

CLINTON CITY COUNCIL MINUTES

2267 North 1500 W

Clinton UT 84015

MAYOR

L. Mitch Adams

CITY COUNCIL

Councilmember Brice Mitchell

Councilmember Anna Stanton

Councilmember Mike Petersen

Councilmember Karen Peterson

Councilmember Barbara Patterson

Clinton City Council	July 8, 2014	Call to Order: 7:00 P.M.
Staff Present	City Manager Dennis Cluff, Community Development Director Lynn Vinzant, Public Works Director Mike Child, Gregg Folk, Fire Chief Dave Olsen, and Lisa Titensor recorded the minutes.	
Citizens Present	Chris Alvarado, Bruce Logan, Art Thomas, Jake Thomas, Cole Holladay, Jonathan Lakey, Jory Farr, Bart Lindsay, Karen Lindsay, Kellie Farr, JC Aland, Tayton Wright, Brian Wright	
Pledge of Allegiance	Councilmember Anna Stanton	
Prayer or Thought	Dennis Cluff	
Roll Call & Attendance – Excused Were:	Councilmember Brice Mitchell	
A. EMPLOYEE OF THE MONTH FOR JUNE 2014 – MIKE FISHER, COMMUNITY DEVELOPMENT		
Petitioner	Dennis Cluff, Lynn Vinzant	
Discussion	<p>Mr. Vinzant explained he has selected Clinton City Building Official Mike Fisher as the employee of the month for June 2014.</p> <p>He went on to report that Mike has been employed with Clinton City since November 1, 2013; he came to Clinton from Hooper with 12 years of experience in municipal service and 7 years in building inspection. Mike is State Licensed as a Combination Inspector and is working on his Plans Examiner certifications from the International Code Council (ICC). Even though Mike has been with the City a relatively short time he has become a significant member of the City staff.</p> <p>Mike has been instrumental in revamping the record keeping portion of the building permit and inspection process. Permits and inspection forms have always been carbonless forms which are difficult to fill out and insure that they are readable. Mike has computerizing the inspection and permit forms and assisted with having a customer computer link established so that the building permit forms can be completed, by the customers, at the counter rather than staff having to hand type these applications. Mike developed an inspection form with Adobe Write and, by working with a computer pad, he is able to accomplish inspections on the pad and e-mail results directly to the builders rather than having a paper copy.</p> <p>Mike has quickly established himself with the contractors in the area and they appreciate his knowledge level and professionalism. Mr. Vinzant explained he has received several comments from contractors expressing their appreciation for Mike’s work in creating an electronic inspection system. Contractors are able to get inspection results quickly and forward the results to subcontractors rather than searching for a form copy on the building site.</p> <p>Mike serves on the board of directors for the Utah Chapter of the International Association of Electrical Inspectors and is active with other inspection associations. He is a valuable asset to Clinton City.</p> <p>Mike and his family live in Hooper and he and his wife, Cheryle (she goes by Cherrie), have two boys, Parker and Jack.</p>	

