



CLINTON CITY COUNCIL AGENDA

2267 N 1500 W Clinton, UT 84015

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

August 27, 2024 – 6 PM

[Click Here for ZOOM Meeting Link](#)

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Meeting ID: 891 7487 5476 Pass Code: 012738

I. REGULAR CITY COUNCIL MEETING

1. Call to Order
2. Pledge of Allegiance and Invocation or Thought – Marie Dougherty
3. 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 act on items not advertised on the agenda).

III. BUSINESS

- A. Public Hearing - Annexation, Rezone and Annexation Agreement - August 27, 2024
- B. **Ordinance 24-04**, Establish a RAP Tax Advisory Committee – TABLED FROM August 13, 2024
- C. Letter Of Intent Purchase of Sewer Truck

IV. OTHER BUSINESS

- a. Approval of Minutes: August 13, 2024 Special TNT Public Hearing Meeting; August 13, 2024 CC Meeting
- b. Approval of Accounts Payable: None at this time
- 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

I. 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 21st of August 2024
/s/Lisa Titensor, Clinton City Recorder*

- *A link to the meeting can be found either at the top of the agenda OR on the Clinton City Website, or on Facebook at <https://www.facebook.com/ClintonCityUT/>*
- *Supporting documentation for this agenda is posted on the Clinton City website at www.clintoncity.com and on the Utah Public Notice Website www.utah.gov/pmn*
- *In compliance with the American with Disabilities Act, individuals needing special accommodation (including auxiliary communicative aids and service) during the meeting should notify Lisa Titensor, City Recorder, at (801) 614-0700 at least 24 hours prior to the meeting.*
- *This meeting may involve electronic communications for some members of this public body. The anchor location for the meeting shall be the Clinton City Council Chambers at 2267 N 1500 W*

Clinton UT 84015. Elected Officials at remote locations may be connected to the meeting electronically to participate.

- *Notice is hereby given that by motion of the Clinton City Council, pursuant to Utah State Code Title 52, Chapter 4 sections 204 & 205, the City Council may vote to hold a closed session for any of the purposes identified in that Chapter.*
- *The order of agenda items may change to accommodate the needs of the city council, staff and/or public.*

CLINTON CITY COUNCIL

AGENDA ITEM REPORT

<p>SUBJECT: <i>Public Hearing:</i> Review and action on an annexation, rezone and annexation agreement request by Mike Hatch (Foothill Ditch LLC and Terraform Development LLC) for property located at approximately 2088 North 4500 West in unincorporated Davis County and Clinton City. The annexation request consists of 19.66 acres. The rezone request consists of the 19.66-acre annexation area plus 15.24 acres within the Clinton City limits, for a total of 34.90 acres proposed for R-M/PRD Zoning (Multi-Family Residential/Planned Residential Development Overlay) and for the annexation agreement.</p>	<p>AGENDA ITEM: A</p>
<p>PETITIONERS: Mike Hatch representing Foothill Ditch LLC and Terraform Development LLC</p> <p>SUBMITTED BY: Peter Matson, Community Development</p>	<p>MEETING DATE: August 27, 2024</p>
<p>ORDINANCE REFERENCES: General Plan/Master Land Use Map, Zoning Map and Zoning Ordinance (Title 28)</p>	<p>ROLL CALL VOTE: YES</p>

RECOMMENDATION: To approve the annexation, rezone and annexation agreement requests with the following motions:

- 1) Adopt Ordinance No. 24-03 approving the annexation of 19.66 acres located at approximately 2088 North 4500 West into the city based on:
 - a. Consistency with the City's future annexation expansion area outlined in the Annexation Policy Plan; and
 - b. The City's ability to service this area with necessary public utilities and the utility service provisions as outlined in the proposed annexation agreement.
- 2) Adopt Ordinance No. 24-04Z approving the rezone of 34.90 acres located at approximately 2088 North 4500 West to R-M/PRD (Single and Multi-Family Residential/Planned Residential Development Overlay Zone) based on consistency with the conceptual plan requirements of the PRD overlay zone.
- 3) Adopt Resolution No. 18-24 approving the annexation agreement between Clinton City and Foothill Ditch LLC and Terraform Development LLC for the annexation and development of 34.90 acres.

DESCRIPTION OF THE ANNEXATION AND REZONE AREA: The annexation request consists of two parcels totaling approximately 19.66 acres (14-038-0067 and 14-175-0005) located at approximately 2088 North 4500 West. The rezone area consists of three parcels (14-038-0083, 14-038-0067 and 14-175-0005) totaling 34.90 acres. The approximate address with the closest public street frontage is 2088 North 4500 West. Access to the project is provided from 4500 West with future connections through West Point from the south.

BACKGROUND INFORMATION: The proposed R-M/PRD zoning requires submittal of a concept plan showing the proposed density including the number, type, and location of dwelling units; and parking and circulation. Concurrent with the rezone, the conceptual plan is to be reviewed by the Planning Commission with a recommendation to the Council. The attached concept plan includes revisions based on the August 6th work meeting discussion with the applicant. The plan shows a combination of front and rear-loaded townhomes, and single-family lots in three different sections of the plan. The single-family lots fronting the connecting road from 4500 West are carried over from the previous concept plan. The updated plan replaces a stretch of 61

townhomes on the western portion of the site with 41 single-family lots, and a smaller section of townhomes on the eastern portion of the site with 15 single-family lots. The overall unit count drops from 379 units (10.86 units/acre) to 341 overall units (9.77 units/acre). The Project Summary Table below provides a summary of housing unit types and density.

PROPOSED DENSITY BONUS INCENTIVES AND

CALCULATIONS: The proposed 9.77 units/acre will require the applicant to achieve a 22% density bonus based on the combined incentive categories outlined in the PRD Overlay Zone and shown in the table below.

The applicant proposes to utilize three of the four density bonus categories not including Exterior Building Materials. The design guidelines of the ordinance will regulate building materials and design. Density bonus calculations for the project are provided in the table below showing the maximum density bonus that can be earned for each category. The applicant's proposed density bonus is shown in [blue text](#). Staff's recommended bonus, if different, is shown in [red text](#). The noted exhibits in the table refer to those found in the draft annexation agreement.

Project Summary Table	
Project Area	34.90 Acres
Single-Family Lots	75
Front-Loaded Townhomes	157
Rear-Loaded Townhomes	109
Total Residential Units	341
Overall Project Density	9.77 units/acre

TRAIL POINT PRD BONUS DENSITY CALCULATIONS

Recreation and Site Amenities	Maximum Density Bonus – 50%
Major Site Amenities	Maximum Density Bonus – 20%
Amenities Provided	See Exhibit G
Bonus Density Earned	20%
City Dedication & Amenities	Maximum Density Bonus – 30%
Dedication & Amenities Provided	See Exhibits E & Exhibit F
Bonus Density Earned	15%
Total Rec. & Site Amenities	35%
Bonus Density Earned	

Exterior Building Materials	Maximum Density Bonus – 20%
Building Architecture to follow basic design standards of the code.	No density bonus requested

Fencing Materials	Maximum Density Bonus – 10%
Vinyl with wood texture in color and appearance	
Bonus Density Earned	10% (5%)

Open Space	Maximum Density Bonus – 20%
Base Open Space Requirement	2.62 Acres
Open Space Provided	6.88 Acres
Bonus Density Earned	12%

Total Bonus Density Earned	57% (52%) (50% Maximum Allowed)
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The ordinance indicates that up to a 10% density bonus may be granted for the use of upgraded fencing materials such as architecturally designed brick or masonry, vinyl with wood texture in color and appearance, vinyl with brick or stone columns, composite, and open fencing such as vinyl rail or wrought iron used in conjunction with landscaping or comparable materials. The proposed vinyl with wood texture in color and appearance is one of the lesser upgraded fencing materials, and staff is of the opinion this warrants a 5% bonus as opposed to the 10% bonus proposed by the applicant.

Since this PRD is tied to an annexation, the applicant is looking for a degree of certainty regarding the city approved density before making a commitment to bring the 19.66 acres into the city. The city attorney has advised that we seek advice from the PRD design review committee (DRC) at this conceptual review stage of the process to help solidify a recommended density for the project as it relates to the annexation. Typically, this is reserved for the preliminary plan stage, but the DRC input and assistance has helped staff feel confident that the density bonus proposed is appropriate. The DRC is a group of volunteer citizens available to assist staff when PRD projects are proposed. With short notice, we were able to seek input and advice from three local design professionals – an urban planner, civil engineer and landscape architect.

The DRC reviewed the concept plan, the proposed architecture, the open space areas and the amenities proposed in each of the five major open space areas. Staff and the DRC agree that the proposed 22% density bonus is certainly warranted. Staff recommends that a more enhanced fencing option is needed to justify the proposed 10% bonus for this category. However, with the total density bonus proposed and recommended at over 50%, the applicant can feel confident that the proposed 9.77 units/acre (341 units) and associated 22% density bonus will carry through to the preliminary and final PRD review and approval process without any issues.

SUMMARY OF OPEN SPACE AND AMENITIES: The attached open space maps show the major open space areas highlighted in green. These include a linear open space area along the western border of the project running along the proposed canal trail. The north portion of this trailside open space area is proposed to include a tot lot, benches and pet waste stations. This portion connects to a proposed park/detention site that will function as a trailhead park for the canal trail and the connection to the county canal trail that runs along the northern boundary of the site. The applicant proposes to provide restroom facilities at the trailside park similar to what is at the Powerline Park (see Section 7.1.4 of the Annexation Agreement). Two additional park/detention sites are proposed along the northern boundary – a central and a western open space with additional trail connections and various amenities. The central open space area is proposed to include a large tot-lot, a 20'x20' pavilion, two pickle ball courts and other amenities. Amenity details for each of the four major open space areas are provided on the attached site amenity map and in Exhibit G of the annexation agreement.

SITE LAYOUT SUMMARY: Streets throughout the project are proposed to meet the modified public right-of-way option in the PRD ordinance. This street type includes 26 feet of asphalt with modified curb, gutter and sidewalk with no parking allowed on the streets. Guest parking is provided throughout the development to meet the requirement of the PRD ordinance. The private alleys for the rear-loaded townhome buildings are 30 feet wide with 26 feet of asphalt, which exceeds the requirement for this type of access. These alleys are all 150 feet deep or less, which conforms to the standards for this type of access. Each townhome and single-family home will have a two-car garage. The front-loaded townhomes include the required 22-foot-deep driveways to accommodate additional parking in front of the garage.

Setbacks between townhome buildings meet the minimum requirements of the PRD overlay zone for side and rear yards. Fencing along the perimeter and interior of the site will be a combination of private and semi-private vinyl with wood texture in color and appearance.

ARCHITECTURE: The proposed residential building elevations are attached and included as exhibits in the draft annexation agreement. The proposed elevations appear to meet the design criteria of the ordinance including

front façade articulation, entry features and roof/façade shifts. 30% of all street-facing facades will be finished with masonry or windows. Masonry includes brick, stone or fiber cement siding – no stucco. Architectural relief is provided in the form of pop-outs, window surrounds, and finish and color differentiation. Covered porches with architectural posts are proposed as required by the PRD code.

ADDITIONAL INFORMATION FOR CONSIDERATION: The subject property is within an area that will be examined in detail as part of the upcoming general plan update process, which is scheduled to kick off August 1st. This property, together with the surrounding +-170-acre future annexation area will be the subject of a small-area plan analysis where various land use and density alternatives will be studied to refine alternatives for consideration with the overall general plan update. Although there may be value in waiting for the results of that process, the proposed zoning and concept plan provide a reasonable approach to development of this property, particularly with the extension of the West Davis Corridor (WDC) projected to run along the eastern edge of this property and given our current housing situation and the strong demand for lower priced housing.

The draft annexation agreement is a work in progress. The applicant and the city have coordinated feedback and updates to the original draft, which is reflected in the attached draft.

Additional exhibits provided by the applicant are attached to help explain the purpose of the development plan, open spaces, amenity offerings and guest parking.

PLANNING COMMISSION PROCEEDINGS: The Planning Commission reviewed the annexation, rezone and annexation agreement proposals during a public hearing on June 27, 2024. The Commission voted by a motion of 3:2 to recommend the Council not adopt Ordinance 24-03, Ordinance 24-04Z and Resolution 18-24 denying the annexation, rezone and annexation agreement. The Commission was of the opinion the timing of the proposed development is premature and it is prudent to wait for the General Plan update for this area to determine the best approach. The Commission was also concerned that there is no development of this kind in the general area. Additionally, the Commission noted that if the Council moves forward with approving the annexation and rezone that Section 7.4.1 of the draft annexation agreement be examined for consistency with applicable fire code requirements for street access separation.

ATTACHMENTS:

- (A) Ordinances 24-03, 24-04Z, and Resolution 18-24
- (B) Map of Annexation/Rezone Area
- (C) Air Photo Oblique from NW Corner
- (D) Draft Annexation Plat
- (E) Conceptual Site Plan
- (F) Concept Plan Open Space Map
- (G) Concept Plan Utility Connection Map
- (H) Conceptual Building Elevations
- (I) Additional open space and amenity exhibits
- (J) Draft Annexation Agreement with Foothill Ditch LLC and Terraform Development LLC

ORDINANCE 24-03
(Hatch – Foothill Ditch LLC/Terraform Development LLC)

AN ORDINANCE ANNEXING REAL PROPERTIES LOCATED AT APPROXIMATELY 2088 NORTH 4500 WEST INTO THE CITY AND EXTENDING THE CORPORATE LINES OF CLINTON CITY; PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE

WHEREAS, the City has determined that the properties located at approximately 2088 North 4500 West are part of an existing unincorporated parcel of property contiguous to Clinton City; and

WHEREAS, these properties are identified in the Clinton City Annexation Policy Plan, Expansion Area; and

WHEREAS, the City Council accepted the petition for the annexation of said real properties; and

WHEREAS, a plat of said real properties has been prepared under the supervision of a competent surveyor, showing the size and location of said real properties and showing that the same is contiguous to the present corporate limits of Clinton City; and

WHEREAS, the City Council has determined that in their judgment, this annexation meets the standards set forth in the Utah State Code, and the noticing requirements therein have been satisfied; and

WHEREAS, the Clinton City Council deems it to be in the best interest of the City and its citizens to annex the real properties described herein to Clinton City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CLINTON,
UTAH:

SECTION 1. Repealer. Any provision of Clinton City's ordinance that is deemed to be inconsistent with this amendment is hereby repealed.

SECTION 2. Enactment. That the following described real property is hereby annexed into Clinton City, and the corporate limits of the City are hereby extended to include said real property.

BEGINNING AT POINT WHICH IS WEST A DISTANCE OF 65.04 FEET AND SOUTH A DISTANCE OF 1221.65 FEET FROM THE NORTH QUARTER CORNER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN. SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 5 OF THE DAVIS FARMS WEST NO. 2 RECORDED PLAT. RUNNING THENCE S.89°59'34"E. A DISTANCE OF 858.08 FEET ALONG THE NORTH LOT LINE OF SAID LOT 5; THENCE (5) COURSES ALONG THE EAST BOUNDARY OF THE DAVIS FARMS WEST NO. 2 RECORDED PLAT: N.8°01'06"W. A DISTANCE OF 558.80 FEET; N.9°58'02"W. A DISTANCE OF 88.72 FEET; N.13°08'34"W. A DISTANCE OF 76.02 FEET; N.27°15'50"W. A DISTANCE OF 112.58 FEET; AND N.45°54'13"W. A DISTANCE OF 266.43 FEET; THENCE N.39°07'42"E. A DISTANCE OF 22.77 FEET; THENCE N.39°41'01"W. A DISTANCE OF 136.18 FEET; THENCE N.40°00'00"E. A DISTANCE OF 97.32 FEET; THENCE S.69°13'30"E. A DISTANCE OF 1116.82 FEET ALONG THE SOUTH BOUNDARY OF THE COUNTY STORM DRAIN PARCEL TO A POINT ON THE CLINTON CITY LIMIT LINE (ANNEXATION ENTRY 1926334), ALSO BEING TO A POINT OF CURVATURE OF A 2635.30-FOOT RADIUS NON -TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, AND

ALONG THE CLINTON CITY LIMIT LINE (ANNEXATION ENTRY 1926334) A DISTANCE OF 842.39 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 18°18'54" AND A CHORD THAT BEARS S.9°10'15"W. A DISTANCE OF 838.80 FEET TO A POINT ON THE CLINTON LIMIT LINE; THENCE N.89°56'54" W. A DISTANCE OF 4.16 FEET ALONG THE CLINTON LIMIT LINE (ANNEXATION ENTRY 1724690); THENCE S.0°04'14"W. A DISTANCE OF 74.87 FEET ALONG THE CLINTON LIMIT LINE (ANNEXATION ENTRY 1724690) TO A POINT ON THE CLINTON LIMIT LINE (ANNEXATION ENTRY 392199); THENCE N.89°59'00"W. A DISTANCE OF 1427.46 FEET ALONG THE CLINTON LIMIT LINE (ANNEXATION ENTRY 392199) TO A POINT ON THE CLINTON LIMIT LINE (ANNEXATION ENTRY 2237819); THENCE N.0°41'00"E. A DISTANCE OF 101.55 FEET ALONG THE CLINTON LIMIT LINE (ANNEXATION ENTRY 2237819); THENCE S.89°59'34"E. A DISTANCE OF FEET TO THE POINT OF BEGINNING. CONTAINING 19.66 ACRES

BASIS OF BEARING IS N.90°00'00" E 2664.93 FEET BETWEEN THE NORTH QUARTER CORNER AND NORTHEAST CORNER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, FROM THE DAVIS COUNTY SURVEY TOWNSHIP REFERENCE PLAT, ENTRY NO. 31 1 274

SECTION 3: Filing. The City Recorder is directed to file a certified copy of the plat of said real property and a certified copy of this ordinance of annexation with the Davis County Recorder; and within 60 days after the enactment hereof, the City Council shall file with the Lieutenant Governor a notice of impending boundary action, as defined in Section 67-1a-6.5 UCA that meets the requirements of Section 67-1a-6.5(3) UCA and a copy of an approved final plat, as defined in Section 67-1a-6.5.

