

CLINTON CITY COUNCIL MINUTES

2267 North 1500 W

Clinton UT 84015

MAYOR

L. Mitch Adams

CITY COUNCIL

Councilmember Brice Mitchell

Councilmember Anna Stanton

Councilmember Mike Petersen

Councilmember Karen Peterson

Councilmember Barbara Patterson

Clinton City Council	August 12, 2014	Call to Order: 7:00 P.M.
Staff Present	City Manager Dennis Cluff, Community Development Director Lynn Vinzant, Public Works Director Mike Child, and Lisa Titensor recorded the minutes.	
Citizens Present	NaDean Sampson, Summer Fournier, Christopher Fournier, Wendy & Davis Combs, Nolan Evans, Bill Chilson, Jamie Pengelly, Kelly Guymon, Loni Schneider, Joe Mark, Pam Mark, Becky Jackson, Eric Peterson, Holly Kilboy, Brett Finlayson, Bret & Debra Thurman, Bette Parkin, _ Talbot, Brian Ravenburg, Jeff Judkins, Carlos Judkins, Jeff Ritchie, P Rivera, Matthew Rowley, Dereck Bauer, David Fillerup, Brian Fillerup, Roger Dixon, David Godfrey, Michael Jones, Chris Sessions, Ruth Christensen, E.M. Leishman, Chad Adams, Elizabeth Adams, Brian Allen, Anthony Baker, Gregg Folk, Jeremy Steadman, Colten Pett, Shawn Armstrong, Karen Fielding, Jason & Sarah Miley, Jared and Michelle Hainline, Joanne Daniels, Lauri Brown, Del Ahlin, Jacqueline Ahlin, Jacob Leder, Rodney Vaterlous, Joanne Hansen, Spencer Hale, Chris & Britney Bateman, Gary W. Sessions, Matthew Sessions, Larry Stuart, Howard L. Elting, Paul Wilson, Brian Kearney, Chris Summers, Cindy Davis, Shauna Hiram, Scott Sackett, Steve Hubbard, Bill Armstrong, Nathan Gunter, Payton Rusch, Shawn Stoker, Erik Craythorne, Rob Egbert, Curtis Chapneys, Rick Worcester, Brian Kerney, Lonnie Schneider, ;Stan Nielson, Larry Stewart, Tim Morris, Brad Russell, Dean Hill, Betty Parkin, Fred Mitchell, Toby Guymon, Royce Vantassell, Rick Purrington, Michael Valare, Allen Hansen, Rick Lee	
Pledge of Allegiance	Shawn Armstrong, Troop 212	
Prayer or Thought	Shawn Armstrong, Troop 212	
Roll Call & Attendance – Excused Were:	All were present.	
	Mayor Adams commented on the water issue that took place over the past week. He identified that he will be sitting down with staff on Wednesday to discuss and evaluate the events and the policies and procedures that were followed. Comments on that issue will not be heard at this meeting.	
A. 7:00 P.M. PUBLIC HEARING - TRUTH IN TAXATION HEARING PERTAINING TO PROPOSED PROPERTY TAX INCREASE FOR FISCAL YEAR 2014-15		
Petitioner	Mayor Adams, Dennis Cluff	
Discussion	<p>The City is proposing to increase Property Taxes by 0.0007, approximately \$502,555, starting in FY 2014-15 for the sole purpose of increasing the street maintenance, repair and reconstruction for the Clinton City Street system. The Pavement Management Report of 2014 outlines the street repair and reconstruction needs throughout the City. As delineated in the Report, even this proposed tax increase will not provide sufficient funding to effect all the street work that will need to be accomplished. However, this proposed funding increase will provide for a substantial increase of street work and other future funding will be pursued through other means to provide more assistance.</p> <p>Mayor Adams identified the intent of the proposed tax increase is to provide a revenue source specifically to maintain the roads in Clinton City now and for future generations. He said as a result of many complaints over the years, he</p>	

asked staff and JUB Engineers to prepare a report identifying the current conditions and future needs of road maintenance and provide their best estimate of the costs. He said he feels an obligation to act now rather than pass the burden on to a future council.

There are approximately 78 miles of road in Clinton. He said he was alarmed by the report which identifies the City is significantly underfunded for road improvements.

Mr. Cluff stated there is a need to find funds for road maintenance and improvements because the limited funds that have been available have been used to their maximum benefit, however they are not sufficient to maintain the road properly. Federal grants are becoming scarcer; the City will continue to seek whatever grants are available.

Mr. Child reviewed the information included in the 2014 Pavement Report:

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He specifically discussed pages 5, 9, 10, and 15. He reported that the information included in the report is very conservative.