	<p>Mayor Adams said he has heard many good things about Mike.</p> <p>Mike said he appreciates being recognized as Employee of the Month. He enjoys working for Clinton City.</p> <p>Mayor Adams presented Mike with a certificate and gift card in recognition of this award.</p>
B. EMPLOYEE SERVICE AWARDS FOR THE SECOND QUARTER OF 2014	
Petitioner	Dennis Cluff
Discussion	<p>Mayor Adams acknowledged the following employees for their dedication and service to Clinton City:</p> <p>Chad Petersen - Public Works 25 years Lisa Titensor - City Manager's Office 10 years</p>
C. APPOINTMENT TO THE CLINTON CITY PARKS BOARD – ISIS BUCKLES	
Petitioner	Dennis Cluff
Discussion	Mayor Adams asked the City Council to ratify his appointment of Isis Buckles as a new member to the Parks Advisory Board for a term ending in April 2016.
CONCLUSION	Councilmember Stanton moved to ratify Mayor Adams' appointment of Isis Buckles to the Clinton City Parks Board for a term ending in April 2016. Councilmember Patterson seconded the motion. All those present voted in favor of the motion.
D. PURCHASE OF NEW AMBULANCES	
Petitioner	Dennis Cluff, Chief Dave Olsen
Discussion	<p>Fire Chief Dave Olsen reported that North Davis Fire District recently bid out an ambulance with Rocky Mountain Sales and Service Inc. as the low bid. Clinton City is able to tack onto that low bid. In review of the bid specs, Clinton Fire Dept has opted out of a few of the extra cost items that the District ordered, lowering the cost to \$144,409. Delivery of the ambulance will take approximately 180 days after the purchase order. This cost is less than the \$160,000.00 that was budgeted.</p> <p>The Fire Department is still waiting to hear if they have received a \$24,000 State grant they applied for to help on the purchase price.</p>
CONCLUSION	Councilmember Patterson moved to approve the purchase of a new ambulance from Rocky Mountain Ambulance Sales and Service Inc. for \$144, 409. Councilmember K. Peterson seconded the motion. All those present voted in favor of the motion.
E. DISCUSSION OF CITY PAVEMENT MANAGEMENT REPORT – 2014	
Petitioner	Dennis Cluff, Mike Child
Discussion	<p>Mr. Child reported that he, Bryce Wilcox (City Engineer) and Public Works staff have been diligently working on the preparation of this report. Staff would like to provide a forum for the Mayor and Council to discuss the findings and information of the Report with City staff, in order to more fully understand the need and rationale for seeking additional funding for street repair and maintenance.</p> <p>Mr. Child gave the Council a presentation of the report.</p> <p>The Council expressed appreciation for the hard work and thought process that went into this report.</p>
F. 7:45 PM PUBLIC HEARING, ACTION UPON A RECOMMENDATION FROM THE PLANNING COMMISSION CONCERNING THE REZONE OF THE PROPERTY LOCATED AT 3420 W 2300 N FROM AGRICULTURAL (A-1) TO RESIDENTIAL (R-1-15) BASED UPON A DEVELOPMENT AGREEMENT	

<p>Petitioner</p>	<p>David Stone, Represented by Michael Staten Ensign Engineering</p>
<p>Discussion</p>	<p>Mr. Vinzant reviewed the following information included in the staff report in regards to this issue:</p> <ul style="list-style-type: none"> ○ MAY 6, 2014 <ul style="list-style-type: none"> ● Petitioner held an open house at the Recreation Building April 23, with all of the residents in the area being invited. Jeffery Kuhn provided a report on the findings from the Open House. ● The petitioners were not ready to present a new package, based upon the input from the open house; the hearing was tabled to May 20, for continued presentation and discussion. ○ APRIL 1, 2014 <ul style="list-style-type: none"> ● Petitioner indicated that they would like to request the rezone based upon a Development Agreement. ● The petitioner was scheduled to go to the City Council April 22, so that the Planning Commission and public could hear the presentation; the petitioner would then have time to prepare for the following meeting and present their views. ● The item was tabled to the April 15, meeting with the public hearing left open. ● The Planning Commission recommended rejecting the petition for several reasons: <ul style="list-style-type: none"> ○ The General Plan indicates the overall plan for this parcel is to be A-1: ○ They felt they did not have authority to do anything else; the Zoning Ordinance does not provide for development of a planned development nor does the General Plan. <p>The petitioner had not paid the re-advertisement fee as of June 30, 2014.</p> <p>Mike Staten was present to address the City Council. He gave a power point presentation (included in the staff report). He explained the intent is to request a rezone for the property from A-1 to R-1-15.</p> <p>During the presentation he identified that under the current zone of A-1:</p> <ul style="list-style-type: none"> ● 1 acres lots (25) ● No open space ● No landscaped frontage on 2300 N ● No trail right of way ● High impact street design ● No neighborhood atmosphere <p>With a rezone to R-1-15 there would be:</p> <ul style="list-style-type: none"> ● 32 acres (65 homes) ● Dedicated open space ● Widened enhanced trail corridors ● Low impact street design ● Staggered setbacks ● Monument entry feature ● Alternating driveways for view corridors ● Less pavement, more landscaping ● Narrower street corridor ● Tree lined streets
<p>Public Comment</p>	<p>Mayor Adams opened the public hearing at 8:52 p.m.</p> <p>Jory Farr said he is appalled by comments from the presentation that stated his property looks like junk. He has lived in his home for 22 years. He wants the lots around him to stay</p>