SECTION 4. Severability. If any part of this ordinance is found to be invalid by a court of competent jurisdiction, the remaining language shall remain in full force and effect.

SECTION 5. Effective Date. This ordinance amendment shall become effective immediately upon posting.

PASSED AND ORDERED RECORDED AND POSTED by the Council of Clinton City, Utah, this _____ day of _____ 2024.

August 17, 2024

NOTICE PUBLISHED

BRANDON STANGER
MAYOR

ATTEST:

LISA TITENSOR
CITY RECORDER

Posted: _____

ORDINANCE NO. 24-04Z

REZONE

AN ORDINANCE BASED UPON A REQUEST BY THE PROPERTY OWNERS
FOOTHILL DITCH LLC AND TERRAFORM DEVELOPMENT LLC, TO CHANGE THE
ZONING OF 34.90 ACRES TO R-M/PRUD AND AMEND THE ZONING MAP OF
CLINTON CITY

WHEREAS, Clinton City has established a standard for land use and land use density through its zoning powers; and,

WHEREAS, The Clinton City Planning Commission has convened a public hearing and based upon established planning principles and public input forwarded a recommendation to the City Council

NOW
THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CLINTON CITY, DAVIS COUNTY, STATE OF UTAH:

BY MOTION The Clinton City Council voted to adopt this petition for rezone.

SECTION 1. Petition

Petitioner has requested the property located at approximately 2088 North 4500 West more accurately described below shall be to R-M/PRD (Multi-Family Residential/Planned Residential Development) based upon the request from the stated property owners.

SECTION 2. Legal Description

A portion of the NE1/4 of Section 30, Township 5 North, Range 2 West, Salt Lake Base and Meridian, Davis County, Utah, more particularly described as follows:

Beginning at the Southeast corner of Lot 5, DAVIS FARMS WEST NO. 2 Subdivision according to the official plat thereof on file in the office of the Davis County Recorder, located N89°56'58"E (Davis County Surveyor's NAD 83 Bearing S89°39'01"E) along the section line 811.74 feet and South 1322.01 feet from the North 1/4 Corner of Section 30, T5N, R2W, SLB&M; thence S89°57'24"W along the South line of said Lot 875.96 feet to a rebar and cap stamped "Gardner Engineering" marking the Southwest Corner of said Lot; thence N0°04'40"E along the West line of said Lot 100.05 feet to a rebar and cap stamped "Gardner Engineering" marking the Northwest corner of said Lot; thence N89°57'24"E along the North line of said Lot 858.28 feet to the Northeast corner of said Lot; thence along the East line of said Plat the following five (5) courses and distances: (1) N8°04'08"W 558.97 feet; (2) N10°01'04"W 88.72 feet; (3) N13°11'36"W 76.02 feet; (4) N27°18'52"W 112.58 feet; (5) N45°57'15"W 266.43 feet to that Real Property as described in Entry No. 888695 of the official records of the Davis County Recorder; thence along said deed the following three (3) courses and distances: (1) N39°04'41"E 22.77 feet to a rebar and cap stamped "PLS 356548"; (2) N39°44'03"W 136.18 feet; (3) N39°56'58"E 97.19 feet to the Southwest Corner of that Real Property as described in Entry No. 872731 of the official records of the Davis County Recorder; thence S69°17'03"E along said deed 2101.18 feet to a rebar and cap stamped "PLS 356548"; thence S3°31'47"W along 480.30 feet to a rebar and cap stamped "PLS 356548" and a fence line; thence along said fence line the following two (2) courses & distances: (1) S89°57'47"W 1027.52 feet to a

fence corner; (2) S0°10'42"W 73.25 feet to the corporate limits of West Point City; thence S89°56'53"W along said corporate limits 525.76 feet to the point of beginning.

Contains: 34.902 Acres

SECTION 3. Map

A map is attached to the ordinance by reference, however if a discrepancy exists between the map and legal description the legal description takes precedence.

SECTION 4. Planning Commission Action

Reviewed in a public hearing the 27th day of June 2024, by the Clinton City Planning Commission and recommended for approval through a motion passed by a majority of the members of the Commission based upon the following findings.

For Favorable Action (Adoption):

- General Plan, Compliance
- City Utilities, Compatible

SECTION 5. Severability. In the event that any provision of this Ordinance is declared invalid for any reason, the remaining provisions shall remain in effect.

SECTION 6. Effective date. This ordinance shall be recorded and become effective upon the date of posting indicated below.

PASSED AND ORDERED RECORDED AND POSTED by the Council of Clinton City, Utah, this ____ day of _____ 2024.

August 17, 2024

NOTICE PUBLISHED

BRANDON STANGER
MAYOR

ATTEST:

LISA TITENSOR
CITY RECORDER

Posted: _____

RESOLUTION NO. 18-24

A RESOLUTION ADOPTING AN AGREEMENT FOR THE ANNEXATION AND DEVELOPMENT OF LAND BETWEEN CLINTON CITY AND FOOTHILL DITCH LLC AND TERRAFORM DEVELOPMENT LLC

WHEREAS, Owners, FOOTHILL DITCH LLC AND TERRAFORM DEVELOPMENT LLC are annexing and developing certain property located at approximately 2088 North 4500 West in Clinton City; and

WHEREAS, Owners and Clinton City have entered into an agreement setting forth the responsibilities of both parties relative to various aspects of the annexation and development of Owners property with appropriate land uses, setbacks, street widths and architectural design to enhance the general area; and

WHEREAS, the City Council has determined it to be in the best interest of the citizens of Clinton City to enter into this agreement to ensure that the Owners' property will be developed according to the overall objectives and intent of the City's General Plan and in the best interest of the City.

NOW, THEREFORE, THE CLINTON CITY COUNCIL RESOLVES TO ADOPT AND APPROVE THE ATTACHED ANNEXATION AGREEMENT AND AUTHORIZE THE MAYOR TO EXECUTE SAID AGREEMENT.

SECTION 1. By majority vote on a motion before the Clinton City Council the Council the attached Annexation Agreement is hereby approved.

SECTION 2. Effective date. This Resolution shall become effective upon signature and posting.

PASSED BY MOTION AND ORDERED PUBLISHED by the Council of Clinton City, Utah, this 9th day of July 2024.

August 17, 2024
NOTICE PUBLISHED

BRANDON STANGER
MAYOR

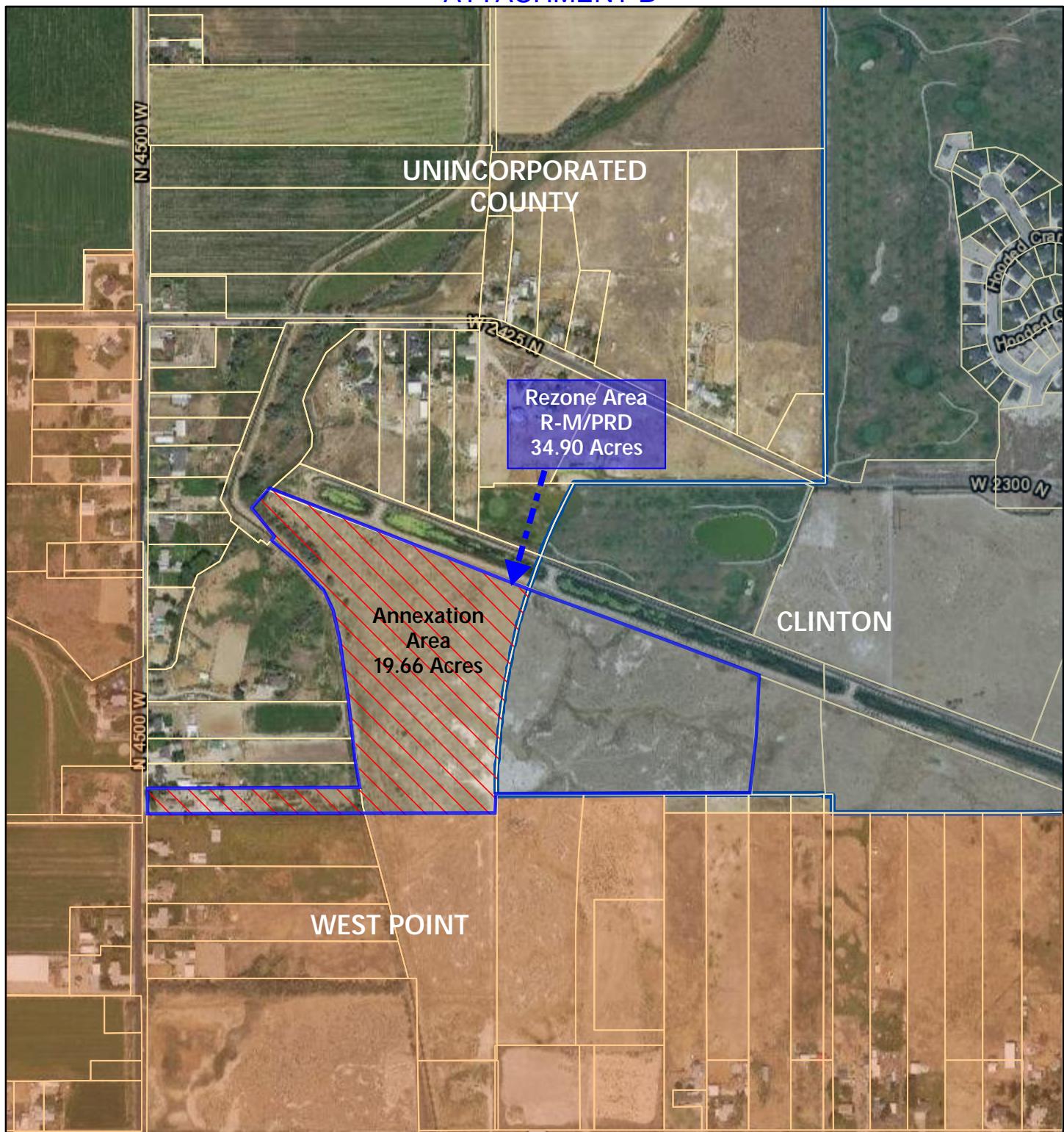
ATTEST:

LISA TITENSOR
CITY RECORDER

Posted: _____

TRAIL POINT (MIKE HATCH) ANNEXATION/REZONE AREA

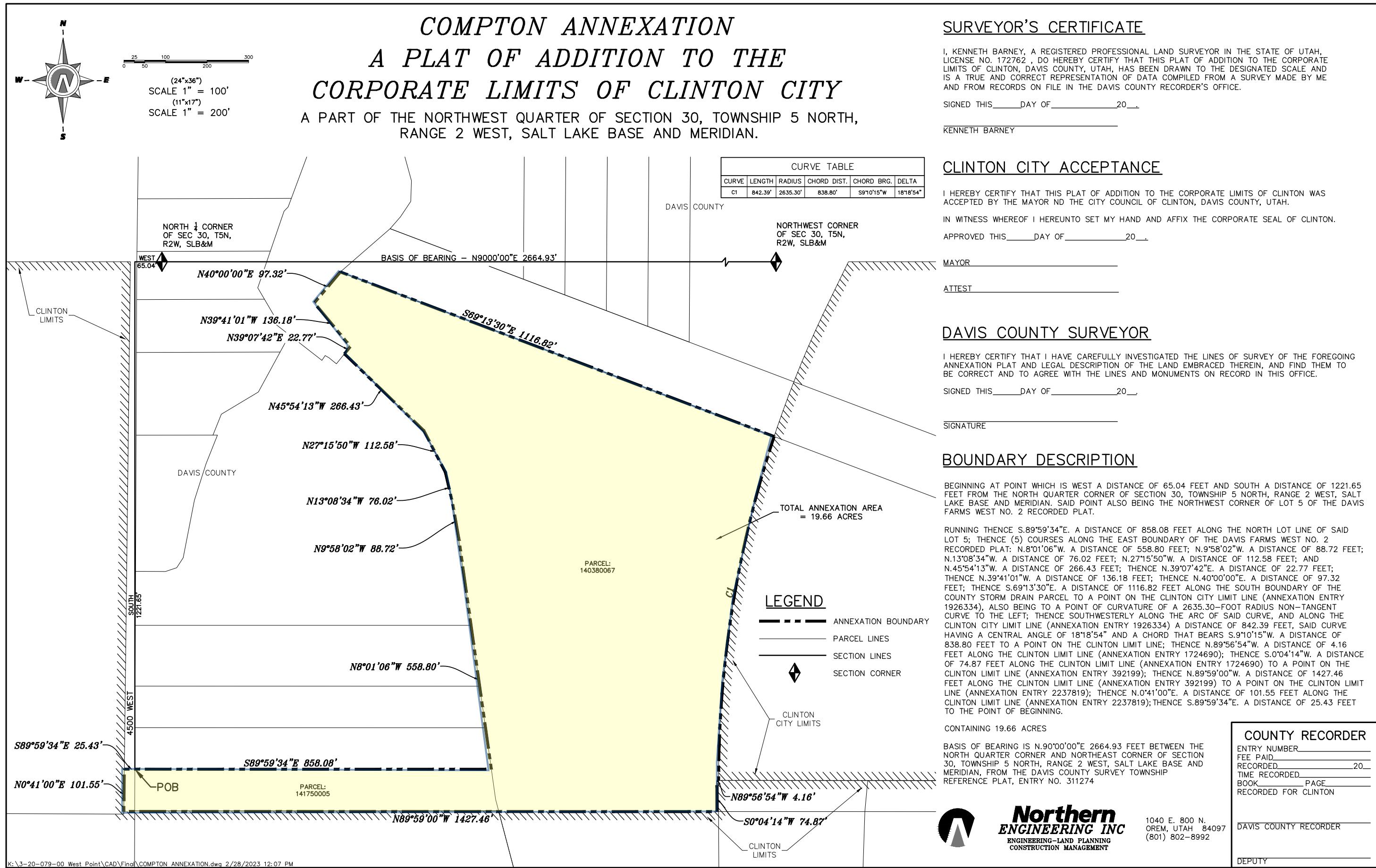
ATTACHMENT B



ATTACHMENT C



ATTACHMENT D





ATTACHMENT E

TRAIL POINT SUBDIVISION

Clinton City, Utah

DATA TABLE	
Area	34.90 acres
Front Load Towns	157
Rear Load Towns	109
Single Family	75
Total Units	341
Density	9.77 units/acre



civilsolutionsgroup inc.