On page 5 he reviewed the estimated remaining life of the roads.

On page 9 he explained that red identifies how current street maintenance is performed; after the initial treatment the roads do not receive treatments. He said that with the proposed maintenance, the roads would receive a treatment every 10 years. The life cycle of the roadway would increase significantly and stay in the good condition for much longer.

Page 10 addresses treatments including; crack seal which prevents water from seeping through cracks and prevents flexing which causes the cracks and is good for 5 years, it can increase the life of the road 6 to 10 years. Slurry seal is planned for every 10 years which will seal the road and help prevent oxidation and further cracking. It also will extend the life of the roads from 6 to 10 years.

On page 15 in the summary he explained the proposed pavement preservation budget still leaves a deficit in the overall street maintenance beginning approximately 20 years from now and that will need to be addressed in the future. Additional funding may come in the form of grants. Clinton City has been very successful in obtaining grants in the past and this has greatly reduced the cost to our overall maintenance budget but the possibility for future grants is less now that the majority of projects that would be eligible for this type of funding have already been completed.

He explained that as identified in Table 2 on page 15, initially it shows a surplus,

but eventually due to the number of projects and costs it will quickly become a deficit.

Mr. Cluff clarified that all the funding from the tax increase will be used strictly for the road budget.

Mayor Adams opened the public hearing at 7:24 p.m.

He identified that John Diamond was not able to attend the meeting but he sent the following information in an e-mail.

To: Clinton City Mayor, City Council and staff:
From: John W. Diamond, Clinton Nursery, Inc.

I was planning on attending the city meeting tomorrow night on the public hearing regarding the city budget, but I had other business matters come up and will not be able to attend. I would like to make you aware of my concerns with the budget increase.

The market value of my personal residence increased \$85,004.00 from 2013 to 2014. If the proposed budget is approved that would increase my personal property taxes by \$277.61 per year.

The market value of my business (Clinton Nursery, Inc.) increased \$222,497.00 from 2013 to 2014. I think all of you know that we are trying to sell our business and the property that goes with it. We are not asking as much for the business and property as the county has it assessed for. At this time we do not have any interested buyers, even at the reduced rate. If the proposed budget is approved we will be looking at an increase of \$3,261.50 in property tax.

My total increase in property tax for the 2014 tax year would be \$3,539.11. This is in addition to the \$8,366.13 I paid last year, bringing my total taxes for 2014 to \$11,905.24. I would be paying more in taxes than my net income for last year was.

The increased taxes would put an undue burden on the citizen's and the business community as well. There are many other things the city can do to save money and reduce the budget needs.

We in private business have had to tighten our belts the last few years and it is time the city does the same. There are many, many areas where the city can cut expenses and it is time to do so, rather than keep spending and spending. I would be open to discuss this matter further with you at another time and give you my ideas on how the city can cut the budget, rather than ask for an increase every year. I would like to hear from you regarding this matter.

Brian Kerney stated he does not agree with the tax increase. He asked Mr. Cluff how the City can ensure that the funds will only be used for roads.

Mr. Cluff responded that under state law there are a number of types of property tax purposes, but road improvements is considered part of the general property tax. This administration is identifying that these new funds will be used strictly for roads, but a future Council cannot be obligated to use the funds strictly for roads.

Mr. Kerney then asked if a bond could be used specifically for road improvements rather than imposing a tax increase.

Elizabeth Adams commented that if the next Council can change how the funds will be used, it should not be a property tax increase that goes out for 50 years. Secondly she doesn't feel there was enough time for the citizens to review the report on the website. She is concerned that by setting the time to 50 years, there

is no way to monitor how the funds will be used in the future; she would rather see it set for 10 years.

She asked why the road improvements can't be done in smaller increments. She asked what the difference in cost is to upkeep all of the roads vs. only repairing the roads in drastic need. She asked the Council if as individuals they have already made their decision on this issue.

Mayor Adams replied the 50 year term is to make sure that there are funds in the future to cover the costs and make sure we are paying today for what we need to today. He stated he feels the tax increase is necessary and in the best interest of the City.

Councilmember K. Peterson said that at the Tentative Budget Hearing the Council unanimously agreed to go through the Truth in Taxation process.

Councilmember M. Petersen said he is not in favor of raising taxes but roads are a major concern.

Mayor Adams clarified these figures are based on estimates and costs of other projects the City has done.

Mr. Vinzant explained this plan is based on doing the road maintenance projects in increments. The intent is to make the roads last for 50 years.

