the requirements of this Title;</i></p> <p>(d) <i>Approve lot line adjustments which comply with the requirements of this Title;</i></p> <p>(e) <i>Approve property combinations which comply with the requirements of this Title;</i></p> <p>(f) <i>Approve transfers, not to include vacation of rights-of-way and easements which comply with the requirements of this Title;</i></p> <p><i>The Board of Zoning Adjustment is the appeal authority to hear and decide appeals for the above decisions.</i></p> <p>26-3-3(1) <i>strike the requirement that phases must contain at least ten percent (10%) of the total number of lots contained in the approved plat.</i></p> <p>26-3-3(4) <i>strike the requirement to file a final plat within 120 days of the preliminary plat.</i></p>

	<p>The City Council requested that the following portions of 26-1-7 & 26-1-8 be sent back to the Planning Commission for further review:</p> <p>26-1-7 <u>Jurisdiction.</u></p> <p>(3) <u>Issue of Permits.</u></p> <p><i>(a) No building permit or certificate of occupancy shall be issued, nor shall the City have any obligation to extend utility services to any parcel created in violation of these regulations, for any parcel or plat of land which was created by subdivision after the effective date of, and not in conformity with, the provisions of this Ordinance, and no excavation of land or construction of any public or private improvements shall take place or be commenced except in conformity with this Ordinance and applicable regulations unless otherwise allowed</i></p> <p>26-1-8 <u>Interpretation, Conflict, and Severability.</u></p> <p>(3) <u>Private Provisions:</u> <i>These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of these regulations are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern.</i></p> <p>Mayor Adams identified this was advertised for a public hearing, he declared the public hearing open at 9:06 p.m. and explained it will remain open until the next City Council meeting allowing the Planning Commission time to address the concerns of the City Council.</p>
<p>CONCLUSION</p>	<p>Councilmember M. Petersen moved to table Ordinance 16-02S establishing revised chapters 1 and 3 of the Subdivision Ordinance to the December 13, 2016 CC meeting to allow the Planning Commission time to review the sections identified above. Councilmember Patterson seconded the motion. Councilmembers Patterson, K. Peterson, Stanton, Mitchell and M. Petersen voted in favor of the motion.</p>
<p>E. STREET STRIPER BID AWARD</p>	
<p>Petitioner</p>	<p>Dennis Cluff, Mike Child</p>
<p>Discussion</p>	<p>Mr. Child identified that funds were budgeted for a new line striper for the streets; two local bids for a Line Lazer IV 3900 2 gun unit were received:</p> <ul style="list-style-type: none"> • PPG Architectural Coatings for \$5,615; • Sherwin Williams for \$6,180. <p>Mr. Child stated the cost exceeds what was originally budgeted because this is an upgraded product and staff feels the additional money is worth spending for the added benefits. He explained that public works saved money in their vehicle budget which could be applied to this purchase. Staff does the best they can when budgeting for specific items however there is potential that in the time between the budget process and when the actual purchase takes place for the prices to change.</p>
<p>CONCLUSION</p>	<p>Councilmember K. Peterson moved to award the new striper bid to PPG Architectural Coatings for \$5,615. Councilmember Stanton seconded the motion. Councilmembers Patterson, K. Peterson, Stanton, Mitchell and M. Petersen voted in favor of the motion.</p>
<p>F. AWARD CRACK SEALING BID FOR 2016</p>	
<p>Petitioner</p>	<p>Dennis Cluff, Mike Child</p>
<p>Discussion</p>	<p>Mr. Child explained the crack sealing projects are best accomplished during the cooler months; this work will be completed this Fall or next Spring depending on the weather. Three bids were received:</p> <ul style="list-style-type: none"> • Morgan Pavement @ \$2,450/ton = \$98,000; • M&M Asphalt Services @ \$2,800/ton = \$112,000; and,

	<ul style="list-style-type: none"> Great Basin @ \$2,925/ton = \$117,000. <p>He said crack sealing is important in extending the life of the roads.</p>
CONCLUSION	<p>Councilmember Stanton moved to award the Crack Seal Bid to Morgan Pavement for \$2,450/ton totaling \$98,000. Councilmember Patterson seconded the motion. Councilmembers Patterson, K. Peterson, Stanton, Mitchell and M. Petersen voted in favor of the motion.</p>
G. REAPPOINTMENTS TO THE CITY BUILDING DIVISION BOARD OF APPEALS	
Petitioner	Dennis Cluff, Will Wright