CACHE VALLEY | P: 435.213.3762
SALT LAKE | P: 801.216.3192
UTAH VALLEY | P: 801.874.1432
info@civilsolutionsgroup.net
www.civilsolutionsgroup.net

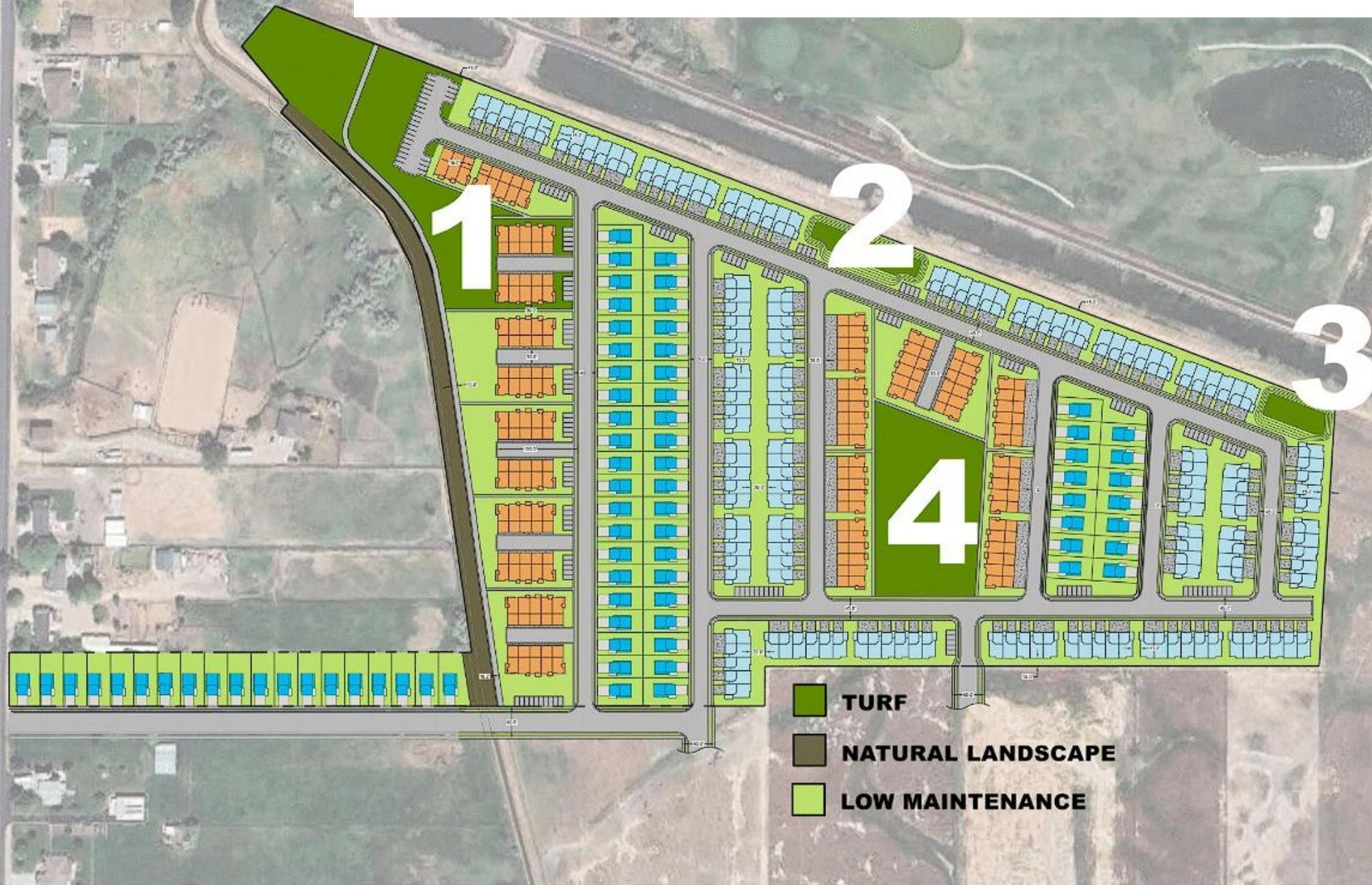


ATTACHMENT F

MAJOR OPEN SPACE AREAS

TRAIL POINT SUBDIVISION

Clinton City, Utah



ATTACHMENT G



ATTACHMENT H



TRAIL POINT

FRONT LOADED TOWNHOMES

LANDD

ATTACHMENT H



TRAIL POINT

FRONT LOADED TOWNHOMES

ATTACHMENT H



TRAIL POINT

FRONT LOADED TOWNHOMES

LANDD

ATTACHMENT H



TRAIL POINT

REAR LOADED TOWNHOMES

LANDD

ATTACHMENT H



TRAIL POINT

REAR LOADED TOWNHOMES

ATTACHMENT H



TRAIL POINT

REAR LOADED TOWNHOMES

ATTACHMENT H



TRAIL POINT



SINGLE-FAMILY

ATTACHMENT H



TRAIL POINT

SINGLE-FAMILY

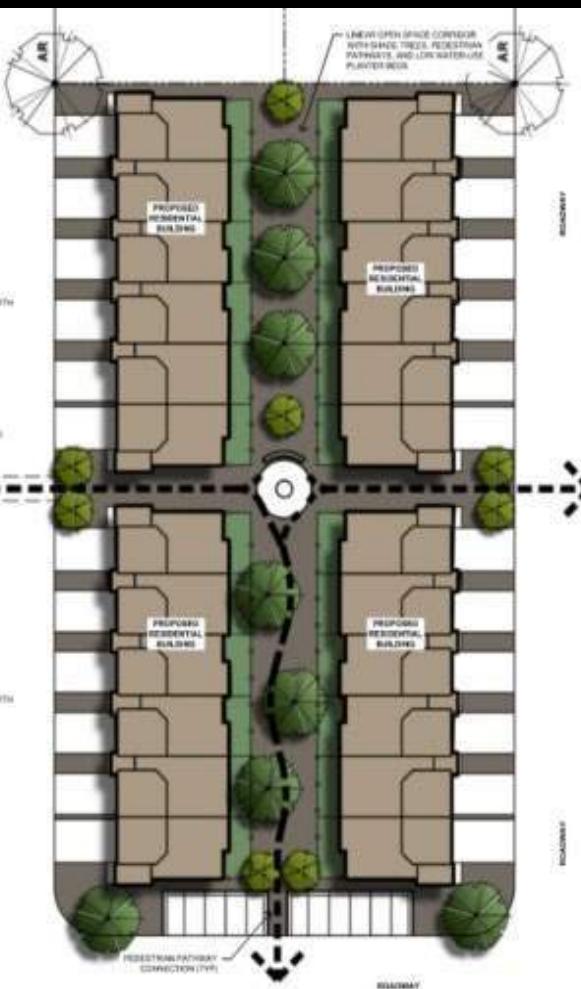
The **Trail Point** community is nestled at the West end of Clinton, Utah. Ideally situated near walking trails, Trail Point will have a mix of front and rear load townhomes as well as single family detached. The goal of Trail Point is to create attainable housing in a desirable area.

Within this neighborhood, a focused range of housing types will be offered to bring people of diverse ages and backgrounds into daily interaction, strengthening the personal and civic bonds that are essential to an authentic community.

Getting outside is essential to health and wellness. Outdoor open spaces will be designed to promote both active and passive recreation activities. Open space areas will include improvements such as pedestrian walkways, passive and active amenities, all with the intent to meet the recreational needs of residents and accommodate as many different users as possible.



ATTACHMENT I



NEIGHBORHOOD PARK:

PASSIVE OPEN SPACE WITH GATHERING SPACES, BENCH SEATING, AND PEDESTRIAN PATHWAYS;;
SITE FURNISHINGS: NATURE-THEMED BENCH SEATS AND TRASH RECEPTACLES;
PEDESTRIAN PATHWAYS WITH INTERIOR AND EXTERIOR CONNECTIONS;
TURFGRASS AREAS;
LOW WATER-USE PLANTER BED AREAS;

TRAIL POINT

AMENITY OFFERING

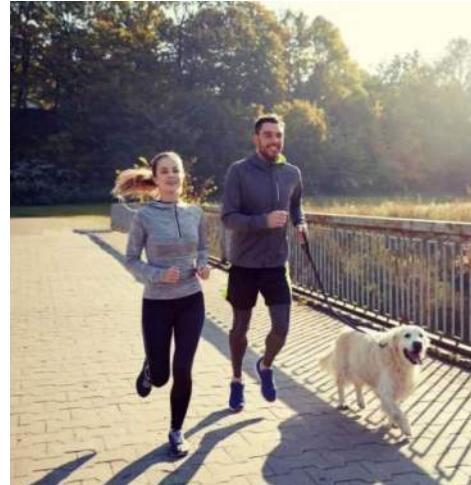
Getting outside is essential to health and wellness.

Trail Point will offer a network of pedestrian walkways, corridors, and parks to connect neighborhoods, and most importantly people. Open space areas will include improvements such as pedestrian walkways, passive and active amenities, outdoor reading libraries, potential pool and a community center.



Programmed community events and activities will make it easy to engage family and friends to spend quality time together. Open space will be developed in multiple phases and buildout timing will be based on growth and demand.

Fitness. Pedestrian circulation is intended on community trails, neighborhood trails, and sidewalks. Pedestrian walkways should connect the neighborhood with community amenities, not only within Trail Point but surrounding communities.



Fun. Parks allow for people to gather, relax and enjoy the outdoors. The green spaces typically feature elements such as benches and trees but may also include more active amenities like playground equipment.



ATTACHMENT I

Conservation. Water is a limited resource, so conservation efforts are critical in communities of this type. Trail Point will implement water-wise methods and vegetation where possible. A water-wise landscape is one that is functional, attractive, and easily maintained in its natural surroundings



ATTACHMENT J

**AGREEMENT FOR ANNEXATION AND DEVELOPMENT OF LAND
BETWEEN CLINTON CITY AND FOOTHILL DITCH LLC
(Approx. 2088 North 4500 West, Clinton, UT)**

THIS AGREEMENT for the development of land ("Agreement") is made and entered into this ____ day of ____, 20____, ("Effective Date") between Clinton City, a municipal corporation of the State of Utah ("City"), and Foothill Ditch, LLC ("Owner"). City and Owner collectively referred to as the "Parties" and separately as "Party."

RECITALS

WHEREAS, the City has received and considered a petition for the annexation of approximately 19.66 acres ("Annexation Area") into the City located at approximately 2088 North 4300 West, and further described on Exhibit A, attached hereto.

WHEREAS, Owner is the owner of certain property located at approximately 2088 North 4500 West in Clinton City, and consisting of the following tax identification numbers: 14-175-0005, 14-038-0067, & 14-038-0083, and further described on Exhibit B, attached hereto ("Subject Area");

WHEREAS, the overall Subject Area consists of approximately 34.90 acres;

WHEREAS, the City has considered an application to rezone approximately 34.90 acres of property located at approximately 2088 North 4500 West to R-M/PRD (Multiple Family Residential/Planned Residential Unit Development as depicted on Exhibit C, attached hereto;

WHEREAS Owner has presented a proposal for development of the Subject Area to the City, and such proposal is depicted on Exhibit D attached hereto ("Concept Plan");

WHEREAS the Parties intend to enter into this Agreement to allow Owner and City to agree on issues such as land use density, streetscape, amenities, utility infrastructure, and other development objectives prior to development of the Subject Area in accordance with the Concept Plan; and

WHEREAS the City believes that entering into the Agreement with Owners is in the best interest of the city, and the health, safety, and welfare of its residents.

NOW, THEREFORE each of the Parties hereto, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, covenant and agree as follows:

ARTICLE I DEFINITIONS

- 1.1. “City’s Undertakings” shall mean the obligations of the City set forth in Article III.
- 1.2. “Owners’ Undertakings” shall have mean the obligations of Owners, and their successors and assigns, set forth in Article IV.
- 1.3. “R-M/PRD” zoning shall mean a single and multiple family zoning district as set forth at Title 28, Chapter 7 of the City’s Zoning Ordinance. These zoning districts are further altered by the provisions set forth in Article IV.

2.

ARTICLE II CONDITIONS PRECEDENT

- 2.1 This Agreement shall not take effect until City has approved this Agreement pursuant to a resolution of the Clinton City Council.
- 2.2 R-M Zoning (Multiple-Family Residential) with the PRD (Planned Residential Development) Overlay Zoning consistent with Exhibit C is a condition precedent to Owner’s Undertakings in Article IV.
- 2.3 The Concept plan as shown on Exhibit D shall be deemed approved as part of this Agreement.

ARTICLE III VESTING

3.

- 3.1 **Current Zoning.** As of the effective date, no further zoning change or amendment to the zoning ordinances is needed to fully develop the Project in accordance with the General Layout.
- 3.2 **Vested Rights.** The Parties specifically intend and agree that this Agreement grants to the Owner “vested rights” to the maximum extent possible under law and equity, as that term is construed in Utah’s common law and pursuant to UTAH CODE § 10-9a-509. Accordingly, the Owner has the right to develop the property in accordance with the City’s ordinances in place as of the Effective Date, without modification by the City except as specifically provided in this Agreement.
- 5.2. **Vested Density.** Project is vested with residential uses at a base density of 8 units per gross acre, with a bonus density up to 12 units per gross acre. Bonus density calculations, shown in Section 4 below, qualify and vest Owner to 12 units per acre throughout the Subject Area. Residential product types vary as generally depicted on the General Layout.
 - 5.2.1. **Fees Not Vested.** This Agreement grants to Owner “vested rights” with the City code, not with City fees.
- 5.3. **Conflicts.** Development shall take place in accordance with the terms of this Agreement, the State Code, and the City’s code in effect on the Effective Date. In

the event of any conflicts, this Agreement shall control.

- 5.4. **Vested Use, Density, and General Configuration.** The City has adopted this Agreement to allow flexibility and innovation in site and building design for the Project as a whole in accordance with the requirements set forth herein. Approval of this Agreement expressly includes approval of Exhibit D. The approved use, density, and general configuration of the Project are vested as set forth in Exhibit D. Any material changes, meaning increase in density or significant changes in land use, including housing product types or street configuration will require an amendment to this Agreement. Other changes are not material and may be approved administratively by City staff. Unit density shall not exceed 12 units per gross acre.
- 5.5. **Reserved Legislative Powers.** Nothing in this Agreement shall limit the City's future exercise of its police power in enacting generally applicable amendments to its land use code after the Effective Date.

ARTICLE IV OWNERS' ASSOCIATION.

- 5.6. **Association Formation.** Prior to the final recording of any residential subdivision within the Subject Area, a Homeowner's Association ("HOA") shall be formed and organized and covenants, conditions, and restrictions applicable to the Project ("CC&Rs") shall be recorded against the Subject Area. Such CC&R's shall have provisions that require affirmative assent from not less than 67% of owners to Release or Amend covenants relating to maintenance of common area, open or limited open space.

ARTICLE V PRD OVERLAY & BONUS DENSITY CALCULATIONS

- 6.1. Owner shall provide the following amenities, which shall provide the bonus density shown below, per Clinton City Code. Amenities shall be of a quality, size, and design as the renderings shown in the Exhibits. All non-street areas outside the townhome building footprint shall be common area, open or limited open space owned and maintained by the HOA, and the City shall have no responsibility for maintenance of such areas. Likewise, the HOA shall have no obligation to allow public uses or access on any such amenities, open space, or common areas.

6.1.

Bonus Density Calculations	
Recreation and Site Amenities	
Site Amenities	
Amenities Provided	See Exhibit E
Bonus Density Earned	20%
City Dedication & Amenities	
Dedication & Amenities Provided	See Exhibits F & Exhibit G
Bonus Density Earned	15%
Bonus Density Earned	35%
Fencing Materials	
Vinyl with wood texture in color and appearance	
Bonus Density Earned	10%
Open Space Density Bonus	
Base Open Space Requirement	2.62 Acres
Open Space Provided	6.88 Acres
Bonus Density Earned	12%
Total Bonus Density Earned	57% (50% Maximum Allowed)

ARTICLE VI DEVELOPMENT OBLIGATIONS

7.1. Overall Site Amenities and Emigration Trail

7.1.1. **Emigration Trail:** Owner shall dedicate property for the Emigration Trail to the City as shown on Exhibit E. Owner shall construct a fence between the Trail area and the canal right of way. This fence shall be 6' semi-private vinyl with wood texture in color and appearance and including a mow strip.

7.1.2. Owner shall dedicate property for a public park to the City as shown on Exhibit F. The park shall also serve as a detention basin for the project. Developer will construct the parking and provide utility connections.

7.1.3. Setback from Trail. Setbacks shall be 10' from the emigration trail.

7.1.4. Developer will provide restroom facilities substantially similar to the facilities provided at Powerline Park that may consist of two single user fully accessible flush restrooms. Standard features include but are not limited to simulated barnwood textured walls, simulated cedar shake textured roof, vitreous china fixtures, 4-gallon water heater, interior and exterior lights, etc. Total cost of facility, to include installation, shall not exceed \$150,000.

7.1.3.7.1.5. Site Amenities. Site amenities are to be as shown on Exhibit “G”, which is expressly included as part of this Agreement and Agreement and deemed approved upon approval of this Agreement.

7.1.4.7.1.6. Fencing along the perimeter and interior of property will be a combination of private and semi-private vinyl with wood texture in color and appearance.

7.2. Architectural Offering.

- 7.2.1. Residential Design Standards. The following design standards are supplemental to the guidelines in Chapter 28-07 of the Clinton Municipal Code. Conceptual illustrations and renderings are shown on Exhibit “J”. Development of the Subject Area will have enhanced architectural design standards as a planned development to ensure quality exterior appearance. Compliance with these guidelines shall be made by the owner/home builder or their representative. The owner/home builder shall provide the City Community Development Department with a compliance letter before submitting for building permit review and approval.
- 7.2.2. 30% of all street-facing facades shall be finished with masonry or windows, not including the garage door area. For the purposes of this section, masonry shall include brick, stone or fiber cement siding, LP siding but shall not include stucco or similar products. In addition, architectural relief in the form of pop-outs, window surrounds, finish or color differentiation, or similar features shall be used on street facing side facades.
- 7.2.3. Application of exterior brick or rock materials: To achieve the appearance of masonry as a structural component of the architecture, exterior masonry materials shall extend beyond any exterior wall corner by a depth of at least 24" onto the adjoining (perpendicular) wall elevation. This requirement shall also apply to non-masonry exterior materials, such that transitions of materials do not occur at building corners. The uniform application of building materials at corners shall extend vertically up to the roof eaves.
- 7.2.4. Windows and doors on all façades shall be trimmed with wood, a wood-like fiber cement product, or a stucco pop-out that is a minimum of four inches (4") in width with the top and bottom of all window trim and the top of all door trim a minimum of six inches (6") in width.
- 7.2.5. Rooflines shall not be flat or at a low angle, generally described as less than 4:12 pitch.
- 7.2.6. Townhome units may have a single building elevation where the elevation has a range of materials (masonry, fiber cement siding, trim, etc.) and colors that provide a different look to adjoining buildings constructed.
- 7.2.7. Where the same single-family detached dwelling unit type is to be constructed side to side adjacent to or directly across the public street, a different elevation shall be used, including different exterior materials and color schemes.
- 7.2.8. Covered porches are required on all units and shall be supported by a minimum six-inch (6") wood or wood-like fiber cement post that extends from a minimum

of thirty-six inches (36") in height and a 12-inch (12") in width pedestal covered by the same masonry or fiber-cement siding used on the front facade.

7.2.9. Garbage cans for residences on shared private access shall be required by CC&R's to be placed for collection upon a public street or upon the stem of the drive between the edge of the building and the public street.

7.3. **Phasing.**

7.3.1. The Development Property may be developed in Phases.

7.3.2. The Development will be phased as justified market demand, subject to the specific requirement of this Agreement that necessary and adequate infrastructure be in place or constructed to ensure adequate and equal service to the property.

Planning for each phase will include planning for public infrastructure and improvements to be installed with each phase, in accordance with the Concept Plan, and as may be required as phased development proceeds.