Debbie Barlow asked if the HoDag fund has been paid back the \$66,000 the city borrowed from it for the bond for the new buildings a few years back. She commented that roads are expensive, but there are many areas in the city that could be tightened up to provide more money for the roads. She suggested that prizes at Heritage Days be discontinued and that all donations go directly to offset the cost of Heritage Days. She said that city employee benefits are rich. The health insurance premiums should not be raised for employees and the 7% unmatched 401K should be reduced for new employees that are hired; they should be required to provide matching funds for their 401K.

Theresa Kearl asked the Council not to vote on this issue; she said the citizens should not have to bear the cost. She asked if this is the only option that is being explored.

Mr. Cluff said the City has cut back significantly over the past five years since the growth has declined.

The HoDag funds of \$1.2 million was set aside specifically for roads. Some years costs are higher than other years; there is approximately \$300,000.00 a year budgeted out of this fund for roads.

Ms. Kearl asked what other options are available; she said the public has not been provided enough information. She does not want the Council to make a decision until they take the time to look at other options.

Mayor Adams responded the only places where enough funds for roads could be cut from the budget are by eliminating police, fire or recreation.

Lonnie Schneider asked what the \$20,000 increase in the City Manager's office was.

Mayor Adams responded that the Deputy Recorder went full time.

Stan Nielson expressed concern that Clinton will have the highest tax rate in Davis County. He doesn't feel this kind of an increase is necessary.

Larry Stewart said he applauds the Mayor for how the overall growth in the city both commercial and residential has been managed. He was opposed to the commercial development that began nine years ago; however he was wrong. He would like the Council to search out other avenues besides taxation to raise the money for roads. He appreciates the efforts of the Council but feels there needs to be further evaluation.

Tim Morris stated this tax increase will be a financial burden for him. He said maybe there should be a decrease in employee 401k's. He asked the Council to consider doing a little bit at a time.

Brad Russell said he applauds the City Council for their bravery. He said 2000 West is a night mare. The streets of Clinton need improvements. However, he proposed that the Council table the issue, listen to the residents and look into other options.

Dean Hill said that franchise taxes are higher in Clinton than any other community. The increase in the Sewer fees and Water fees are the same as tax increases. The bond is not paid off; don't go too far into debt. Water is an issue, the City wants to build a new well, there will need to be a property tax then to cover that cost. Other solutions need to be considered. He said that employee cuts may be necessary; he suggested the Fire Department combine with other cities; Recreation make cuts and increase fees for programs. A lot of issues need to be looked at.

Matthew Sessions said he sent an e-mail to the Clinton staff and City Council. The primary issue he has is that the financial information is not available to warrant this tax increase. He questioned how complete the report is and stated he does not feel the report is complete enough. He would like an independent agency to look at the proposal.

Gary Sessions commented that cuts in the city need to happen. There is not enough information to make an argument for a tax increase. He said the bond for the city buildings will be paid off in 3 years, why can't that money be used. The city should apply for grants. The Council should find creative resources to pay for road improvements. He wants good roads, but he feels more information needs to be available. He asked the Council to table the issue or to vote against it.

Betty Parkin said during the last election none of the political signs identified there would be a Truth in Taxation to raise taxes. The Council is supposed to represent the citizens. This is poor planning and bad representation. She said where is the tax base from all the commercial growth? The City needs to support its businesses. She would like to see the businesses be allowed to do more advertising.

Fred Mitchell stated that the City Manager makes more than the Governor of Utah. The City Management is paid too much. Eight years ago there were huge raises given to City Management Employees. He is against raising property taxes. The commercial business growth has only increased City Management wages. He is frustrated with the recent \$1 water increase and the \$3 Sewer District increase. He said the City Council has a responsibility to oversee the City and represent the citizens.

Scott Sackett said he is overwhelmed with state taxes, local taxes and federal taxes. The overall percentage is too high; he hasn't had a raise for four years. His family has to go without. He is against this tax increase. He asked the Council to represent the people.

Toby Guymon said he is not in favor of a property tax increase. He has had an increase of 53% in county property tax since he moved here in 2007. In the FY 2013-14 budget he saw that 23% is administration and 18% is recreation this is nearly 50% of the budget and it is not acceptable. He said according to the budget detail, the street and roads budget was decreased. He does not understand this.

Mr. Cluff clarified that the decrease is due to gas tax monies and impact fee funds which need to be spent on specific projects like collector streets. Funds were built up over many years to complete projects that have since been completed. Funds will begin to build up again for future projects.

Bill Armstrong stated he is a transplant to Utah. He spent 30 years in the Air Force. He is originally from Illinois and he feels that roads here are good compared to the roads there. He does not want to pay higher taxes. He asked the Council to reconsider this tax increase and find other ways to generate the funds for roads. He said he is working in engineering at HAFB; he is willing to donate his time to help find a solution.