	<p>with the current plan which is one acre lots.</p> <p>Kellie Farr commented she is concerned that if the rezone is approved, eight homes will border her last acre. She feels that acre lots are in demand and that they sell. She asked for the City Council to be fair to existing property owners.</p> <p>Karen Lindsey said she lives in Gentry Farms and was told it would stay agricultural. She is concerned about becoming land locked. She loves the area as it is, and does not feel there is a need for enhancing the area. She feels that allowing the zone change will force people out of Clinton.</p> <p>Mayor Adams asked for additional public comment, there was none, therefore he closed the public hearing at 9:03 p.m.</p> <p>Councilmember Stanton said she looked for a very long time to find property in Clinton with a large lot. She likes the agricultural area and feels that some individuals still do want acre lots. She is in favor of enhancing the area for agricultural use; she is not in favor of changing the zone.</p> <p>Councilmember K. Peterson said she feels acre lots can be beautiful and they enhance Clinton. Public comments made during the General Plan development was in favor of large lots. She feels the right decision is to leave this particular property zone A-1.</p> <p>Councilmember Patterson expressed concern that larger lots are not affordable in this economy.</p> <p>Councilmember M. Petersen said that one acre lots have great appeal to a lot of people. He likes giving residents the option of larger lots.</p> <p>Mayor Adams said he feels the General Plan should be adhered to; deviation at this point especially within six months of its completion is not a good idea. This specific area works well for agricultural land. He does not feel it would be appropriate to provide the property owner false hope on this issue and send it back to the Planning Commission.</p>
<p>CONCLUSION</p>	<p>Councilmember Stanton moved to adopt Ordinance 14-02Z to reject the petition for rezone based upon the finding of General Plan non-compliance with the Master Land Use Map which indicates the area will be developed A-1. Councilmember K Peterson seconded the motion. Voting by roll call is as follows: Councilmember K. Peterson, aye; Councilmember Stanton, aye; Councilmember M. Petersen, aye; Councilmember Patterson, aye.</p>
<p>G. TABLED FROM JUNE 24, 2014 – 8:30 PM PUBLIC HEARING – ORDINANCE 14-04Z – REVIEW AND ACTION UPON A RECOMMENDED CHANGE TO THE CLINTON CITY ZONING ORDINANCE §28-3-12(1) ESTABLISHING STANDARDS FOR ABOVE GROUND STORAGE OF FLAMMABLE, COMBUSTABLE LIQUIDS AT GOLF COURSE ALONG WITH OTHER MINOR CORRECTIONS IN VARIOUS SECTIONS TO CLARIFY INTENT OF THE CODE</p>	
<p>Petitioner</p>	<p>Dennis Cluff, Lynn Vinzant</p>
<p>Discussion Proposed changes clarify and correct sections of the ordinance.</p> <p>Changes by Section: Chapter 2 Definitions: “Accessory Building, Residential” means a building constructed within a residential subdivision (R-1 zones) shall be constructed of materials complementary in color comparable to the primary building on the lot and buildings on surrounding lots.</p> <p>“Garage, Private” means an enclosed space or accessory building for the storage of one or more motor vehicles. A garage with an exterior width of less than 20 feet shall be designated as a single garage. A garage with an exterior width of 20 feet or greater shall be designated as a double garage. For the purpose of these regulations a private garage will fall into one of three (3) categories:</p>	

TABLE 3.12.1	A-1	A-E	MP-1	CP-2	Temporary Construction Site Storage
Class I Liquid Protected Above-Ground Tanks	Yes ^{a,b}	Yes ^c	Yes	Yes	Yes ^b
Class II & III Liquid Protected Above-Ground Tanks	Yes ^{a,b}	Yes ^c	Yes	Yes	Yes ^b
Distance From Combustibles	Evaluated with site plan and fire department requirements				
Distance From Property Line	Evaluated with site plan and fire department requirements				
Drainage and containment Tanks	Based upon fire department permit				
Permit From Fire Department	Yes	Yes	Yes	Yes	Yes
^a In A-1 Zone, will not be allowed on lots smaller than 2 acres. ^b Gravity Fill tank, not to exceed 1,100 gallon tanks. ^c In A-E Zone, will only be allowed in golf courses or similar recreational areas with a minimum of 100 acres.					