7.4. **Transfer of Units.**

7.4.1 Owner may sell or transfer one or more portions of the Project to one or more sub-developers ("Successor Developer"), selected by Owner. Owner may do so without modification of this Agreement. The terms of such sale shall expressly include the transfer of the rights and obligations to develop the Successor Developer's portion of the Project in accordance with this Agreement. Upon such sale Successor Developer will inure to all rights and obligations under this Agreement with respect to the portion of the Property sold to the Successor Developer, and Owner will no longer be obligated under this Agreement in any respect with regard to the portion of the Property sold to the Successor Developer. The City agrees to release Owner from any obligation under this Agreement upon Owner providing proof of acceptance of the obligation to be released from its successor. Owner will retain all rights and obligations hereunder with respect to unsold or untransferred portions of the Property.

7.5. **System Infrastructure & Reimbursement.**

7.5.1 Owner or Successor Developers may, from time-to-time, install and construct System Improvements (as that term is defined in the Utah Impact Fees Act) for the benefit of the Public. To the extent that such improvements go beyond the Project's proportionate impact, the Town shall add such improvements to its impact fee facilities plan, and reimburse or credit Owner for such facilities as required by the rough proportionality test found in Utah Code § 10-9a-508, and in the Nollan/Dolan line of cases and by the Utah Impact Fees Act.

7.5.2 **The City shall** not require the Owner to "upsize" any public improvements (i.e., to construct the improvements to a size larger than required to service the Project) unless the City agrees to reimburse Owner for the marginal cost difference of the

upsizing.

7.6. Lift Station Upgrades

- 7.6.1. Owner will upgrade the Cranefield Lift Station for the purpose of increasing its capacity to serve both the Project and future users. Owner shall do so at its expense, subject to reimbursement of the costs of upsizing the lift station beyond the capacity needed for the project.
- 7.6.2. City will add the lift station to the City's Impact Fee Facilities Plan applicable to the portions of the City that will use the lift station capacity. The impact fees collected for this capacity shall be paid to Owner upon receipt by the City, as reimbursement for the Developer's installation of additional capacity.
- 7.6.3. Exhibit H to this Agreement shows the properties, including the properties in West Point City, which are to be served by the lift station.
- 7.6.4. General utility connection points are shown on Exhibit I.

ARTICLE VII GENERAL REQUIREMENTS

- 8.1. **Issuance of Permits – Owners.** City shall not unreasonably withhold or delay the issuance of any permits except as defined in sections above.
- 8.2. **Completion Date.** The Owners shall, in good faith, reasonably pursue completion of the development. Each phase or completed portion of the project must independently meet the requirements of this Agreement and the City's ordinances and regulations, such that it will stand alone, if no further work takes place on the project.
- 8.3. **Warranty Bonds.** Master Developer shall be permitted to post a letter of credit from a federally insured financial institution in a form reasonably acceptable to the City and from an institution for all warranty bonds required for the development of the Property.
- 8.4. **Access to the Subject Area.** For the purpose of assuring compliance with this Agreement, so long as they comply with all safety rules of Owner and its contractor, representatives of City shall have the right of access to the Subject Area without charges or fees during the period of performance of Owners' Undertakings.

ARTICLE VIII REMEDIES

- 9.1. **Remedies for Breach.** In the event of any default or breach of this Agreement or

any of its terms or conditions, the defaulting Party or any permitted successor to such Party shall, upon written notice from the other, proceed immediately to cure or remedy such default or breach, and in any event cure or remedy the breach within thirty (30) days after receipt of such notice. In the event that such default or breach cannot be reasonably be cured within said thirty (30) day period, the Party receiving such notice shall, within such thirty (30) day period, take reasonable steps to commence the cure or remedy of such default or breach, and shall continue diligently thereafter to cure or remedy such default or breach in a timely manner. In case such action is not taken or diligently pursued, the aggrieved Party may institute such proceedings as may be necessary or desirable in its opinion to:

- 9.1.1 Cure or remedy such default is pursued, including, but not limited to proceedings to compel specific performance by the Party in default or breach of its obligations; and
- 9.2. If Owners fail to comply with applicable City codes, regulations, laws, agreements, conditions of approval, or other established requirements, City is authorized to issue orders requiring that all activities within the development cease and desist, that all work therein be stopped, also known as a “Stop Work” order.
- 9.2.1. **Enforced Delay Beyond Parties’ Control.** For the purpose of any other provisions of this Agreement, neither City nor Owners, as the case may be, nor any successor in interest, shall be considered in breach or default of its obligations with respect to its construction obligations pursuant to this Agreement, in the event the delay in the performance of such obligations is due to unforeseeable causes beyond its fault or negligence, including, but not restricted to, acts of God or of the public enemy, acts of the government, acts of the other Party, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes or unusually severe weather, or delays of contractors or subcontractors due to such causes or defaults of contractors or subcontractors. Unforeseeable causes shall not include the financial inability of the Parties to perform under the terms of this Agreement.
- 9.2.2. **Extension.** Any Party may extend, in writing, the time for the other Party’s performance of any term, covenant or condition of this Agreement or permit the curing of any default or breach upon such terms and conditions as may be mutually agreeable to the Parties; provided, however, that any such extension or permissive curing of any particular default shall not operate to eliminate any of any other obligations and shall not constitute a waiver with respect to any other term, covenant or condition of this Agreement nor any other default or breach of this Agreement.
- 9.2.3. **Rights of Owners.** In the event of a default by Owner’s assignee, Owner may elect, in their discretion, to cure the default of such assignee, provided, Owner’s cure period shall be extended by thirty (30) days.

ARTICLE IV GENERAL PROVISIONS

- 10.1. **Successors and Assigns of Owner.** This Agreement shall be binding upon Owner and their successors and assigns, and where the term “Owner” is used in this Agreement it shall mean and include the successors and assigns of Owner not approved by City. Notwithstanding the foregoing, City shall not unreasonably withhold or delay its consent to any assignment or change in ownership (successor or assign of Owner) of the Subject Area.
- 10.2. **Notices.** All notices, demands and requests required or permitted to be given under this Agreement (collectively the “Notices”) must be in writing and must be delivered personally or by nationally recognized overnight courier or sent by United States certified mail, return receipt requested, postage prepaid and addressed to the Parties at their respective addresses set forth below, and the same shall be effective upon receipt if delivered personally or on the next business day if sent by overnight courier, or three (3) business days after deposit in the mail if mailed. The initial addresses of the Parties shall be:

To Owners: Foothill Ditch LLC
c/o Landd
55 N. University Ave., Ste. 100
Provo, UT 84601
Attn: Mike Hatch, President

To City: Clinton City Corporation
2267 North 1500 West
Clinton City, UT 84015
Attn: Trevor Cahoon, City Manager

Upon at least ten (10) days prior written notice to the other Party, either Party shall have the right to change its address to any other address within the United States of America.

If any Notice is transmitted by email or similar means, the same shall be deemed served or delivered upon confirmation of transmission thereof, provided a copy of such Notice is deposited in regular mail on the same day of transmission.

- 10.3. **Third Party Beneficiaries.** Any claims of third-party benefits under this Agreement are expressly denied, except with respect to permitted assignees and successors of Owner.
- 10.4. **Governing Law.** It is mutually understood and agreed that this Agreement shall be governed by the laws of the State of Utah, both as to interpretation and performance. Any action at law, suit in equity, or other judicial proceeding for the enforcement of this Agreement or any provision thereof shall be instituted only in the courts of the State of Utah.

- 10.5. **Integration Clause.** This document constitutes the entire agreement between the Parties and may not be amended except in writing, signed by the City and the Owner or Owners affected by the amendment.
- 10.6. **Exhibits Incorporated.** Each Exhibit attached to and referred to in this Agreement is hereby incorporated by reference as though set forth in full where referred to herein.
- 10.7. **Attorneys' Fees.** In the event of any action or suit by a Party against the other Party for reason of any breach of any of the covenants, conditions, agreements or provisions on the part of the other Party arising out of this Agreement, the prevailing Party in such action or suit shall be entitled to have and recover from the other Party all costs and expenses incurred therein, including reasonable attorneys' fees.
- 10.8. **Recordation.** This Agreement shall be recorded upon approval and execution of this agreement by the Owner, whose property is affected by the recording and the City.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives effective as of the day and year first above written.

CLINTON CITY CORPORATION:

Brandon Stanger, Mayor

ATTEST:

Lisa Titensor, City Recorder

I (we), _____, _____ being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached agreement and that the statements contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

Mike Hatch
President of Foothill Ditch LLC / Landd

Subscribed and sworn to me this _____ day of _____ 20____

Notary Public

Residing in: _____

My Commission Expires: _____

DRAFT #3 08-21-24

|

EXHIBIT A
ANNEXATION AREA



EXHIBIT B
SUBJECT AREA



EXHIBIT C
ZONING MAP

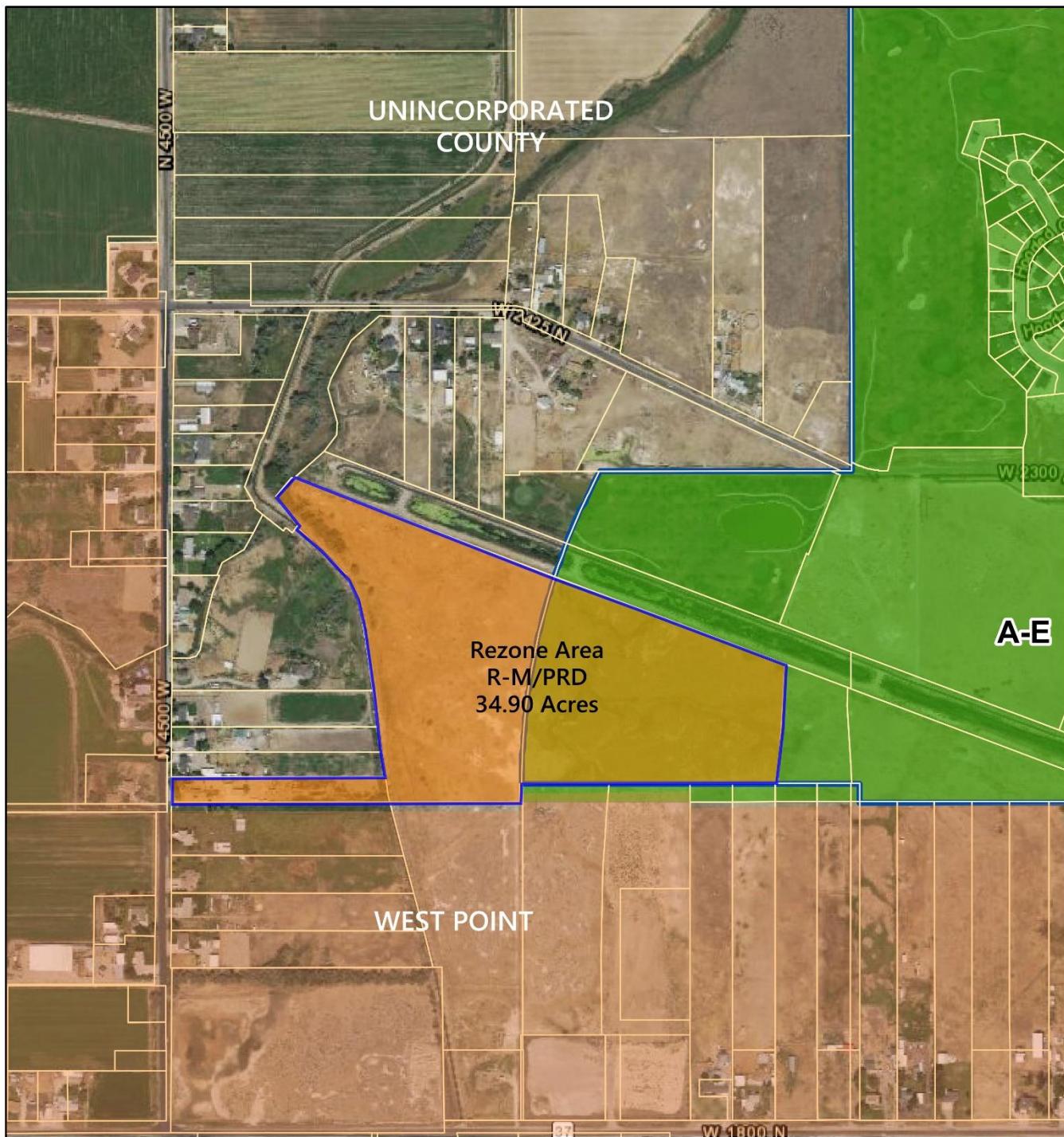


EXHIBIT D CONCEPT PLAN



TRAIL POINT SUBDIVISION

Clinton City, Utah

DATA TABLE	
Area	34.90 acres
Front Load Towns	157
Rear Load Towns	109
Single Family	75
Total Units	341
Density	9.77 units/acre



civil**solutions****group****inc.**
CACHE VALLEY P: 435.313.3702
SALT LAKE P: 801.216.1192
UTAH VALLEY P: 801.874.4432
info@civilsolutionsgroup.net
www.civilsolutionsgroup.net



EXHIBIT E
EMIGRATION TRAIL

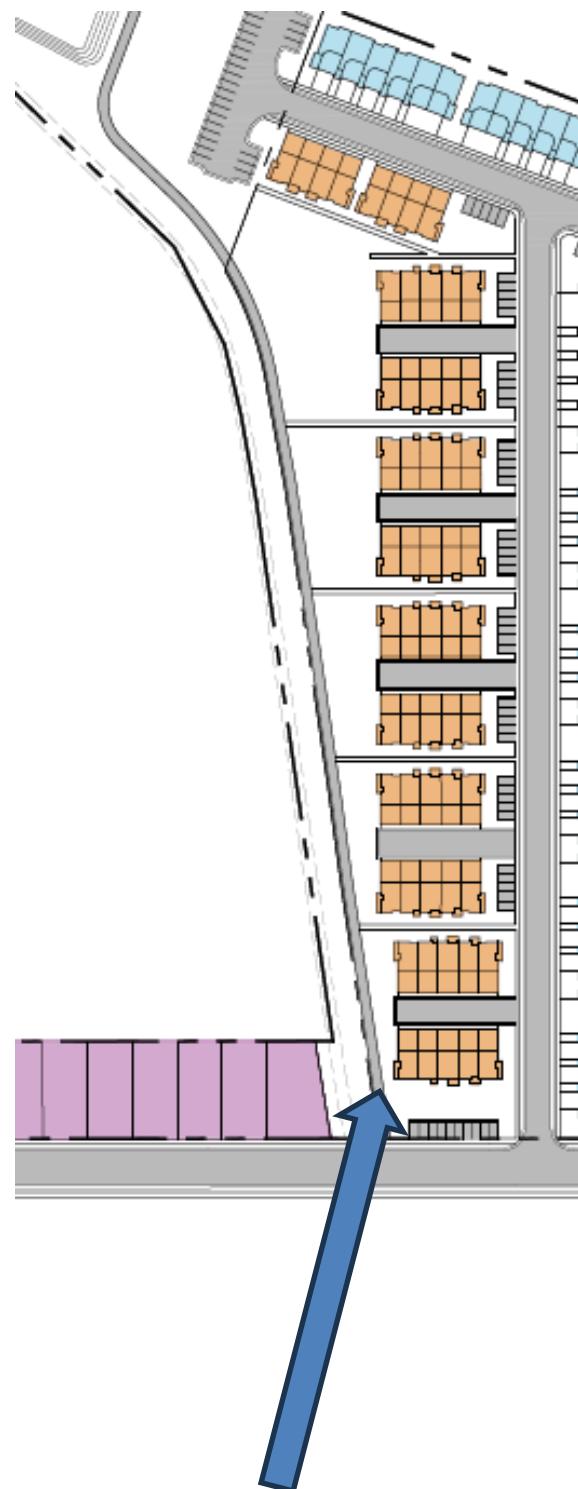
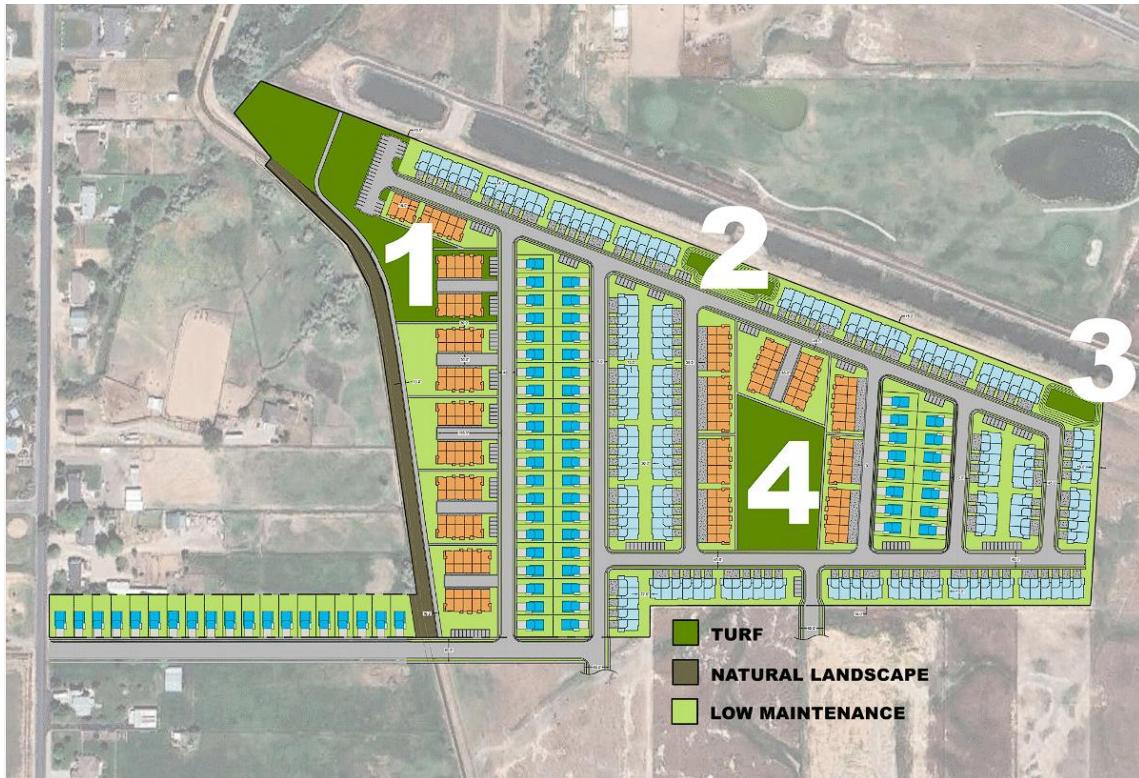