Discussion	<p>Mr. Wright explained the Clinton City Building Division Board of Appeals hears and decides appeals of decisions made by the City Building Official. The current Board is comprised of:</p> <ul style="list-style-type: none"> Brian Arrington, General Contractor; Ed Pehrson, Roy City Building Official; Paul Bauer, Layton City Building Official; T. J. Mitchell, General Contractor; Tracy Hallady, Brigham City Building Official; and, Michael Fisher, Clinton Building Official (Ex Officio Member). <p>There is no appointment term set by the Building Code for this Board. Because it is rarely called upon for an appeal, staff recommends that an open appointment be set, with staff annually contacting each appointee to insure their availability.</p> <p>Councilmember Mitchell said he feels he should be recused from this Board because it may appear as a conflict of interest now he is serving on the City Council.</p> <p>The majority of the Council agreed with Councilmember Mitchell.</p> <p>The Council directed staff to find a qualified contractor from Clinton City to replace Councilmember Mitchell.</p>
CONCLUSION	<p>Councilmember Patterson moved to re-appoint Brian Arrington, General Contractor; Ed Pehrson, Roy City Building Official; Paul Bauer, Layton City Building Official; Tracy Hallady, Brigham City Building Official; and Michael Fisher, Clinton Building Official (Ex Officio Member). And to find a general contractor in the area to replace TJ Mitchell. Councilmember K. Peterson seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember K. Peterson, aye; Councilmember Stanton, aye; Councilmember Mitchell, abstained; Councilmember M. Petersen, aye.</p>
H. DECLARATION OF SURPLUS PROPERTY	
Petitioner	Dennis Cluff, Mike Child
Discussion	<p>Parks Supervisor Zac Martinez explained that with the recent purchase of new Christmas decorations there are approximately 60 old wreaths that the City no longer needs. The wreaths are 40” in diameter on a steel mounting frame have a string of lights interwoven. Some of the lights are not working and some wreaths are in better shape than others but overall they are in fairly good condition. Staff plans on keeping 10 for possible future use on city buildings but there is not enough storage space for the rest. They can be taken to the surplus auction yard or made available to the city residents at a fair price, first come, first serve.</p>
CONCLUSION	<p>Councilmember K. Peterson moved to declare the old Christmas wreaths as surplus property. Councilmember Mitchell seconded the motion. Councilmembers Patterson, K. Peterson, Stanton, Mitchell and M. Petersen voted in favor of the motion.</p>
I. RESOLUTION 15-16, NEW INTERLOCAL COOPERATION AGREEMENT WITH DAVIS METRO NARCOTICS STRIKE FORCE	
Petitioner	Dennis Cluff; Chief Bill Chilson

<p>Discussion</p>	<p>Mr. Cluff identified that with the use of their grant money, the US Dept of Justice is requiring a newly signed Interlocal Agreement along with future annual Agreement reviews. The Metro Narcotics Strike Force incorporates the County and all the Davis area cities. The City has been participating with the Strike Force for many years and has had a formal Interlocal Agreement since December 2004. This new revised Agreement is similar to the existing one with some minor word changes and modifications in the following: the last part of the paragraph in Section 2.B.2.b. (3); Section 2.B.2.c & (1), (2); Section 4.A. & E. (first sentence); Section 5.B.; Section 7 (revised); and, Section 12 E,I,J,K,L,M & O...no “N” is in the text). None of these changes alter the essence of the original Agreement; they merely clarify and update the operating guidelines of the Strike Force.</p> <p>This is still (up to) a 50 year agreement, with the time clock being reset to 2016. Any participating agency may still withdraw from this group with a 30 day notice.</p>
<p>CONCLUSION</p>	<p>Councilmember Stanton moved to adopt Resolution 15-16 approving the new Interlocal Cooperation Agreement with the Davis Metro Narcotics Strike Force. Councilmember K. Peterson seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember K. Peterson, aye; Councilmember Stanton, aye; Councilmember Mitchell, aye; Councilmember M. Petersen, aye.</p>
<p>J. RESOLUTION 16-16, AMENDMENT TO THE FY 16-17 CLINTON CITY CONSOLIDATED FEE SCHEDULE</p>	
<p>Petitioner</p>	<p>Dennis Cluff</p>
<p>Discussion</p>	<p>Mr. Cluff identified the purpose for this amendment is to correct the fee for fire service from \$59 to \$34 and reinstate a fire inspection fee for \$59 which was unintentionally left off.</p>
<p>CONCLUSION</p>	<p>Councilmember M. Petersen moved to adopt Resolution 16-16, amending the adopted FY 2016 - 17 Clinton City Consolidated Fee Schedule. Councilmember Mitchell seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember K. Peterson, aye; Councilmember Stanton, aye; Councilmember Mitchell, aye; Councilmember M. Petersen, aye.</p>
<p>K. CITY MANAGER CONTRACT AND APPOINT RENEWAL</p>	
<p>Petitioner</p>	<p>Mayor Adams, Dennis Cluff</p>