Michelle Hainline asked if there are road projects that can be put off.

Mr. Cluff responded that for every year that road maintenance is put off, the costs increase. The number of roads that need attention increases every year and puts the City further behind.

Ms. Hainline said she would like to wait three years till the bond is paid off and use that money for the roads.

Mr. Cluff replied that the HoDag money will be depleted in approximately three years. There is not enough money to fund road projects; it will have to be addressed at some point. He hopes the Legislature will address the gas tax issue this year. Grants are beneficial and the City is making the most of the funds available. The intent is to extend the life of our roads and there is simply not enough money. Both prevention and reconstruction projects are necessary; prevention is definitely less expensive.

Ms. Hainline asked what is happening with the sales tax revenue from the businesses.

Mr. Cluff clarified that the sales tax is nearly double the property tax.

Mayor Adams clarified the businesses are carrying a big part of the load; the City would be much worse off without them.

Ms. Hainline said that cuts need to be made. She feels that anything that is not a necessity including Heritage Days and Recreation programs need to be looked at.

Lonnie Schneider commented she would like to see the City Managers car allowance cut. She feels cuts could also be made in Recreation programs, in Sam's Club memberships for the Police Department as well as cutting out the Frisbees for Heritage Days. She feels more can be done to cut the budget.

Rick Purrington said the City should have cut areas in the budget before proposing a property tax. He said that a 40% increase is too much, a smaller amount should be proposed and then use the bond money when it is paid off in three years.

Councilmember Patterson pointed out that the City Manager has the Department Heads look at budget cuts every year in a budget work session.

Michael Valare said his income has decreased 28% over the past four years. Said it is incumbent upon the citizens to make sure that the City Council represents them. His concern is that when taxes go up they don't come down. He suggested increasing the taxes for businesses. He said people will leave the City if taxes go too high.

Jared Hainline commented that he is concerned about how the taxes are being raised. He asked if there are selfish reasons involved on the Council's part. He is worried that selfish reasons have been the motivation for the past decade.

Joanne Hansen commented that having lived in the area for almost 60 years, this area has grown significantly. She would like to see more information put on the website. She wants to compliment the City. People need to provide input. The City can use technology to keep people informed. She feels that the recreation programs are necessary for the youth in the area and they promote pride in the City. From experience, she appreciates the budget process and the effort the City Council puts in.

Allen Hansen expressed appreciation for the City Council. He asked about the General Fund and how it is funded.

Mr. Cluff responded the largest contributor is taxes.

He then asked why the CDBG was not applied for.

Mr. Vinzant responded that CDBG funds were applied for; however only \$25,000 was awarded, it is not enough to make the grant functional due to the requirement of matching funds. The City was asking for \$150,000. It is in the City's best interest to wait for funds until they can get a larger amount.

Mr. Hansen suggested we encourage businesses to come to the City. He also suggested that the City contract with an individual to seek grants and pay them on a commission basis. Property tax increases should be considered as a last resort.

Royce Vantassell, VP of the Utah Taxpayers Assoc. said this is a problem that lots of cities face. The solution should not be to increase property tax to pay for roads. The principle of sound tax policy is that there should be no relationship between property tax and how much or how little someone uses the roads. The State needs to step up with gas taxes. He said there are other ways to pay for roads. He has seen other cities like Orem and Highland fix their roads without raising taxes.

Rick Worcester works at HAFB and has had to take a pay cut by taking unpaid days off. He will actively work to vote the Council out of office if they raise taxes. He is not in favor of giving employees a raise. He enjoys living in Clinton City. He appreciates the police, fire and recreation. He asked the Council to please consider other alternatives.

Shauna Hyrum said she feels the maintenance plan is reasonable, however she is not convinced that taxes should be increased this much to fund it. She questioned if new police cars, a new ambulance, and over \$10,000 in memberships and subscriptions are necessary. She suggested using e-mail to send out all utility bills. She said that maybe Christmas decorations and the Easter Egg Hunt should be reconsidered as well as the fireworks. She said stop salary increases for employees. She asked the City Council to consider these options before raising taxes.

Chad Evans asked why this increase was not addressed during the tentative budget process.

Mr. Cluff responded that roads have been an issue for years and will only get worse. During the tentative budget process, the Council was made aware of the issues. The Council wanted good estimates and information on the extent of the problem and asked Public Works to provide a report identifying potential costs.

Mr. Evans said that the budget should be readdressed. He asked if this is perpetual or if an end time can be imposed.