EXHIBIT F
PARK DEDICATION



EXHIBIT G
SITE AMENITIES



5-12 TOT LOT	1
BENCHES	2
PET WASTE STATIONS	2
SIDEWALKS	300'
TREES	62

TRAILSIDE
SITE 1



EXHIBIT G
SITE AMENITIES

SOCCER PARK
SITE 2

TABLE SOCCER PAIR	1
CHES	2
WASTE STATIONS	1
ES	11





DOG PARK
SITE 3

BENCHES	4
PET WASTE STATIONS	1
TREES	8
FENCING	350'





EXHIBIT G
SITE AMENITIES

5-12 TOT LOT	1
PAVILION (20X20)	1
GREEN VALLEY TABLE 8'	4
PICKLEBALL COURT	2
TRASH RECEPTACLES	2
BENCHES	4
PET WASTE STATIONS	2
SIDEWALKS	350'
TREES	73

CENTRAL
SITE 4



EXHIBIT H
GENERAL UTILITY CONNECTION POINTS



EXHIBIT I
CONCEPTUAL BUILDING ELEVATIONS
FRONT LOADED TOWNHOMES



DRAFT #3 08-21-24

EXHIBIT I
CONCEPTUAL BUILDING ELEVATIONS
FRONT LOADED TOWNHOMES



EXHIBIT I
CONCEPTUAL BUILDING ELEVATIONS
REAR LOADED TOWNHOMES



EXHIBIT I
CONCEPTUAL BUILDING ELEVATIONS
REAR LOADED TOWNHOMES



EXHIBIT I
CONCEPTUAL BUILDING ELEVATIONS
SINGLE-FAMILY HOMES



CLINTON CITY

COUNCIL AGENDA ITEM

SUBJECT: Ordinance 24-04 Establishing a New RAP Tax Committee and Repealing the Community Arts Board and Parks Advisory Board	AGENDA ITEM: B
PETITIONER: City Manager Trevor Cahoon, Recreation Director Brooke Mitchell	MEETING DATE: August 27, 2024
RECOMMENDATION: Adopt Ordinance 24-24 establishing and adopting Chapter 14A of Title 2 of the Clinton City Code, creating a Recreation, Arts and Parks Tax Advisory Committee and repealing Chapter 14 of Title 2 of the Clinton City Code relating to the establishment of the Clinton City Community Arts Board and Chapter 11 of Title 19 of the Clinton City Code relating to the Public Parks Advisory Board	TYPE OF VOTE: ROLL CALL
FISCAL IMPACT:	
SUMMARY: With voters passing the RAP Tax in last year's election staff is proposing the City create a RAP Tax Committee to work with the Recreation Director and Public Works Director to recommend to the City Council uses of the RAP tax revenues collected and the establishment of recreation, arts and parks, related facilities and activities to meet the needs of the citizens of Clinton City. With the creation of this RAP Tax committee, staff is recommending the City Council repeal in their entirety the Community Arts Board and Parks Advisory Board. And that recreation, arts and parks members of the RAP Tax Committee may establish sub-committees to carry out activities and outreach programs to members of the community.	
ATTACHMENTS:	

ORDINANCE NO. 24-04

AN ORDINANCE OF THE CLINTON CITY COUNCIL ADOPTING CHAPTER 14A OF TITLE 2 OF THE CLINTON CITY CODE CREATING A RECREATION, ARTS AND PARKS TAX ADVISORY COMMITTEE AND REPEALING CERTAIN SECTIONS OF THE CLINTON CITY CODE

WHEREAS, in the November 21, 2023 General Election, the voters approved the implementation of 0.1% sales and use tax to fund park improvements, recreational improvements and cultural facilities and organization within the City, also known as the Recreation, Arts and Parks Tax; and

WHEREAS, the City has determined that the creation of a Recreation, Arts and Parks Tax Advisory Committee will support the general welfare of the City and will promote the fiscal responsibility and protect the use and integrity of the funds collected and for the benefit of the public; and

WHEREAS, the City has determined that the establishment of a Recreation, Arts and Parks Tax Advisory Committee necessitates the dissolution of the Clinton City Community Arts Board and the Public Parks Advisory Board and the repeal of their associated City Code Sections; and

WHEREAS, the City Council has held a public hearing and now desires to adopt the proposed ordinance creating the Recreation, Arts and Parks Tax Advisory Committee;

Now, Therefore, Be It Ordained by the Municipal Council of the Clinton City, Utah as follows:

Section 1. Repeal. Chapter 14 of Title 2 of the Clinton City Code relating to the establishment of the Clinton City Community Arts Board is hereby repealed in its entirety.

Section 2. Repeal. Chapter 11 of Title 19 of the Clinton City Code relating to the Public Parks Advisory Board is hereby repealed in its entirety.

Section 3. Adoption. Chapter 14A of Title 2 the Clinton City Code is hereby adopted and codified to read in its entirety as shown on Exhibit A, attached hereto and incorporated herein by reference.

Section 4. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 5. Effective Date. This Ordinance shall take effect on October 1, 2024.

PASSED AND APPROVED THIS 27th DAY OF AUGUST, 2024.

BRANDON STANGER, MAYOR

ATTEST:

LISA TITENSOR
City Recorder

EXHIBIT A

ORDINANCE

RECREATION, ARTS AND PARKS TAX ADVISORY COMMITTEE (RAP TAC)

2-14A RECREATION, ARTS AND PARKS TAX ADVISORY COMMITTEE (RAP TAC):

2-14A-1 Creation

There is hereby created the Recreation, Arts and Parks Tax Advisory Committee (RAP TAC) to recommend to the City Council uses of the RAP tax revenues collected and the establishment of recreation, arts and parks, related facilities and activities to meet the needs of the citizens of Clinton City.

2-14A-2 Members

- (1) Number: The committee shall be comprised of not more than nine (9) volunteer voting members, over the age of eighteen (18) who reside in the city; three (3) of which shall have demonstrated knowledge and experience in recreation, three (3) of which shall have demonstrated knowledge and experience in arts and three (3) of which shall have demonstrated knowledge and experience in parks. These voting members shall be appointed by the Mayor with the advice and consent of the City Council. The committee shall also be comprised of three (3) non-voting liaisons; the Recreation Director, the Public Works Director, or their assigns, and one (1) of the City Council members which will be assigned by the Mayor, with the advice and consent of the City Council.
- (2) Term: The members shall be appointed to staggered terms of two (2) years, provided that members may be appointed to terms shorter than two (2) years when necessary to provide for staggered terms. These terms are renewable. Committee members may be appointed for three (3) terms but no more than six (6) years. No former member of the committee shall be eligible for re-appointment unless one (1) year has passed since that former member last served on the committee.

2-14A-3 Organization And Procedure

- (1) Chair: The members of the committee shall by majority vote annually elect one (1) of the members to be the chair. The chair shall serve for a term of one-year, which term may be renewed. The chair shall conduct the meetings and oversee the proceedings and activities of the advisory committee. The chair shall give a report to the City Council regarding the committees' activities and proposals. Such reports shall be provided at least semi-annually and more frequently as requested or directed by the City Council.

- (2) Quorum: Five (5) members shall be required for a quorum. Voting shall be by majority rule of that quorum, with a minimum of five (5) votes in favor for passage of a recommendation onto the City Council. Items not passed by a minimum of five (5) votes in favor, shall be passed on to the City Council without a recommendation.
- (3) Rules: The advisory committee may adopt reasonable rules and regulations in accordance with this section to govern the conduct of its business. The rules and regulations shall be adopted by Resolution with approval from the City Council.
- (4) Meetings: The advisory committee shall meet at least quarterly, but may conduct additional meetings needed to accomplish their duties and responsibilities with the consent of the majority of the committee members.

2-14A-4 Duties:

It shall be the duty of the advisory committee to act in an advisory and voluntary capacity in recommending to the City Council uses of the RAP tax revenue collected related to facilities and activities to meet the needs of the citizens of Clinton City, including, but not limited to, the following:

- (1) In coordination with the Recreation Director and Public Works Director, what facilities and activities the RAP tax revenue collected should be used for.
- (2) Provide input on the planning and approval process for city developments with the RAP tax revenue.
- (3) Projects, legislation, policies, funding allocations and other measures, programs or activities for the development of recreation, arts and parks opportunities for the benefit of city residents.
- (4) Carry out projects, programs or activities as directed by the City Council, Recreation Director and Public Works Director.
- (5) With the consent of the Mayor and City Council, create subcommittees, if necessary, in the three (3) areas of: recreation, arts and parks to help carry out the purposes of the advisory committee.
- (6) Initiate, sponsor and promote involvement, activities and contributions by the private sector for the development of recreation, arts and parks for the residents of the city.
- (7) Subsequent appointments to the committee.

2-14A-5 Removal and Vacancy

- (1) Any voting member of the committee may be removed from office with or without cause by a majority vote of the City Council.
- (2) If any voting member does not attend three (3) consecutive meetings, the committee by majority vote, may recommend to the Mayor and City Council to remove the absent member and provide a replacement member for the remainder of the existing term.
- (3) A voting member's seat automatically becomes vacant if that member establishes residence outside the City boundary, or lives outside the boundary for more than thirty (30) consecutive days without the approval of the City Council.

2-14A-6 Records and Public Notice

- (1) The Recreation, Arts and Parks Tax Advisory Committee (RAP TAC) shall record and keep regular minutes of its meetings. Such records shall be open to the public pursuant to the current City and State Codes.
- (2) Meetings of the Recreation, Arts and Parks Tax Advisory Committee (RAP TAC) shall be noticed in accordance with the current State Code pertaining to public meetings.

CLINTON CITY

COUNCIL AGENDA ITEM

SUBJECT: Letter of Intent to Purchase Vacall AJVR 1015 Combination Vac Truck	AGENDA ITEM: C
PETITIONER: Kasey Jensen, David Williams,	MEETING DATE: 08/27/2024
RECOMMENDATION: Sign the Letter of Intent for the purchase of the Vacall AJVR 1015 for \$623,714.23 in July 2026	TYPE OF VOTE: Roll Call
FISCAL IMPACT: \$300,000 in current budget, \$81,000 from sewer and storm drain accounts in FY2025 and FY2026	

BACKGROUND

The current sewer truck used by the Public Works Department is aging and increasingly requiring repairs that are costly and cause extended downtime. Given the critical nature of maintaining our sewer and stormwater systems, reliable equipment is essential. The proposed new sewer truck will enhance our efficiency and effectiveness in responding to sewer line maintenance and emergency situations.

The current combination vac truck is a 2012 Freightliner Aquatech. It has 5500 engine hours which is approximately equal to 165,000 miles on the engine. The truck has 30,000 driven miles on it. The average replacement timeline for this type of truck is 8-12 years. Our truck is now 12 years old and over the last few years has needed over \$60,000 in repairs. As the truck ages, repair costs will increase and eventually it may not be able to be repaired. It is time to replace the Vac Truck. The delivery time on a new truck is approximately 24 months. This will put our truck well past its service life by the time a new truck can be delivered.

Importance to the City

The Vac truck is used in a variety of situations. Its primary function is sewer maintenance. We clean and maintain 1/3 of our sewer system each year, about 30 miles. It is used to clean and maintain about 1/3 of the land drain system each year, about 20 miles. The truck is used to clean and maintain the storm drain system, oil/water separators, sediment basins, and illicit discharge clean ups. The truck is used by all the departments to pothole utilities for their work like potholing sprinkler lines, sign bases, and street lights. The vac truck is a key piece of equipment for water leaks and emergency repairs. It can be used more than a backhoe on a water leak. The Vac truck is as critical to the public works department as a fire engine is to the fire department.

One example of the benefit of having our own Vac truck is this year a sewer plug occurred in the 1000 West line near 1300 North. We were able to respond quickly without having to wait for a 3rd party service to arrive to clean the line. We were able to remove the plug with minimal damage to 2 homes.

Different Types of Vac Trucks

As with any other type of vehicle, there are many types of Vac trucks. We have had a multiple types of vac trucks, discussed vac trucks with other cities and districts, and researched current options for Vac trucks. Our determination is that the best truck for public works is a rear reel vac truck. This is the type of truck that we currently have and it provides a buffer between traffic and our operator. It is quieter to operate since it is not by the engine and allows the operator to better hear the cleaning operation and communicate with other employees during cleaning or emergency situations. The truck engine puts off a lot of heat during operation. With the reel in the rear, it keeps the operator away from heat of the engine on hot summer days.

Cost Proposals

The July 2026 purchase price for the Vacall AJVR 1015 is \$609,714.23 with a one-year warranty. The quote is attached. Vacall gave an option for an additional 4-year warranty for \$14,000. Vacall will also lock in the purchase price now so that we will not see any inflation in pricing when the truck is delivered in 2 years.

The July 2026 purchase price for the Vactor 2100i quote is \$663,790 with a one-year warranty. The quote is attached. The price includes a manufacture estimated 6% inflation per year for 2025 and 2026. We calculated the inflation numbers and they are shown on the attached quote. Their quote has a disclaimer that “Pricing And Availability Is Subject to Change Pending Availability of The Chassis or Any Manufacturer Surcharges”. They cannot guarantee that the \$663,790 will be the final pricing in July 2026.

Vac-Con is another supplier of Vac trucks. Syracuse, Ogden, and Provo cities have all had Van-Con trucks and each has said they will not buy another Vac-Con. Based their feedback, we do not recommend a Vac-Con truck. We reached out the to supplier for a comparable quote and as of today have not received the quote.

VAC Truck Recommendation

We recommend purchasing the Vacall AJVR 1015 for \$623,714.23 with the 5-year warranty. This is the rear reel truck that we believe will best meet our needs. We have done previous work with this vendor and they have always done good work and met our needs.

As part of our research, we saw a 10-year-old Vacall truck. It was in Evanston, WY and services more miles of sewer lines than we do. It was in much better condition than ours. They have never had problems with their pumps and no corrosion on the debris body or water tank. In talking with their service department, they have had no major failures on any of the equipment and stated their overwhelming approval of the Vacall and would buy another one in a heartbeat. After 10 years of service life, theirs did not need to be replaced.

Payment Proposal

Vacall does not require any payment upfront to start manufacturing the truck. Vacall is requesting a letter of intent (LOI) to purchase the truck. This will allow Vacall to start manufacturing the truck and will lock in our final purchase price. In the LOI, Clinton City has until August 1, 2025 to cancel the agreement if we determine that we do not want the truck. See the attached LOI.

Delivery of the truck will be around July 2026. Funding for the truck can be spread out over 3 fiscal years with payment due at time of delivery. The current budget year has \$300,000 budgeted for a new truck. \$150,000 in the Sewer budget and \$150,000 in the storm drain budget. With truck purchase spanning 3 fiscal years, the remaining amount can be budgeted in 2025 and 2026. This would require a budget of \$81,000 from sewer and storm drain accounts per year.

Council Recommendation

We recommend that the council sign the Letter of Intent for the purchase of the Vacall AJVR 1015 for \$623,714.23.

ATTACHMENTS: Letter of Intent to Purchase, Vacall AJVR Quote, Vactor 2100i Quote

August 27, 2024

Neverest Equipment Company Utah
740 West 1700 South #4
Salt Lake City, Utah 84104

Overview:

As of August 27, 2024, Subject to the terms and conditions described herein, Clinton City hereby expresses the intention to purchase a Vacall AJVR 1015 Combination Vac/Jet Sewer Truck from Neverest Equipment Company Utah, with options as outlined herein. Quote #23540. (Exhibit A)

1. Purchase Price

Total Price: \$623,714.23

Supplied in accordance with Utah State Contract # MA_2150

2. Cancelation Deadline Date

If for any reason Clinton City funding is disrupted, this order must be canceled before 5:00 pm August 1, 2025 to cancel this agreement.

3. Changes

Changes of a minor nature to the Cleaner Build may be made until October 1, 2024. No major changes effecting the chassis or Base Model build will be allowed at any time. Change orders may trigger price changes accordingly. All changes will be reflected in writing and with an updated Exhibit A signed off by both parties.

4. Build Date

Build is to be scheduled Q2 2025.

5. Delivery of Truck

Delivery is hereby scheduled for Q3 2026, with a grace period of up to 90 days for unforeseen circumstances beyond reasonable control of the suppliers.