<p>Discussion</p>	<p>Mr. Cluff explained that as part of the new amendments to Title 2 of the City Code, the City Council has chosen to enter into a more formalized contract with the City Manager. This new contract will be in effect during the City Manager’s employment until such time as it is revised by mutual approval of both the City Manager and the Council. It also includes the reappointment of the City Manager to run through June 2019 and allows subsequent 3 year appointments as approved by the Mayor and City Council. It outlines the basic employment guidelines, salary and benefits for the City Manager and references Title 2 Chapter 6 of the City Code and City Personnel Policy as inclusions in the contract.</p> <p>Since this action is the hiring or re-hiring of the City Manager, the Mayor is allowed to add his vote to this action.</p> <p>The Council discussed the City Manager contract and agreed to a contract with the current City Manager Dennis W. Cluff effective November 8, 2016 through June 2019.</p>
<p>CONCLUSION</p>	<p>Councilmember K. Peterson moved to approve the new contract with the City Manager which includes reappointment through June 2019. Councilmember Mitchell seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember K. Peterson, aye; Councilmember Stanton, aye; Councilmember Mitchell, aye; Councilmember M. Petersen, aye and Mayor Adams, aye.</p>
<p>Mayor Adams was excused at 9:50 p.m.</p>	
<p>Approval of Minutes</p>	<p>Councilmember K. Peterson moved to approve the October 11, 2016 City Council Minutes. Councilmember Mitchell seconded the motion. Councilmembers Patterson, K. Peterson, Stanton, Mitchell and M. Petersen voted in favor.</p>
<p>Accounts Payable</p>	<p>The Council asked staff to look into recent payment for Davis Weber Counties Canal</p>

	<p>Company to make sure there was not a double payment.</p> <p>Councilmember Patterson moved to pay the bills. Councilmember Mitchell seconded the motion. Councilmembers Patterson, K. Peterson, Stanton, Mitchell and M. Petersen voted in favor.</p>
Planning Commission Report	<p>Mr. Wright reported on the November 1, 2016 Planning Commission meeting as recorded in the minutes.</p>
City Manager	<ul style="list-style-type: none"> Reported City Hall will be closed for Veterans Day, Thanksgiving and the day after Thanksgiving. Reported Public Works will be giving a presentation on water at a special City Council meeting on Tuesday, November 29 at 4 p.m. Reported staff has nothing to address for the Nov 22 City Council meeting <p>The Council directed staff to cancel the November 22, 2016 City Council meeting.</p> <ul style="list-style-type: none"> The City Council Christmas dinner will be Wednesday Dec.7 at 6 p.m.
Mayor	<ul style="list-style-type: none"> Excused.
Councilmember Patterson	<ul style="list-style-type: none"> Reported the Modern Woodmen were acknowledged in the newsletter for donating trees for Kestrel Park; The Parks Board will not meet again until January.
Councilmember K. Peterson	<ul style="list-style-type: none"> Participated in the tour of Wasatch Waste Integrated Management; The Arts Board will meet on Thursday, November 10 to finalize plans for Christmas Sing A Long to be held at 5 p.m. on December 3 at Parkside Elementary.
Councilmember M. Petersen	<ul style="list-style-type: none"> Reported there is a wasp nest at the powerline park playground on the sprinkler valve boxes.
Councilmember Stanton	<ul style="list-style-type: none"> Excited for the new Youth Council and looking forward to a great year.
Councilmember Mitchell	<ul style="list-style-type: none"> Does not like Christmas Light advertising where they throw a baggie with sand on the driveways of residents; he considers this littering. <p>Mr. Cluff said he will pass the information along to the Police Department.</p>
Motion to enter into closed session	<p>Councilmember Patterson moved to enter into closed session in accordance with 52-4-205(1) (d) to discuss the potential purchase of property. Councilmember M. Petersen seconded the motion. Councilmembers Patterson, K. Peterson, Stanton, Mitchell and M. Petersen voted in favor.</p>
1. ACTION AFTER CLOSED SESSION – POTENTIAL PROPERTY PURCHASE	
Petitioner	Dennis Cluff, Mike Child
Discussion	The Council discussed the potential purchase of property during a closed session.
CONCLUSION	<p>Councilmember K. Peterson moved to authorize staff to move forward with the potential property purchase as discussed in Closed Session for the amount authorized. Councilmember Patterson seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember K. Peterson, aye; Councilmember Stanton, aye; Councilmember Mitchell, aye; Councilmember M. Petersen, aye.</p>
ADJOURNMENT	<p>Councilmember K. Peterson moved to adjourn. Councilmember Patterson seconded the motion. All voted in favor of the motion. The meeting adjourned at 11:10 p.m.</p>
<u>ACTION ITEMS</u>	<ul style="list-style-type: none"> Monitor the SWPPP inspection fees over the next year to ensure that the City is charging enough to cover the expense for the inspections (July 2016) ; Subdivision Ordinance – recommendation for concrete in the park strips along UDOT roads. (August 2016) Consider code enforcement during future budget discussion for 2017-18 (August 2016) Consider passing a City Council Rules of Procedure (October 2016) Consider providing staff administrative power for a minor subdivision during subdivision ordinance rewrite (October 2016)