Mayor Adams responded the City is approximately 60% built out for residential and 70% built out for commercial. The commercial development currently supplements the residential, as the residential increases faster than the commercial increases the sales tax revenue will decrease.

Mr. Evans said he would like to see there be an end date or at least an adjustment period identified. If it can not be tied only to the roads, it should not be done. He said he is not in favor of the tax increase.

Mr. Cluff said that through research with the County it is not possible. A bond is a possibility but there are additional costs tied to it such as interest. A General Fund Bond would require a vote of the people. This council wants to set up a special revenue fund specifically for roads. He identified that over the past 20 years, the City Council has lowered the tax rate four times. He said there is a lot of thought that goes into the budget.

Jason Harper said he works in the private sector; he has only had two raises in the past six years. He would like the Council to look at other ways to cover the costs for roads. He said he feels that the Government is bloated and the private sector is more efficient. He asked the City Council to do more with less and distribute the burden.

NaDean Sampson said she is on a fixed income; she goes without based on her limited income. If this can be postponed till next year and evaluated further she would appreciate it. She asked the City Council to watch out for her.

Dean Hill asked if the commercial businesses will be taxed the same.

Mr. Cluff responded that the tax calculation is different. Residences are taxed at 55% of their valuation. The Commercial is taxed at 100% of their valuation.

Brett Finlayson said he would like the City Council to consider some of the ideas presented. He has to budget his money for his family. He wants to see the City Officials find a way not to raise taxes. He said it will be a shame if the Council doesn't listen to the citizens and look at other viable options.

Betty Parkin said there have been great ideas presented. She hopes the gas taxes come through for the roads. The City Council should have looked into the gas tax before they proposed a tax increase.

Rick Lee stated the City Council is elected for the people. He asked the Council to consider how they would vote if they were in the audience.

Tim Morris said he is handicapped and has a hard time finding employment. This tax increase would be ridiculous; he said employee wages should be decreased. He loves living in Clinton and does not want to move, but may have to if the taxes increase. He appreciates the police and paramedics.

Rodney Vaterlous said he agrees with much of what has been said. He said the recent candidates appeared to be in consensus that they wanted to increase the tax base. He said that if the City wants to invite businesses into the City they

need to not tax them so much. He said the budget should be reviewed based on priorities.

Brian Kearney asked what the deadline is for submission of the budget. He said he would like to see the issue tabled to allow time for bond numbers to be presented to spread the cost out over time. He would also like to see numbers on tax increases on an incremental basis over time. He asked if the Council will hold a meeting to identify what other options they looked at.

Councilmember K. Peterson said the Council will have a discussion after the public hearing.

Cindy Davis questioned if the property tax is based on the county assessment.

Mr. Cluff responded that the overall valuation went up county wide. The proposed increase is based on a specific rate of approximately a half million dollars. The increase will be imposed on top of the revised tax rate would have been. The real increase over last year's taxes would be an approx. 0.000666% rate amount.

Mayor Adams clarified that on a \$180,000.00 home the increase would be a \$69 increase over what the city property tax portion was last year.

Elizabeth Adams said that Davis County is notorious for increasing property values unjustly, based on that, a property tax that is not adjusted correctly is an issue. It seems that this tax increase is being snuck in due to the quick time limit. She asked the Council to consider postponing this for another year. She asked for the formula that was used to determine the figures for the tax increase. She wants to see the work.

Mayor Adams closed the public hearing at 9:29 p.m.

Councilmember Mitchell stated the City Council appreciates the citizen input and has been listening to their comments. He said this tax increase affects the City Council as residents as well. The best interest of the City is what is being considered, nothing shady is being done.

Mayor Adams clarified the information has been sent out in the newsletter.

Councilmember Stanton said she agrees with Councilmember Mitchell and appreciates the citizen comments. She clarified that there have been many things cut from the budget over the past several years and money has been saved where possible. She has heard many good suggestions during this meeting; she is definitely willing to continue reviewing the budget to make cuts where possible.

Councilmember K. Peterson said as a newly elected Councilmember she attended her first budget meeting and was very concerned about the needs of the City that will not be funded because of the lack of funds. This issue has taken a lot of thought. The budget was reviewed thoroughly and cuts were made; she identified there are vacant employee positions, in addition to Heritage Days being cut down by one day to save money. She agrees that the budget takes constant review and cuts should be made where possible. She appreciates many of the comments made during the hearing.

Regarding taking out a bond for road improvements, she does not feel that a bond is in the best interest of the City. Impact fees cannot be set too high because it will limit commercial development in the City. She said the Council had the option to impose fees for roads, but the Council felt the Truth in Taxation process was the best way to go to provide adequate notice to the citizens and give them an opportunity to provide input. She feels that a

proportional increase is better for the residents than a straight fee across the board.