By _____ Date _____ By _____
Clinton City Brad Vercimak, Neverest Equipment Company



VACALL™

AJVR 1015

Quote Date: 8/19/2024

Quote: 23540

PWO:

Sales Order: Estimated

Ship Date: 6/1/2026

Buyer: Neverest Equipment Company
6681 Colorado Blvd, Unit 5
Commerce City, CO 80022
USA

Ship To: Neverest Equipment Company
6681 Colorado Blvd, Unit 5
Commerce City, CO 80022
USA

Customer: Clinton City **SALLY**

Customer PO: Utah State Contract # MA 2150

Supplied By: Vacall Supplied

Chassis Description: Vacall Supplied, New, Freightliner, 370 HP, Auto, No BOC, Non-CARB, F2

Chassis Arrival Date:

Chassis Make: Freightliner

Chassis Paint Code: L0006EB White Elite BC ; 14405143

Chassis Model: 108SD/SBA

Spec Code: F2 25 1 182" CA

Chassis Year:

HP: 370 @ 2100 RPM

Chassis VIN#:

Vacall Part#: _____

GVW: 60,000

Transmission: Allison 3000 RDS Automatic 6-Speed

Engine Model: Cummins L9 370 HP

Model	Quantity	Description
AJVR 1015	1	10 CUBIC YARD/1500 GALLON REAR BOOM AND HOSE REEL
Chassis		
_____	1	Electric Back Up Alarm
_____	1	Fenders
_____	1	Mud Flaps Behind Rear Tires
_____	1	Rear Dot Under Ride Protection (Bumper)
_____	1	Factory Mounting Tandem Axle
_____	1	Tow Hooks - Rear
Paint		
_____	1	Powder Coat Subframe, Power Frame, Hose Reel Mount And Base, And Exhaust Silencer Black
_____	1	Air/Water Separator Exterior Only Powder Coated Black
14405142	1	Powder Coat Unit Gradall Black Part# 14405142 (Excludes Cab / Chassis)
_____	1	Debris Tank Galvanized With The Supreme Finish (Lifetime Warranty-Corrosion)
Power Module		
_____	1	Direct Drive For Vacuum Pump
_____	1	Hydraulic Temp / Level Sight Eye
_____	1	Shut-Off Valve(S) On Suction Side
_____	1	Transfer Case
_____	1	Variable Volume 2.7 Cir Hydraulic Piston Pump Direct Mounted To Tc For Hydraulic Functions
_____	1	Hydrostatic Drive For Water Pump Flows To 85gpm@2000psi (115 HP Max)
_____	1	Platform And Steps On Power Frame
_____	1	Transfer Case Remote Sight Glass And Fill
Debris Tank		
_____	1	Single Hoist Cylinder
_____	1	Stainless Steel Float Ball Shut-Off
_____	1	Tailgate Power Up / Down, Hydraulic Locks
_____	1	Single Debris Body Safety Prop
_____	1	Carbon Steel Float Ball Cage
_____	1	Single Rear Door Safety Prop
_____	1	Carbon Steel Splash Shield
_____	1	Float Level Indicator With Stainless Steel Ball (Not Used With Recycler Option)
_____	1	Ground Level Grease Fitting For Float Level Indicator (Not Used With Recycler Option)
_____	1	Ground Level Grease Fitting For Hoist Cylinder
_____	1	Ground Level Grease Manifold For Tailgate Hinge And Lock Assembly

	1	Internal Tank Flusher-Full Flow (Not Required with Recycler Option)
Debris Tank Decant	1	Low Profile
	1	6" Decant Port On Rear Door With 6" X 20'-0" Layflat Hose & Storage Basket
	1	4" Valve On Sludge Pump Inlet - Brass Slide Gate
	1	6" Drain Valve - Brass Slide Gate
	1	Sludge Pump System On Rear Door 4" Hydraulic (710 GPM@10' Head)
	1	Decant Port Screen (304 SS)(In Lieu Of Carbon Steel Screen)
	1	Sludge Pump Port Screen (304 SS)(In Lieu Of Carbon Steel Screen)
Water Tank		
	1	4" Air Gap Water Tank Fill
	1	Water Tank Electronic Level Indicator In Front Control Panel Display
	1	2-1/2" Y-Strainer On Fill Line
	1	Sight Level Tube On Passenger Side Water Tank
	1	Anti-Splash Valve
High Pressure Water System		
	1	Drain Valve In Water Pump Supply Line
	1	Pressure Relief Valve
	1	Strainer On Water Pump Inlet (Not Used On Recycler Models)
	1	Valve On Water Pump Inlet
	1	Water Distribution Manifold (Centrally Located)
	1	87 G.P.M./2000 PSI -120 HP
	1	Passengers Side Self-Winding Handgun Hannay Hose Reel W/ 50 Foot 1/2" Hose And Handgun (800 PSI @ 20 GPM)
	1	Hxx System Off Main Water Pump 15-20 GPM Can Only Have Pressure Rating Less Than Or Equal To Main Water Pump Inc. 1/2" X 50' Spring Rewind Hannay Hose Reel W/50' Of 1/2" Hose And Pistol Grip Style Hand Gun W/Lance Nozzle
	1	Air Purge System
	1	Cold Weather Recirculation - Without Recycler
Vacuum System		
	1	Cyclone Separator With Drop Box Clean Out
	1	Carbon Steel Strainer Basket In Cyclone Separator
	1	8x24 Vac Pump 4000CFM@ 18"HG (245"H2O) 200HP @ 2470 RPM With(2) Vac Relief Valves
	1	2" Brass Ball Valve Mounted On Bottom Of Blower Exhaust Silencer
	1	2" Brass Ball Valve Mounted On Bottom Of Cyclone Dropout Box
	1	Air Operated 4" Vacuum Relief Valve Controlled At Control Panel & Handheld Pendant (If Equipped)
Boom		
	1	Hydraulic Extending Boom
	1	Rear Mounted Hydraulic Boom (270 Degree Rotation)
	1	Remote Grease Fitting For Boom Rotation And Extension
	1	Slide Valve 8", Air Oper. W/Switch On Pendant And Control Panel
Custom5767	1	Above boom elbow to be HD long radius style like 2290060013
	1	Steel Boom Elbow
Hose Reel - Main		
	1	Direct Drive Hose Reel
	1	Reel Pivot-160 Degree With Air Brake
	1	Rear Reel With 800' Capacity (1" Hose)
	1	Single Roller Level Wind
	1	Remote Grease Manifold For Rotate Bearing 2 Swivels,Pillow Block & Pivot Pins 6 Total Hose Reel
	1	Digital Sewer Hose Footage Counter Displayed At Operators Station
2190300007	1	Hose Tensioner Air Operated
Operator Controls		
	1	Blower Hourmeter (At Front Control Panel Lcd Display)
	1	Boom Control Joystick Recessed For Protection
	1	Color LCD Display With 32 Output Microprocessor Control (Expandable) W/J1939 Can Communication
	1	Emergency Stop
	1	Hydraulic Pressure Gauge
	1	Ip66 Sealed Exterior Electrical Controls And Wiring Harness W/Protective Cover That Exceeds Nema 4 Ratings
	1	Tachometer / Hourmeter On Color LCD Display Module
	1	Throttle Control At Hose Reel Control Panel
	1	Transfer Case Shift Controls In Cab
	1	Two Channel Camera System With 7" Swivel Color LCD Monitor
	1	Vacuum Gauge On Color LCD Display Module
	1	Water Pressure Gauge On Color LCD Display Module

1	Water Pump Hourmeter (At Front Control Panel Lcd Display)
1	Water Pump On/Off Switch
1	Drivers Side Mounting Of Water Manifold And Hydraulic Control Valve.
1	Camera System - Two Channel 7" Swivel Colored LCD Monitor With (1) Additional Camera. Additional Camera Mounted Per 2190170017. (Rear Mounted Hose Reel).
1	Debris Tank High Level Light Hooked To Vacuum Relief (Reqs. Float Level Indicator)
1	Electric Over Hydraulics, Electric Over Air, And In-Cab Tailgate And Body Dump Controls (Non Recycler Units Only).
1	Low Water Light And Horn Combination
1	Over Ride Switch For Low Water And Or High Debris Horn
1	Reel Shift For Transfer Case
1	Wireless Remote Control Belly Pack Similar To 2130170045 Via Proportional Controls To Control All Boom Functions, Engine Throttle, Vac Relief Valve, E Stop (Returns Engine To Idle), Water Pump Speed Control, Hose Reel Pay Out/In, Displays Vacuum In HG, Displays Water PSI, Displays Water Tank %. Also Includes High Resolution Displays (2) 1.5" W X 1" H. Other Options Available To Control From Wireless Belly Pack And Is Dependent On Vacall Options Purchased.
1	Blower Temp Gauge & Connection To Air Operated Relief Valve
1	Boom, Body And Tailgate Aux. Hydraulics (Powered By Hose Reel Power Pack)
Lighting	
1	LED D.O.T. Lighting (Includes Stop,Tail,Turn And Back-Up)
1	Boom Work Lights-Two
1	Hand Spot (LED) W/20' Cord, Retractable Reel
1	Power Module Work Lights- (2)
1	Rear Mounted Traffic Advisor-Bar Type LED Whelen Tacf85
1	Rear Work Light - Two
1	Strobe Light - Body - Two Whelen L22LAP Class 2 360 Degree Super LED W/ Limb Guard
1	Strobe Light - Front- Two Whelen L22LAP Class 2 360 Degree Super LED W/ Limb Guard
Toolboxes	
1	Tube Rack Mounted On Silencer
1	Traffic Cone Holder
1	One Lockable Tool Box, Aluminum (18 X 18 X 60)
1	Additional locking toolbox 18x18x60 Aluminum
Custom5764	
Packaged Items	
80363250	1 Fire Extinguisher (5#) (Not For Skid Mounted Units Shipping To Mexico)
VA34240095	1 Emergency Road Kit
2130360004 &	1 Tigertail Hose Guide (One)
2130360003	1 1" Blue Star Standard Nozzle 87 GPM @ 2000 PSI PN 2130360004 & 1" Blue Star Arrow Nozzle 87 GPM @ 2000 PSI PN 2130360003
43NZA30190-S16S	1 Small Nozzle Skid 1" X 3-7/8" X 15" Long
	1 24' X 8" Bandlock Type Aluminum Vacuum Tubes, (2) 4.0' VA40020002, (2) 5.0' VA40020003, (1) 3.0' VA40020001, (7) 8" Clamps VA40010071, (7) 8" Gaskets VA38010018, (1) VA40020033 8" X 3'-0" Nozzle Aluminum Alligator (Catch Basin Nozzle)
VA32050001	1 10' X 1" Leader Hose
80483281	1 Fill Hose 25' X 2 1/2"
VA32050004	1 First Aid Kit
	1 Hydrant Wrench
	1 Manhole Hook
Manuals	
Dealer Supplied	
1	(1) Paper Copy Provided For Operator & Safety Manual
1	1" 2500 psi Sewer Hose--800'
1	Destination charge included in State Contract pricing
1	Hearing Protection w.2-way coms, hands free- set of 2

Total Machine & Attachment Net Price:	\$460,105.00
3.00% 2026 Price Increase Adjustment:	\$9,917.23
Additional 4 Years Extended Warranty	\$14,000.00

Vacall Supplied, New, Freightliner, 370 HP, Auto, No BOC, Non-CARB, F2 :

\$139,692.00

Total Net Price: \$623,714.23

Terms:

Standard Warranty: **Module:** 1 Year --4 additional years Extended Warranty Applies

Debris Body: Galvanized With The Supreme Finish-Lifetime Warranty-Corrosion)Painted Steel or Weathering Steel - 1 Year.

Water Tanks: Aluminum - Lifetime. **Corrosion** 5 Years.

Note: The above quote is valid until 9/18/2024

Model Specs

Buyer agrees that by signing this Machine Quote and Order it has agreed to purchase the equipment and/or parts and attachments identified herein and has read and agreed to either: (i) Gradall's terms and conditions in a validly executed dealer agreement if the Buyer is an authorized dealer or (ii) Gradall's Standard Terms and Conditions of Sale located at <https://www.giquote.com/terms> which are hereby incorporated by reference with the same force and effect as though fully set forth herein, if the Buyer is a direct customer.

NAME: _____

DATE SIGNED: _____

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OWEN EQUIPMENT

1220 S Legacy View St. Salt Lake City, UT 84104

Salt Lake City Main Line: (385) 308-4973

Presents a Proposal Summary

of the



VACTOR 2100i

Combination Single Engine Sewer Cleaner with Positive Displacement Vacuum System Mounted on a Heavy-Duty Truck Chassis

for

CLINTON CITY

May 9, 2024



OWEN EQUIPMENT

1220 S Legacy View St. Salt Lake City, UT 84104
Salt Lake City Main Line: (385) 308-4973

VACTOR 2100i, (Owen Stock Vactor): with Roots 824-18" Hg. Blower, 12 Yard Debris body, 1500 Gallons Water Capacity, with the following Standard and Additional Features:

STANDARD FEATURES

- Aluminum Fenders
- Mud Flaps
- Color Coded Sealed Electrical System
- Intuitouch Electronic Package
- Double Acting Dump Hoist Cylinder
- Handgun Assembly
- Ex-Ten Steel Cylindrical Debris Tank
- Flexible Hose Guide
- 3 Nozzles w/Carbide Inserts
- Nozzle Storage Rack
- Vacuum Tube Storage: Curbside (2) Pipe, Rear Door (2) Pipe
- 1" Nozzle
- 10' Leader Hose
- Flat Rear Door w/Hydraulic Locks and Door Power-up/Down, Open/Close Feature
- Dual Stainless-Steel Float Shut Off System
- Microstrainer Prior to Blower
- Debris Body Vacuum Relief System
- Debris Deflector Plate
- 60" Dump Height
- Debris Body Up, Message and Alarm
- Low Water Alarm with Water Pump Flow Indicator
- 3" Y-Strainer at Passenger Side Fill w/25' Fill Hose
- Water Sight Gauge DS/PS
- Liquid Float Level Indicator
- Digital Water Pressure Gauge
- Telescopic Boom Elbow, Standard
- Rodder System Accumulator – Jack Hammer On/Off Control with Manual Valve
- Front Joystick Boom Control
- Boom Hose Storage
- Boom Out of Position Message and Alarm
- 3" Y-Strainer @ Water Pump
- Midship Handgun Coupling
- Chassis Engine Cooling Package
- Side Mounted Water Pump
- Digital Hose Footage Counter
- Hose Reel Manual Hyd. Extend/Retract
- Hose Reel Chain Cover
- Hydraulic Tank Shutoff Valves
- Hydraulic Extending/Rotating 15" Hose Reel (1" x 800') Capacity
- Tachometer/Chassis Engine W/Hourmeter
- Water Pump Hour Meter
- PTO Hour Meter
- Hydraulic Oil Temp Alarm
- Tachometer & Hourmeter / Blower
- Circuit Breakers
- LED Lights. Clearance, Back-Up, Stop, Tail & Turn



OWEN EQUIPMENT

1220 S Legacy View St. Salt Lake City, UT 84104
Salt Lake City Main Line: (385) 308-4973

- Tow Hooks, Front and Rear
- Electronic Back-Up Alarm
- 8" Vacuum Pipe Package
- Emergency Flare Kit
- Fire Extinguisher 5 Lbs.
- Module Paint, Dupont Imron Elite - Sanded Primer Base (White to match Cab)
- Vactor 2100i Standard Decal
- Operator Station Toolbox – with Lighting
- Vactor Standard Manual w/ Cloud Parts

ADDITIONAL FEATURES

- Roots 824-18" Hg. Blower
- 80 GPM Variable Flow Water System
- 2500 PSI Water Pressure
- 1" x 600' Sewer Hose, 2500 PSI
- Debris Body Flush Out System
- Stainless Steel Float Ball Cage for Float Shut Off System
- 6" Knife Valve w/Cam-Loc, Rear Door, 3:00 Position
- 6" Knife Valve w/Cam-Loc, Rear Door, w/Port & Fixed Basket Screen, 6:00 Position
- Full Rear Door Swinging Screen
- Pump Off Ports Only
- Centrifugal Separators
- Folding Pipe Rack, Curbside, 8" Pipe
- Folding Pipe Rack, Streetside, 8" Pipe
- Rear Door Splash Shield
- Lube Manifold
- Plastic Lube Chart
- Air Purge
- Front Blower Controls
- Blower High Temp Safety Shutdown
- Digital Water Level Indicator
- Digital Debris Body Level Indicator
- Bellypack Wireless Controls, including hose reel controls, 2- Way Communications, and LCD Display
- Rotatable Boom Inlet Hose
- 180 Degree Rotation, 10' Telescopic Boom
- Anti Splash Valve
- Cold Weather Recirculator, PTO Driven, 25 GPM
- High Pressure Handgun Couplers, Front and Rear
- Hydro Excavation Kit - Includes Lances, Nozzles, Storage Tray, and Vacuum Tubes
- Automatic Hose Level Wind Guide, Power Indexing
- Rodder Hose Pinch Roller
- High Pressured Hose Reel (1)
- Rodder Pump Drain Valves
- Front Hose Reel Storage
- Rear Directional Control, Signal Master LED Arrowstick
- Rear Mounted, LED Beacon Light
- Front Mounted, LED Beacon Light
- 14 Lighting Package, 14 Federal Signal Strobe Lights, LED
- LED Mid Ship Turn Signals
- Worklights (2), LED, Boom