§ 28-3-15 Additional Standards Amend

(3) The Dwelling shall have a minimum two car garage, (minimum 20' x 20') attached to or detached from the primary structure. ~~If a two car garage is not constructed side lot setback requirements on one side of the dwelling shall be increased proportionally to the width of any garage constructed, i.e. if a 12' wide carport or garage is constructed the side lot setback shall be increased 8' on the same side as the carport or garage to facilitate construction in the future. If an enclosed garage is not constructed the dwelling must provided a minimum of 120 square feet of enclosed storage, with a minimum height of six feet, located in a garage area or in an accessory storage structure. Such garage and/or storage structure shall conform to all applicable building codes.~~

§ 28-3-25(2) Garage Accessory Delete

~~(v) Garages Accessory shall compliment the color scheme and utilize the same building materials as the existing dwelling. Street view of the structure shall be similar in the use of materials, brick, rock, etc., as the~~

~~residence on the lot. Sides and rear of the structure may utilize less primary materials, siding, stucco, etc., found on the residence. Equality of materials and colors shall be determined by the planning staff at the time of plans review. Allowances may be made when considering the availability of materials due to the age of the original structure.~~

Replace With

(v) Garage Accessory shall compliment the color scheme of the existing dwelling. Significance of colors shall be determined by the planning staff at the time of plans review.

Add

(vi) It shall have a hard surface drive from the street to the garage unless the structure is behind a 6-foot solid fence with gates then the hard surface shall extend from the street to behind the fence gates.

§ 28-3-25(4) Accessory Building

Delete

~~(e) Accessory Buildings shall compliment the color scheme and utilize the same building materials as the existing dwelling. Street view of the structure shall be similar in the use of materials, brick, rock, etc., as the residence on the lot. Sides and rear of the structure may utilize less primary materials, siding, stucco, etc., found on the residence. Equality of materials and colors shall be determined by the planning staff at the time of plans review. Allowances may be made when considering the availability of materials due to the age of the original structure.~~

~~(f) Accessory Buildings located in a yard surrounded by a solid or privacy fence shall compliment the color scheme and utilize the same building materials as the existing dwelling. Significance of materials and colors~~

~~shall be determined by the planning staff at the time of plans review. Allowances may be made when considering the availability of materials due to the age of the original structure.~~

Replace With

(e) Accessory Buildings shall compliment the color scheme of the existing dwelling. Significance of colors shall be determined by the planning staff at the time of plans review.

§ 28-3-25(5) Accessory Building Large Lot

Delete Entire Section

§ 28-3-25(8)(e) Carport Accessory

Add

(vi) It shall have a hard surface drive from the street to the carport unless the structure is behind a 6-foot solid fence with gates then the hard surface shall extend from the street to behind the fence gates.

§ 28-4-4 Parking Space for All Residential Dwelling Units.

Amend

In all residential zones, in accordance with other sections of this chapter, there shall be provided in a private garage, or in a hard surface area properly located, sufficient space for the parking of automobiles for each unit. If two (2) or more parking spaces are required the parking spaces must be side-by-side. For a new buildings or structures, additional units, or for the enlargement or increase in capacity, floor area, or guest rooms of an existing main building or structure, there shall be the following minimum number of permanently maintained parking spaces on the same lot with the main building as follows:

(6) Dwellings: In all zones there shall be provided:

Table 4.8.1		
Type of Unit	Number of Enclosed Spaces	Other Parking Spaces
Single Family	2 ^a	
Two Family	4	
Three Family	6	2
Four Family	8	2

^a See notes in 28-14 of this ordinance for additional requirements

§ 28-12-3 Conditional Uses.