She went on to say that although the bond will be paid off in three years, all the money will not be available strictly for roads.

She asked the Council to review chart 2 on page 15

TABLE 2 50 Year Maintenance Program Cost By 10 Year Period and Proposed Budget

	Total Costs	Budget	Surplus	Deficit
Total Costs Year 0 to 10	\$6,930,935	\$ 7,200,000	\$269,064	
Total Costs Year 10 to 20	\$7,292,266	\$ 7,200,000		\$92,266
Total Costs Year 20 to 30	\$14,337,188	\$ 7,200,000		\$7,137,188
Total Costs Year 30 to 40	\$11,637,144	\$ 7,200,000		\$4,437,144
Total Costs Year 40 to 50	\$7,458,338	\$ 7,200,000		\$258,338
Total	\$47,655,871	\$36,000,000	\$269,064	\$11,924,936

She proposed to the rest of the City Council to lower the tax increase rate from 39.68% to approximately 25% by spreading the amount of the anticipated first 10 year carry over and dedicating a portion of the bond money once it is paid off to the road fund which results in a reduction of the proposed tax rate increase from .0007 to .000456. The dollar amount figures out to be \$327,649.00.

Councilmember M. Petersen said road maintenance is an issue. He responded to citizen comments. He explained that many of the expenses for the programs in the Recreation Department are offset by the fees collected for the programs. He said he would like to see the gas tax raised and encouraged the citizens to contact the Legislature to request a change to the gas tax. Impact fees are down due to the decline in growth over the past few years. He pointed out that eventually the City will be built out and won't have those fees to rely on. Commercial development will help; the City Council has asked the Planning Commission to review the ordinance regarding advertising options for local businesses. He clarified that the water increase is to maintain the water lines which has been subsidized by the General Fund for many years. The sewer fees are pass through costs from the Sewer District because they need to make improvements and have realized the costs are too high and they have not collected enough in fees to support the system for many years. The City is in the same situation with the roads.

Mayor Adams clarified that adult recreation programs are not subsidized by the General Fund.

He said he is not opposed to the proposal to reduce the tax increase amount to \$327,649 by Councilmember Peterson. He feels in the long run it will not be enough but additional funds will continue to be sought by staff and the Council. A future City Council will most likely need to address this issue again.

Councilmember K. Peterson said she realizes this will most likely not be enough money, but there may be options that come up in the future to help offset some of the costs or there may be a need to raise taxes in the next few years.

Mr. Cluff identified he would verify these figures with the County on Wednesday to verify the tax rate of .002253.

CONCLUSION

Councilmember K. Peterson moved to approve a \$327,649.00 property tax increase. Councilmember Stanton seconded the motion. Voting by roll call is as follows: Councilmember Mitchell, no; Councilmember Stanton, aye; Councilmember Patterson, aye; Councilmember M. Petersen, no; Councilmember K. Peterson, aye. Councilmember M. Petersen said that there are enough people against the property tax increase that it should be reconsidered. Councilmember Mitchell said that he feels other options need to be looked into.