OWEN EQUIPMENT

1220 S Legacy View St. Salt Lake City, UT 84104
Salt Lake City Main Line: (385) 308-4973

- Worklights (2), LED, Rear Door
- Worklights, LED, Operators Station
- Worklights, LED – Curbside
- Worklights, LED – Streetside
- Camera System, Front, Rear and Both Sides
- Safety Cone Storage Rack - Post Style
- Toolbox, Front Bumper Mounted, 16 x 12 x 18 w/ (2) LED Side Markers
- Long Handle Tool Storage
- Toolbox, Behind Cab with Lighting
- Toolbox, Driver Side Chassis Frame, 60w x 24h x 24d with Lighting
- Toolbox, Driver Side Subframe, 18w x 24h x 24d with Lighting
- Mounted to a 2025 International HV607, Automatic Transmission, 370 HP, 66,000 GVWR

TOTAL PRICE **\$ 590,771.21**

Includes Delivery to Clinton City Shop
Includes One Day Training for Operators
State of Utah Contract #MA2153

2025 6% Inflation Estimate: \$35,446

2026 6% Inflation Estimate: \$37,573

Total 2026 Estimate: \$663,790

Pricing is Good for 30 Days

Pricing And Availability Is Subject to Change Pending Availability of The Chassis or Any Manufacturer Surcharges

Price Does Not Include Chassis or Equipment Modifications That May Be Necessary Due to Unforeseen Compatibility Issues, Customer Will Be Contacted for Approval Before Any Modifications Are Made

Terms Are Due Upon Receipt Unless Prior Credit Arrangements Are Made at The Time of Order

Accepted By:

Date:

Thank you,

Jeremy Kinder

Jeremy Kinder
Owen Equipment
801-557-8572
jkinder@owenequipment.com



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

MAYOR
Brandon Stanger

CITY COUNCIL MEMBERS

*Spencer Arave
Dane Searle
Marie Dougherty
Gary Tyler
Austin Gray*

Date of Meeting	August 13, 2024,	Called to Order: 6:00 PM
Staff Present	City Manager Trevor Cahoon, Police Chief Shawn Stoker, Assistant Public Works Director Kasey Jensen, Assistant Fire Chief Justin Benavides, Recreation Director Brooke Mitchell, Court Administrator Amy Durrans, Community Development Director Peter Matson, Keaton Jones, Becky Smith, Christian Stucki, Members of the Police Department, Fire Department and Lisa Titensor recorded the minutes.	
Attendees	Scott Parke, Lori Miller, Andy Hill, Autumn Hill, Renee Jeppsen, Brent Jeppsen, Jacob Child, Dean Hill, Steven Nielsen, Kimberly Read, Nancy Lougy, Eric Holzinger, Bev Lambdin, Terry Tremea, Derolene Morrill, Arverd Taylor, Blair And Sheila Bateman, John & Marilyn Diamond, Amy Heaps, Sierra Coombs, Don Canova, Russell Arave, Michael P. Brown, Joyce Little, Teresa Kearn, Dan Yardley, Greg Serkell, Linda Rasmussen	
Public Input	Lori Miller asked the Council about ADU or external dwelling units and if the Council will be approving an ordinance to allow them. Mr. Matson explained the Planning Commission has done an initial review and will discuss it again at their Sept 6, 2024 meeting.	
Roll Call & Attendance	<i>Councilmember Dougherty, Councilmember Searle, Councilmember Gray, Councilmember Arave, Councilmember Tyler</i>	
A. <u>6 PM PUBLIC HEARING - TRUTH IN TAXATION PUBLIC HEARING PERTAINING TO PROPOSED CITY PROPERTY TAX INCREASE FOR FISCAL YEAR 2024-25</u>		
Petitioner	City Manager Trevor Cahoon	
Discussion	<p>Mr. Cahoon provided a brief explanation of the budget process through a power point presentation. He reported that some of the major items that became known were that the sales tax numbers have been steadily tapering off; the population growth has decreased to 1% over the past few years which also affects the ratio of sales tax revenue. He is concerned about the sustainability of the general fund due to the decreased sales tax and reduced population growth. If you look at property tax based on demand, Clinton has only raised property tax three times in the past thirty or so years. In FY 2014 for the streets, in FY 22 to it was raised to implement the paramedic program and in FY 23 it was raised 5% to address inflation.</p> <p>He explained slide two which identifies the property tax breakdown. A portion of the property tax is used to cover ongoing operational expenses for police, fire, parks & recreation, public works, and administration. Sales tax is the mainstream of revenue. That along with the commercial and population growth has helped supplement the general fund until now. Clinton receives approximately 16% of the total property tax bill.</p> <p>He referred to the Net Position Breakdown slides. Property tax as the steady revenue source should cover the operating expenditure. The proposed tax rate</p>	

	<p>will allow us to put money into capital expenses and keep the recommended two-month operating expenditure on hand. He feels this provides long-term fiscal responsibility. Personnel is the largest expenditure at approximately 33%. That ongoing expenditure has also been considered for this proposed budget.</p> <p>Mayor Stanger introduced Trevor as the new City Manager and expressed appreciation for the hard work he has put into this budget.</p> <p>Mayor Stanger opened the public hearing at 6:15 pm.</p> <p>Arvard Taylor asked for clarification on the tax rate. He feels this is too high of an increase for Clinton,</p> <p>Mayor Stanger replied as the property values increase Clinton will not receive more of it unless the tax rate is adjusted.</p> <p>Mr. Cahoon explained a property owner's tax amount coincides with the average housing value in the county.</p> <p>Linda Rassmussen looked at proposed tax increases in all Northern Utah. She is wondering what the money is planned for and how are the funds currently being managed.</p> <p>Scott Parke stated he understands that costs are increasing. He asked if the RAP Tax funds could be used to alleviate some of the rate increases. He feels the sales tax revenue estimation appears to be low. He suggested adjusting the current property tax revenue estimate.</p> <p>Dean Hill appreciates the Clinton City employees. A good percentage of the taxes goes to employees; he suggested that as new employees are hired maybe some of the employees should be removed that are not pulling their weight. He feels the reserve funds could be less.</p> <p>Dan Yardley said he feels the estimate for the additional sales tax revenues is not reasonable.</p> <p>Terry Daybell has lived in Clinton City for 22 years. The commercial growth has been substantial. Along with inflation, raising taxes higher than any other city is inappropriate. The salaries of employees need to be re-evaluated.</p> <p>Andy Hill has lived in Clinton since 2005. He feels the City could do a better job explaining the reason for the property tax increases. The newsletter only had one color. He would like better information to come forth from the city.</p> <p>Amy Heaps said her taxes have skyrocketed. She feels this tax increase is too much. She would love to have a reserve account but cannot afford it. She feels this will strongly impact the citizens.</p> <p>Nancy Lougy said the City is taking away services including dumpsters, the flowers and employee's health insurance, she does not feel increasing taxes is the answer.</p> <p>Barry Jeppson has lived in Clinton for three years. He has lived in fifteen communities in Utah. He loves Clinton City and feels that increasing growth can help. Inflation is affecting everyone. Taxes are too high already. What can be done to help grow the city without increasing taxes.</p>
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	<p>Stephen Nielson referred to the presentation Mr. Cahoon provided that property tax is a stable income source. It affects those on fixed incomes the most based on what their property is worth. There is nothing he can do to save on property tax. It is increasing too significantly. He feels the City should do something besides relying on increasing property tax to take care of the budgetary needs.</p> <p>Jacob Child expressed his frustration that this meeting was scheduled on back-to-school night. He feels that by having less growth in the City, there should be less cost to maintain it. He does not feel the city council should be paid.</p> <p>Michael Brown is concerned the city council does not look at needs during city council meetings. The short fall last year was not addressed appropriately by the small tax increase. He feels it may have been because it was an election year. He predicts the same thing will happen next year because the previous city manager was too conservative.</p> <p>Blair Bateman agrees with the comments that have been made. He has the oldest existing commercial building in town. This is a fundamental issue. The greater the size of the community, the less the sense of community. He feels the focus should change from numbers to people.</p> <p>Mayor Stanger closed the public hearing at 6:42 pm.</p> <p>He responded to some of the comments made during the public hearing, he explained:</p> <ul style="list-style-type: none"> • Clinton City is the third lowest in the county in regard to property taxes. • RAP tax funds can only be used for specific projects related to the arts and parks. • This budget has nothing going to surplus to meet future needs of the city. State law allows for a 35% reserve, Clinton would like to meet 25%. Hopefully, sales tax will come in higher than projected to help pay for future projects. • The City has many projects going on now including replacing two water lines in 1800 N & 2000 W and the expansion of the public safety buildings. The costs for these projects alone are approximately \$10,000,000. The City has been able to pay for these out of savings rather than having to bond for them. • The enterprise funds should be able to operate on their own from the fees they collect. • The employees in Clinton have often taken on additional assignments rather than hiring new employees. We need to remain competitive in wages and cost of living increases and provide good benefits. • The city is doing as much as possible to reach out to promote and gain business for Clinton City. • We are working to provide housing options such as townhomes and small single-family homes. • The flower baskets will be back once the construction projects are complete. <p>The city is still working to remain frugal.</p> <p>Councilmember Searle stated taxes are his biggest concern. This issue has been many years in the works. The city council has a responsibility to treat city funds with respect and responsibility. Clinton has the symptoms of financial distress taking money from reserves to supplement the general fund is not a good practice although it is legal.</p>
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	<p>He knew the increase should have been higher last year to address inflation. Since last year, he has gone through all the minutes of the city council to review discretionary expenses. He found nine over the past year; seven of those times the city council voted to place a burden on the budget:</p> <p>He believes these issues could have had an approximate \$710,006.00 impact on the budget shortfall. Instead, the council voted to impact the budget by \$68,785.00.</p> <p>He believes the property tax should have been increased by 15% in 2023 and then continue to impose incremental increases gradually over time.</p> <p>If Clinton were a business and there was a \$1,000,000.00 shortfall and \$710,000 in expenses were approved, this would not be tolerated. The City Council needs more scrutiny over city funds.</p> <p>He has been in organization finance for over 25 years. He voted nine out nine times to save the budget. The city council must be better stewards of the city money.</p> <p>He stated the city council does have the best interests of the city at heart.</p> <p>Mayor Stanger asked to pause the meeting at 7:01 pm.</p> <p>Councilmember Searle moved to pause the public hearing. Councilmember Gray seconded the motion.</p> <p>At 7: pm Councilmember Tyler moved to reconvene. Councilmember Searle Seconded the motion.</p> <p>Councilmember Dougherty explained the property tax process. The county mails out tax notices at the end of the budget process. The state requires this public hearing at the end, after many months of staff and the city council going through the budget process. It would be irresponsible of the council to not have a solid idea of how they are voting on this budget by now. Yet that has the practical effect of making the public feel unheard – that they've come all the way to speak, and the council has their minds made up. That's disillusioning for people. She understands the public's feelings and that there might be frustration on their part.</p> <p>The council begins with the assumption that no one wants a tax increase. They seek alternate streams of revenue and make reasonable cuts. When they disagree on what constitutes a reasonable cut or discretionary expense, they use the democratic process to come to a decision and represent the public fairly and appropriately.</p> <p>The city council makes efforts to save money when possible. They use the democratic process to make decisions and represent the public fairly and appropriately.</p> <p>The city council has a dual responsibility, they are a delegate for the taxpayer, and they are a trustee of the city as an institution. costs are constantly increasing and do have an impact on the citizens.</p> <p>The city is subject to inflation just as anyone else. The city needs more revenue to continue. Most of the council has determined that a 32% increase is necessary, as the city manager says. Percentages are relative. It's 32% of Clinton's already</p>
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	<p>fairly small property tax amount. She gave an example of a small town that is raising their taxes by 68% which amounts to \$120 per year and a large taxing entity doing an 11% increase that amounts to \$250. Clinton's 32% increase amounts to a \$129 increase for the year. The council takes this seriously.</p> <p>Cities do not receive a windfall when property values increase, revenues do not go up with the property value. The city can only bring in the same revenue amount budgeted from previous year plus new growth unless they do a tax increase. Clinton's new growth for the past decade has never gone beyond \$77,000; this year it is \$31,700.</p> <p>She understands some people see little increases on the city line of their tax bill, even in a year when there's not an official tax increase, and assume the city is bringing in more money. But there's a reason for the fluctuations. Property owners whose land values increase at higher rates pay a little more than they did the year before, and people whose land values increase at lower rates than the average pay a little less than they did the year before. But the city's revenue stays the same.</p> <p>In 2022 residential property values went up more than 30% so residents saw small increases across the board, however commercial business property values only increased by less than 2% so businesses saw decreases. The city did not bring in any more money.</p> <p>In 2021 the \$700,000 property tax increase was used strictly to implement the paramedic program. The city did not receive any of those funds to offset any costs for inflation or other services, so in that context, it can be said that Clinton went from 2014 to 2023 without an increase for any of its regular services and expenditures.</p> <p>Clinton has not raised taxes for many years because the city was able to cover its costs with sales tax revenue, the citizens benefitted from a lower tax burden for many years.</p> <p>The Utah Taxpayers association recommends that cities do property tax increases every five to seven years to account for inflation. They are the watchdogs for taxpayers in the state. In 2019 – 2023 Clinton City received the number one ranking in the entire state among the top fifty largest cities for overall lowest taxes and fees per capita from the association. Now in 2024 Clinton is number three. It also has the lowest property tax in northwest Davis County, this takes into consideration that Clinton has our own fire department. The City's conservativeness has benefited the taxpayers. Even after this increase, Clinton will be the second lowest property tax in northwest Davis county.</p> <p>She has two additional avenues to address, 1) the concept of inheriting a problem which she feels is completely based on perspective. The taxpayers had a lot of years without the extra tax burden.</p> <p>And 2) is discretionary spending. Proposals have come forward from staff and the city manager, many of whom have been long-term employees. These employees have worked for Clinton for many years and shown their loyalty and commitment. They bring forward well-thought-out requests that they feel are in the best interests of the residents, they have not been frivolous. If the city council has a concern, they have the option to discuss their concerns with the department heads in advance of the public meeting.</p> <p>She feels good about the decisions she has made on behalf of the city. She feels</p>
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	<p>the City Council has exercised responsible spending.</p> <p>She went on to explain that the State mandates the City doesn't go over 35% fund balance. The City has 26%. There is some flexibility to use the fund balance strategically as a revenue, and she has absolutely considered doing that, but there are a couple of things holding her back. There is no way to replenish reserve funds due to less sales tax and that incoming revenues are plateauing. Also, there are millions of dollars in projects coming soon that are not accounted for in the budget. These projects have hit the city hard from an inflation standpoint.</p> <p>She gave an example: The 2000 West widening waterline project was initially estimated at \$1.6 million, the City had already set aside the funds. However, due to inflation, this year, the cost came to \$3.7 million. The City absorbed that cost, but next year 1800 North needs to be done, which will be approximately \$5,000,000.00. The staff is exceptionally good at securing grants to offset the costs of these projects. These million-dollar waterline projects are ongoing in the years ahead as UDOT continues its expansion of all its streets in our area.</p> <p>She also explained that future cost of living increases and possible other wage adjustments will be necessary after the City conducts much needed wage studies. There are indications that Clinton's wages are lower than surrounding cities. We need to keep our employees and avoid the wage wars going on recently, especially with police and fire. This is the first time property tax revenue has ever been used for COLA. In the past the COLA increases have been funded with the extra sales tax revenue. She also pointed out there has been six years in the past 15 years that employees did not receive a COLA increase.</p> <p>This budget also provides an additional \$250,000 for street projects annually which will help with street maintenance.</p> <p>The principles she aspires to only justify increases based on need. She appreciates the citizen input and hopes that she has been able to help explain the reasons for this proposed tax increase.</p> <p>Councilmember Tyler expressed appreciation for the citizens in attendance who took the time to come and voice their opinions.</p> <p>He said he appreciates Councilmember Searle and Dougherty for their comments. The Council has reviewed the budget over many months. They are educated and passionate about this.</p> <p>He addressed the discretionary spending and explained he feels he voted in the best interest of the public. He has thirty years of professional experience in several areas to make the best decisions on behalf of the City.</p> <p>He feels that police, fire, recreation, public works, and administration are all necessary to run the city. Based on his personal experience, he is extremely grateful to have our fire department and police department to respond to emergencies. He is so appreciative of their service.</p> <p>During his time on the Council, we have added three officers, it is important to keep them; safety is important.</p> <p>Recreation provides constructive opportunities for the community and our youth. They provide fun activities for families.</p> <p>Public works does an excellent job maintaining our public services, water, roads</p>
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	<p>and sewer etc.</p> <p>The City has been living off savings and thoroughly reviewed options to cut costs. He does have the best interest of the city in mind and feels this increase is necessary.</p> <p>Councilmember Gray has learned a lot since taking office in January. He is earning his doctorate degree in public administration. He realizes that the City budget is different than a household budget. He agrees the Utah Taxpayers Association is a valuable resource.</p> <p>Initially he was in favor of a lower tax increase, but from all the discussions and from a long-term conservative approach, he feels this is the right decision. He thanked those in attendance.</p> <p>Councilmember Arave expressed appreciation for the citizens present. He addressed the communication issue and explained that the new city manager is doing a better job of this. He feels the staff is especially important. He has lived in Clinton his whole life. He was also an employee for the recreation department for 20 years. He understands how important the staff is. He is proud the city has reached their goal of one police officer per 1,000 residents.</p> <p>Regarding the discretionary spending, he feels this is based on personal opinion. He feels the increased funds for streets and is important to the public and also for better maintenance which increases their longevity.</p> <p>As far as the increases for employees, if the City does conduct a wage study, he will be interested to see where Clinton stands as far as wages for its personnel.</p> <p>He appreciates the effort of the council; this is a difficult decision. He is not in favor of high increases every year. The Council has carefully looked at this budget. He is in favor of a discussion to impose business license fees for rental properties.</p> <p>Councilmember Dougherty also clarified for the citizens that there are different funds included in the budget; the general fund which is approximately \$15 million is where the property tax funds pay into. We also have enterprise funds that run as businesses that the monthly utility fees pay for. These accounts are kept separate and are required to operate with their own appropriate fund balances.</p> <p>The general fund runs the city departments and our property tax revenue to this point has only been accounting for one-fifth of our total general fund revenues. This increase will bring the property tax revenue to one-fourth of the overall general fund revenues.</p> <p>This tax increase will go into the general fund, for which some expenses were increased and others were decreased during the budget process. Some of the major differences between this budget and last year's budget are approximately \$250,000 is dedicated to roads, \$300,000 is dedicated for employee cost of living increases, a new part time code enforcement officer will be hired as well as a Finance Director, a part time IT person as well as a part time facility caretaker. She clarified even with the tax increase, the City will still be using \$140,000 from reserves in this budget.</p> <p>Mayor Stanger stated he feels it is a disservice that a mayor does not vote. He feels that not making smaller increases over time has been a disservice. Inflation occurs every single year. He hopes the Council will consider an annual slight</p>
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	<p>increase to avoid these large increases.</p> <p>In regard to discretionary spending, there are some decisions he disagreed with and would not have voted for either. However, that is how a democracy works, the majority makes the final decision. The Council may not agree on every issue but will continue to work together in the best interest of the City.</p> <p>He asked City Manager Cahoon if it would be possible to change the amount of the tax increase.</p> <p>City Manager Cahoon explained the property tax rate and the property tax revenue are being decided tonight. If the Council decides to make a change to what has been proposed he would recommend tabling this to obtain the correct information from the State.</p> <p>He cautioned on the budget decision that the revenues are continuously projecting downward.</p> <p>Councilmember Searle confirmed there is a budget deficit. He recommended a 20% tax increase.</p> <p>There was no support. Councilmember Dougherty and Tyler agreed that there are too many expenses coming with the large projects needed in the City.</p>
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B. 7 PM PUBLIC HEARING - RESOLUTION 20-24, CERTIFICATION OF TAX RATE AND ADOPTION OF FINAL BUDGET FOR FISCAL YEAR 2024-25