Amend

(9) Municipal Wells, Reservoirs, and Storage Tanks for water.

(10) Above ground fuel storage tank.

§ 28-13-3 Conditional Uses.

Amend

(5) Municipal Wells, Reservoirs, and Storage Tanks for water.

(6) Above ground fuel storage tank.

§ 28-14 Table 14.2

Amend

17 Municipal Wells, Reservoirs, and Storage Tanks for water.

§ 28-19-29

Table 19.29.2 Development Standards					Conventional Subdivision	Performance Subdivision
1.	Minimum Lot Frontage	Interior Width			65	None
		Corner Width			65	None
2.	Minimum Yard	1.	Front	Main street	35	35

	Setbacks (feet)	2.	Side	Other street	20	20
				Interior lot	8/10	20
				Facing major street	35	35
				Facing other street	20	20
		Accessory Building		8/10 ^b	8 ^b	
		3.	Rear	Main building	25	25
Accessory Building	3 ^c			3 ^c		
3.	Building Height	Minimum stories		1	1	
		Maximum stories		2.5	3	
		Maximum feet		35 ^d	35 ^d	
4.	Building First Floor Area (sq. ft.)	Dwelling unit minimum		850	800	
		Accessory building maximum (total area)		850	None	
5.	Impervious Surface Ratio			25%	25%	

^a Applies to building rather than individual units

^b EXCEPTION: ≥ 10’ from the rear of main building and ≥ 18’ from dwelling on adjacent lot: 3’ from building wall 1’ from nearest point of building.

^c EXCEPTION: Corner lots, rears on side yard of adjacent lot; Interior lots, rears on side yard of adjacent corner lot, 25’

^d Accessory Building: 6’ minimum, 1 story max, ≤ to main building on lot

SECTION 2. Planning Commission Action. Reviewed in a public hearing the 17th day of June and 1st day of July 2014, by the Clinton City Planning Commission and recommended for approval (rejection) through a motion passed by a majority of the members of the Commission based upon the following findings.

- Proposed changes do affectively clarify the intent of the ordinance.
- Proposed changes do not adversely affect the effectiveness of the ordinance and are in line with the intent of the General Plan.

Initially in the staff report, it was proposed that pigs not be allowed in residential or agricultural areas; during the discussion, the City Council agreed that they do not want to restrict pigs in Clinton City and asked staff to remove it from the ordinance.

The City Council directed staff to ask the Planning Commission to revisit the definition of garage and look at changing the requirement for a hard surface to extend from the road to an accessory building or a barn/shed.

Mayor Adams asked for additional public comment; there was none, therefore he closed the public hearing at 10:07 p.m.

CONCLUSION	Councilmember M. Petersen moved to adopt Ordinance 14-04Z amending sections of the Clinton City Zoning Ordinance. Councilmember Patterson seconded the motion. Voting by roll call is as follows: Councilmember Stanton, aye; Councilmember M. Petersen, aye; Councilmember Patterson, aye; Councilmember K. Peterson, aye.
City Manager Report	<ul style="list-style-type: none"> • Heritage Days is July 16-19 • Asked the City Council to decide if the Meeting on July 22 should be cancelled. The Council agreed the meeting should be cancelled. • Reported the Truth in Taxation and Final Budget Hearing will be August 12.
Mayor Adams Report	<ul style="list-style-type: none"> • will be out of town during Heritage Days
Councilmember M. Petersen	<ul style="list-style-type: none"> • Received an inquiry from a citizen who is still concerned with secondary water.
Councilmember K. Peterson	<ul style="list-style-type: none"> • Nothing at this time.
Councilmember Mitchell	<ul style="list-style-type: none"> • Excused
Councilmember Patterson	<ul style="list-style-type: none"> • Reported there are weeds at 1300 N and 3000 W that need to be taken care of.
Councilmember Stanton	<ul style="list-style-type: none"> • Reported the Sewer Plant rate increase postcard has been mailed out to customers.

ADJOURNMENT	Councilmember Patterson moved to adjourn. Councilmember Stanton seconded the motion. All those present voted in favor the motion. The meeting adjourned at 10:23 p.m.
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