Mayor Adams directed the City Council to address Agenda Item E.	
B. 7:05 P.M. PUBLIC HEARING - RESOLUTION 15-14, CERTIFICATION OF TAX RATE AND ADOPTION OF FINAL BUDGET FOR FISCAL YEAR 2014-15	
Petitioner	Dennis Cluff
Discussion	<p>The Tax Rate for FY 2013-14 was .001831. The proposed new tax rate for FY 2014-15 was .002497. During the Truth in Taxation public hearing that was previously addressed on Agenda Item A, the City Council passed a tax revenue increase of \$327,649 which was a reduction from the proposed \$502,555.</p> <p>The exact tax rate will need to be verified with Davis County on Wednesday.</p> <p>Mayor Adams opened the public hearing at 10:54 p.m.</p> <p>Curtis Sneider suggested tabling the certification of the tax rate until Mr. Cluff can provide the correct tax rate with the approved tax increase. He said he is very disappointed in the decision and feels that it was rushed.</p> <p>Mr. Cluff clarified that the tentative budget did not include the tax increase. In the Final Budget the only difference will be the property tax increase, the transfer out to street fund and the transfer into the street fund.</p> <p>Elizabeth Adams commented she feels the issue should be tabled as well because the exact numbers are not available. She said the 40% tax increase was not a part of the initial budget meeting. She feels that not enough time or information was presented to the citizens regarding this tax increase.</p> <p>Rick Worcester asked if the special road fund is going to be in an interest bearing account.</p> <p>Mr. Cluff replied it in an account that bears a minimal amount of interest. It will be set aside into a special revenue fund separate from the General Fund.</p> <p>Mayor Adams closed the public hearing at 11:06 p.m.</p>
CONCLUSION	Councilmember Mitchell moved to table Resolution 15-14 to a special meeting on Wednesday, August 13 at 7:00 p.m. Councilmember Patterson seconded the motion. All voted in favor of the motion.
C. APPOINTMENTS TO THE CLINTON COMMUNITY ENHANCEMENT BOARD	
Petitioner	Mayor Adams
Discussion	<p>Mayor Adams stated he would like to appoint the following individuals to the Clinton Community Enhancement Committee for two year terms:</p> <p>Destry Merritt Debbie Barlow Karen L. Cook</p>
CONCLUSION	Councilmember Mitchell moved to ratify Mayor Adams' appointment of Destry Merritt, Debbie Barlow and Karen L. Cook to the Clinton Community Enhancement Board. Councilmember K. Peterson seconded the motion. All voted in favor of the motion.
D. APPOINTMENT OF ALTERNATE TO THE BOARD OF ZONING ADJUSTMENTS	
Petitioner	Mayor Adams
Discussion	<p>Mayor Adams identified that the Board of Zoning Adjustments is in need of an alternate member to insure sufficient attendance for Board Hearings. He would like to appoint Ronnie Duncan to this position.</p>
CONCLUSION	Councilmember Stanton moved to ratify Mayor Adams' appointment of Ronnie Duncan as an alternate to the Clinton City Board of Zoning Adjustment. Councilmember Mitchell seconded the motion. All those present voted in favor of the motion.

E. 7:45 PM PUBLIC HEARING – RESOLUTION 14-14, REVIEW AND ACTION UPON A RECOMMENDATION FROM THE PLANNING COMMISSION CONCERNING A REQUEST FOR FINAL PLAT APPROVAL OF HARRISBURG COUNTRY ESTATES PHASE 4, A RESIDENTIAL SUBDIVISION LOCATED AT APPROXIMATELY 2800 W 900 N

Petitioner	Erik Craythorne, Q-2 LLC
Discussion	<p>At 10:23 p.m. Erik Craythorne addressed the City Council regarding his request for Final Plat approval of Harrisburg Country Estates Phase 4. He identified there will be 11 lots. Mr. Vinzant reviewed the following information included in the staff report:</p> <ul style="list-style-type: none"> ○ Preliminary Plat was approved April 1, 2014 ○ This final plat meets the intent of the preliminary plat. ○ The lots meet the requirements of the R-1-15 Zone <p>The Planning Commission passed a motion to forward a recommendation of approval onto the City Council with following conditions identified on the resolution:</p> <ul style="list-style-type: none"> • Subdivision significantly matches the preliminary plat approved by the Planning Commission April 1, 2014. • Subdivision meets the requirements of the R-1-15 Zone • Corrective requirements outlined by Staff shall be accomplished prior to presentation to the City Council. • A 6-foot chain link fence will be placed along the south and west property. • A 60-foot temporary turn around with easement is to be established at the east end of 900 North Street and shall be maintained by the developer. If the City has to maintain the turn around the City will be reimbursed for all cost prior to any further phase approval. • At the time that conditional acceptance is requested for any phase all inbuilt lots in that phase will be graded smooth, all construction debris is to be removed and all weeds cut as required by ordinance. The grading will aid in the control of weeds and prevent the gathering of garbage on vacant lots within the subdivision. • It is the developer/contractor’s responsibility to comply with all Clinton City Standards, Ordinances, Staff, Engineer and requirements established during the approval process. Wherever there is a discrepancy between these drawings and the City Standards the more stringent requirement will apply. If there is any doubt as to the requirement the developer is to seek clarification from the Community Development Department and obtain the determination in writing. Copies of the Standards are available at the Community Development Department. • The developer/contractor is responsible for insuring that all required inspections are performed by the Clinton City Public Works Department. If the developer is unsure of what inspections are required he can obtain a list from Public Works. The developer is cautioned not to proceed past an inspection point without ensuring that the inspection has been performed and work passed by Public Works. • It is the developer/contractor’s responsibility to ensure adequate dust and trash control practices are observed during all phases of construction. • The developer is to present and comply with an erosion control plan. • The developer shall provide to the City an as built for locations of