Petitioner	City Manager Cahoon
Discussion	Mayor Stanger asked the Council for a decision.
CONCLUSION	<i>Councilmember Dougherty moved to adopt Resolution 20-24, Certifying a Tax Rate of 0.002037 for Fiscal Year 2024-25 and Adopt the Final Budget for Fiscal Year 2024-25. Councilmember Arave seconded the motion. Voting by roll call is as follows: Councilmember Dougherty, aye; Councilmember Searle, nay; Councilmember Arave, aye; Councilmember Gray, aye; Councilmember Tyler, aye.</i>
ADJOURNMENT	<i>Councilmember Tyler moved to adjourn. Councilmember Tyler seconded the motion. Councilmembers Searle, Stanton and Tyler voted in favor of the motion. The meeting adjourned at 8:24 pm.</i>

Lisa Titensor, Clinton City Recorder



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

MAYOR
Brandon Stanger

CITY COUNCIL MEMBERS

*Spencer Arave
Dane Searle
Marie Dougherty
Gary Tyler
Austin Gray*

Date of Meeting	August 13, 2024,	Called to Order: 6:00 PM
Staff Present	City Manager Trevor Cahoon, Police Chief Shawn Stoker, Assistant Public Works Director Kasey Jensen, Assistant Fire Chief Justin Benavides, Recreation Director Brooke Mitchell, Court Administrator Amy Durrans, Community Development Director Peter Matson, Keaton Jones, Becky Smith, Christian Stucki, Members of the Police Department, Fire Department and Lisa Titensor recorded the minutes.	
Attendees	Scott Parke, Lori Miller, Andy Hill, Autumn Hill, Renee Jeppsen, Brent Jeppsen, Jacob Child, Dean Hill, Steven Nielsen, Kimberly Read, Nancy Lougy, Eric Holzinger, Bev Lambdin, Terry Tremea, Derolene Morrill, Arverd Taylor, Blair And Sheila Bateman, John & Marilyn Diamond, Amy Heaps, Sierra Coombs, Don Canova, Russell Arave, Michael P. Brown, Joyce Little, Teresa Kearn, Dan Yardley, Greg Serkell, Linda Rasmussen	
Public Input	Lori Miller asked the Council about ADU or external dwelling units and if the Council will be approving an ordinance to allow them. Mr. Matson explained the Planning Commission has done an initial review and will discuss it again at their Sept 6, 2024 meeting.	
Roll Call & Attendance	<i>Councilmember Dougherty, Councilmember Searle, Councilmember Gray, Councilmember Arave, Councilmember Tyler</i>	
A. <u>6 PM PUBLIC HEARING - TRUTH IN TAXATION PUBLIC HEARING PERTAINING TO PROPOSED CITY PROPERTY TAX INCREASE FOR FISCAL YEAR 2024-25</u>		
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	<p>He knew the increase should have been higher last year to address inflation. Since last year, he has gone through all the minutes of the city council to review discretionary expenses. He found nine over the past year; seven of those times the city council voted to place a burden on the budget:</p> <p>He believes these issues could have had an approximate \$710,006.00 impact on the budget shortfall. Instead, the council voted to impact the budget by \$68,785.00.</p> <p>He believes the property tax should have been increased by 15% in 2023 and then continue to impose incremental increases gradually over time.</p> <p>If Clinton were a business and there was a \$1,000,000.00 shortfall and \$710,000 in expenses were approved, this would not be tolerated. The City Council needs more scrutiny over city funds.</p> <p>He has been in organization finance for over 25 years. He voted nine out nine times to save the budget. The city council must be better stewards of the city money.</p> <p>He stated the city council does have the best interests of the city at heart.</p> <p>Mayor Stanger asked to pause the meeting at 7:01 pm.</p> <p>Councilmember Searle moved to pause the public hearing. Councilmember Gray seconded the motion.</p> <p>At 7: pm Councilmember Tyler moved to reconvene. Councilmember Searle Seconded the motion.</p> <p>Councilmember Dougherty explained the property tax process. The county mails out tax notices at the end of the budget process. The state requires this public hearing at the end, after many months of staff and the city council going through the budget process. It would be irresponsible of the council to not have a solid idea of how they are voting on this budget by now. Yet that has the practical effect of making the public feel unheard – that they've come all the way to speak, and the council has their minds made up. That's disillusioning for people. She understands the public's feelings and that there might be frustration on their part.</p> <p>The council begins with the assumption that no one wants a tax increase. They seek alternate streams of revenue and make reasonable cuts. When they disagree on what constitutes a reasonable cut or discretionary expense, they use the democratic process to come to a decision and represent the public fairly and appropriately.</p> <p>The city council makes efforts to save money when possible. They use the democratic process to make decisions and represent the public fairly and appropriately.</p> <p>The city council has a dual responsibility, they are a delegate for the taxpayer, and they are a trustee of the city as an institution. costs are constantly increasing and do have an impact on the citizens.</p> <p>The city is subject to inflation just as anyone else. The city needs more revenue to continue. Most of the council has determined that a 32% increase is necessary, as the city manager says. Percentages are relative. It's 32% of Clinton's already</p>
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	<p>fairly small property tax amount. She gave an example of a small town that is raising their taxes by 68% which amounts to \$120 per year and a large taxing entity doing an 11% increase that amounts to \$250. Clinton's 32% increase amounts to a \$129 increase for the year. The council takes this seriously.</p> <p>Cities do not receive a windfall when property values increase, revenues do not go up with the property value. The city can only bring in the same revenue amount budgeted from previous year plus new growth unless they do a tax increase. Clinton's new growth for the past decade has never gone beyond \$77,000; this year it is \$31,700.</p> <p>She understands some people see little increases on the city line of their tax bill, even in a year when there's not an official tax increase, and assume the city is bringing in more money. But there's a reason for the fluctuations. Property owners whose land values increase at higher rates pay a little more than they did the year before, and people whose land values increase at lower rates than the average pay a little less than they did the year before. But the city's revenue stays the same.</p> <p>In 2022 residential property values went up more than 30% so residents saw small increases across the board, however commercial business property values only increased by less than 2% so businesses saw decreases. The city did not bring in any more money.</p> <p>In 2021 the \$700,000 property tax increase was used strictly to implement the paramedic program. The city did not receive any of those funds to offset any costs for inflation or other services, so in that context, it can be said that Clinton went from 2014 to 2023 without an increase for any of its regular services and expenditures.</p> <p>Clinton has not raised taxes for many years because the city was able to cover its costs with sales tax revenue, the citizens benefitted from a lower tax burden for many years.</p> <p>The Utah Taxpayers association recommends that cities do property tax increases every five to seven years to account for inflation. They are the watchdogs for taxpayers in the state. In 2019 – 2023 Clinton City received the number one ranking in the entire state among the top fifty largest cities for overall lowest taxes and fees per capita from the association. Now in 2024 Clinton is number three. It also has the lowest property tax in northwest Davis County, this takes into consideration that Clinton has our own fire department. The City's conservativeness has benefited the taxpayers. Even after this increase, Clinton will be the second lowest property tax in northwest Davis county.</p> <p>She has two additional avenues to address, 1) the concept of inheriting a problem which she feels is completely based on perspective. The taxpayers had a lot of years without the extra tax burden.</p> <p>And 2) is discretionary spending. Proposals have come forward from staff and the city manager, many of whom have been long-term employees. These employees have worked for Clinton for many years and shown their loyalty and commitment. They bring forward well-thought-out requests that they feel are in the best interests of the residents, they have not been frivolous. If the city council has a concern, they have the option to discuss their concerns with the department heads in advance of the public meeting.</p> <p>She feels good about the decisions she has made on behalf of the city. She feels</p>
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	<p>the City Council has exercised responsible spending.</p> <p>She went on to explain that the State mandates the City doesn't go over 35% fund balance. The City has 26%. There is some flexibility to use the fund balance strategically as a revenue, and she has absolutely considered doing that, but there are a couple of things holding her back. There is no way to replenish reserve funds due to less sales tax and that incoming revenues are plateauing. Also, there are millions of dollars in projects coming soon that are not accounted for in the budget. These projects have hit the city hard from an inflation standpoint.</p> <p>She gave an example: The 2000 West widening waterline project was initially estimated at \$1.6 million, the City had already set aside the funds. However, due to inflation, this year, the cost came to \$3.7 million. The City absorbed that cost, but next year 1800 North needs to be done, which will be approximately \$5,000,000.00. The staff is exceptionally good at securing grants to offset the costs of these projects. These million-dollar waterline projects are ongoing in the years ahead as UDOT continues its expansion of all its streets in our area.</p> <p>She also explained that future cost of living increases and possible other wage adjustments will be necessary after the City conducts much needed wage studies. There are indications that Clinton's wages are lower than surrounding cities. We need to keep our employees and avoid the wage wars going on recently, especially with police and fire. This is the first time property tax revenue has ever been used for COLA. In the past the COLA increases have been funded with the extra sales tax revenue. She also pointed out there has been six years in the past 15 years that employees did not receive a COLA increase.</p> <p>This budget also provides an additional \$250,000 for street projects annually which will help with street maintenance.</p> <p>The principles she aspires to only justify increases based on need. She appreciates the citizen input and hopes that she has been able to help explain the reasons for this proposed tax increase.</p> <p>Councilmember Tyler expressed appreciation for the citizens in attendance who took the time to come and voice their opinions.</p> <p>He said he appreciates Councilmember Searle and Dougherty for their comments. The Council has reviewed the budget over many months. They are educated and passionate about this.</p> <p>He addressed the discretionary spending and explained he feels he voted in the best interest of the public. He has thirty years of professional experience in several areas to make the best decisions on behalf of the City.</p> <p>He feels that police, fire, recreation, public works, and administration are all necessary to run the city. Based on his personal experience, he is extremely grateful to have our fire department and police department to respond to emergencies. He is so appreciative of their service.</p> <p>During his time on the Council, we have added three officers, it is important to keep them; safety is important.</p> <p>Recreation provides constructive opportunities for the community and our youth. They provide fun activities for families.</p> <p>Public works does an excellent job maintaining our public services, water, roads</p>
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	<p>and sewer etc.</p> <p>The City has been living off savings and thoroughly reviewed options to cut costs. He does have the best interest of the city in mind and feels this increase is necessary.</p> <p>Councilmember Gray has learned a lot since taking office in January. He is earning his doctorate degree in public administration. He realizes that the City budget is different than a household budget. He agrees the Utah Taxpayers Association is a valuable resource.</p> <p>Initially he was in favor of a lower tax increase, but from all the discussions and from a long-term conservative approach, he feels this is the right decision. He thanked those in attendance.</p> <p>Councilmember Arave expressed appreciation for the citizens present. He addressed the communication issue and explained that the new city manager is doing a better job of this. He feels the staff is especially important. He has lived in Clinton his whole life. He was also an employee for the recreation department for 20 years. He understands how important the staff is. He is proud the city has reached their goal of one police officer per 1,000 residents.</p> <p>Regarding the discretionary spending, he feels this is based on personal opinion. He feels the increased funds for streets and is important to the public and also for better maintenance which increases their longevity.</p> <p>As far as the increases for employees, if the City does conduct a wage study, he will be interested to see where Clinton stands as far as wages for its personnel.</p> <p>He appreciates the effort of the council; this is a difficult decision. He is not in favor of high increases every year. The Council has carefully looked at this budget. He is in favor of a discussion to impose business license fees for rental properties.</p> <p>Councilmember Dougherty also clarified for the citizens that there are different funds included in the budget; the general fund which is approximately \$15 million is where the property tax funds pay into. We also have enterprise funds that run as businesses that the monthly utility fees pay for. These accounts are kept separate and are required to operate with their own appropriate fund balances.</p> <p>The general fund runs the city departments and our property tax revenue to this point has only been accounting for one-fifth of our total general fund revenues. This increase will bring the property tax revenue to one-fourth of the overall general fund revenues.</p> <p>This tax increase will go into the general fund, for which some expenses were increased and others were decreased during the budget process. Some of the major differences between this budget and last year's budget are approximately \$250,000 is dedicated to roads, \$300,000 is dedicated for employee cost of living increases, a new part time code enforcement officer will be hired as well as a Finance Director, a part time IT person as well as a part time facility caretaker. She clarified even with the tax increase, the City will still be using \$140,000 from reserves in this budget.</p> <p>Mayor Stanger stated he feels it is a disservice that a mayor does not vote. He feels that not making smaller increases over time has been a disservice. Inflation occurs every single year. He hopes the Council will consider an annual slight</p>
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	<p>increase to avoid these large increases.</p> <p>In regard to discretionary spending, there are some decisions he disagreed with and would not have voted for either. However, that is how a democracy works, the majority makes the final decision. The Council may not agree on every issue but will continue to work together in the best interest of the City.</p> <p>He asked City Manager Cahoon if it would be possible to change the amount of the tax increase.</p> <p>City Manager Cahoon explained the property tax rate and the property tax revenue are being decided tonight. If the Council decides to make a change to what has been proposed he would recommend tabling this to obtain the correct information from the State.</p> <p>He cautioned on the budget decision that the revenues are continuously projecting downward.</p> <p>Councilmember Searle confirmed there is a budget deficit. He recommended a 20% tax increase.</p> <p>There was no support. Councilmember Dougherty and Tyler agreed that there are too many expenses coming with the large projects needed in the City.</p>
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B. 7 PM PUBLIC HEARING - RESOLUTION 20-24, CERTIFICATION OF TAX RATE AND ADOPTION OF FINAL BUDGET FOR FISCAL YEAR 2024-25

Petitioner	City Manager Cahoon
Discussion	Mayor Stanger asked the Council for a decision.
CONCLUSION	<i>Councilmember Dougherty moved to adopt Resolution 20-24, Certifying a Tax Rate of 0.002037 for Fiscal Year 2024-25 and Adopt the Final Budget for Fiscal Year 2024-25. Councilmember Arave seconded the motion. Voting by roll call is as follows: Councilmember Dougherty, aye; Councilmember Searle, nay; Councilmember Arave, aye; Councilmember Gray, aye; Councilmember Tyler, aye.</i>
ADJOURNMENT	<i>Councilmember Tyler moved to adjourn. Councilmember Tyler seconded the motion. Councilmembers Searle, Stanton and Tyler voted in favor of the motion. The meeting adjourned at 8:24 pm.</i>

Lisa Titensor, Clinton City Recorder

- Sept 12, 2024 – passed, the city council voted to approve extra cost for the new fire and police expansion.
- April 23, 2024 – failed, the city council voted not to eliminate optional streetlights on 2000 W.
- June 11, 2024 – failed, the city council chose not to postpone bids for the police and fire FF&E for their expansion.
- June 18, 2024- failed, the city council voted not to postpone hiring a finance director.
- June 18, 2024 – failed, the city voted not to reduce added street maintenance costs by 50%.
- June 18, 2024 – failed, the city council did not approve implementing business licenses for businesses.
- June 18, 2024 – the city council did not approve reducing the employee cost of living/merit increases by 1%.
- June 11, 2024 – failed, 1% increase for Tier 2 hybrid employees.
- May 14, 2024 – passed, discontinue the dumpster program.