	<p>laterals.</p> <ul style="list-style-type: none"> • A means for removal of irrigation tail water must be provided. <p>Mayor Adams opened the public hearing at 10:27 p.m. with no public comment, he closed the public hearing at 10:27 p.m.</p>
CONCLUSION	<p>Councilmember M. Petersen moved to adopt Resolution 14-14, approving the Final Plat of Harrisburg Country Estates Phase 4. Councilmember Patterson seconded the motion. Voting by roll call is as follows: Councilmember K. Peterson, aye; Councilmember Stanton, aye; Councilmember M. Petersen, aye; Councilmember Patterson, aye; Councilmember Mitchell, aye.</p>
<p>F. 8:00 PM PUBLIC HEARING - ORDINANCE 14-04, ACTION BY ORDINANCE TO VACATE A PORTION OF 950 N ADJACENT TO LOTS 30 AND 31, THE PARSON’S PLACE SUBDIVISION PLAT 1, RUNNING WEST FROM 1235 W TO THE WEST BOUNDARY OF THE SUBDIVISION</p>	
Petitioner	Community Development / Public Works
Discussion	<p>Mr. Vinzant reviewed the following information included in the staff report:</p> <ul style="list-style-type: none"> ○ This street was originally established to continue to the West, however upon development of property to the west and resulting development this street is no longer needed. ○ Vacating this street will relieve the City of maintaining the asphalt. ○ When the street is vacated the land will be split and attached to the adjacent lots. ○ A copy of the formal public notice letter and a follow up letter that was sent out is included in the staff report. <p>The City intends on removing the curb, gutter and sidewalk. The removal of the asphalt depends upon the residents and how they want to use the area. The City will disconnect any infrastructure within the right-of-way so that there is no longer a need for the City to enter the vacated area. The City will install new curb, gutter and sidewalk across the old right-of-way.</p>
Public Comment	<p>Mayor Adams opened the public hearing at 10:32 p.m. and asked for public comment.</p> <p>Curtis Chapneys said he is okay with taking half of this property on the south side.</p> <p>Holly Kilboy said she accepts half of this property on the north side.</p> <p>Mayor Adams closed the public hearing at 10:34 p.m.</p>
CONCLUSION	<p>Councilmember M Petersen moved adopt Ordinance 14-04 to vacate a portion of 950 North, adjacent to lots 30 and 31, The Parson’s Place Subdivision Plat 1, running west from 1235 West to the west boundary of the Subdivision. Councilmember Patterson seconded the motion. Voting by roll call is as follows: Councilmember K. Peterson, aye; Councilmember Stanton, aye; Councilmember M. Petersen, aye; Councilmember Patterson, aye; Councilmember Mitchell, aye.</p>
<p>G. 8:10 PM PUBLIC HEARING – ORDINANCE 14-05 ACTION, BY ORDINANCE UPON A REQUEST TO VACATE A PORTION OF 1615 W ADJACENT TO LOTS 7 AND 8 KENDALL ESTATES PHASE 1, RUNNING SOUTH FROM 1950 N TO THE SOUTH BOUNDARY OF THE SUBDIVISION</p>	
Petitioner	Community Development / Public Works
Discussion	<p>Mr. Vinzant reviewed the following information included in the staff report:</p> <ul style="list-style-type: none"> ○ This street was originally established to continue to the South, however upon development of property to the south, this street is no longer needed. ○ Vacating the street does not remove the easement for the Jordan Valley Water main that is planned for some time in the distant future. ○ Vacating this street will relieve the City of maintaining the asphalt. ○ When the street is vacated the land will be split and attached to the adjacent lots. ○ A copy of the formal public notice letter and a follow up letter that was sent out is included in the staff report. <p>The City intends on removing the curb, gutter and sidewalk. The removal of the asphalt depends upon the residents and how they want to use the area. The City</p>

	<p>will disconnect any infrastructure within the right-of-way that is no longer needed. There is infrastructure needed for drainage of the Voyage Academy, an easement will be preserved. The City will install new curb, gutter and sidewalk across the old right-of-way</p> <p>Mayor Adams opened the public hearing at 10:39 p.m.</p> <p>Councilmember K. Peterson said she is hesitant to adopt the ordinance when the property owners have not responded.</p> <p>Staff replied several attempts have been made to contact the property owners. The Council has the option to table the issue.</p>
CONCLUSION	<p>Councilmember K. Peterson moved to table Ordinance No 14-05, vacating 1615 a portion of 1615 West, adjacent to lots 7 and 8, Kendall Estates Phase 1, running south from 1950 North to the south boundary of the Subdivision. Councilmember M. Petersen seconded the motion. All voted in favor of the motion.</p>
H. 8:10 PM PUBLIC HEARING – ORDINANCE 14-06 – ACTION BY ORDINANCE UPON A REQUEST TO VACATE PARCEL “C” ADJACENT TO LOTS 13 AND 14, KENDALL ESTATES PHASE 1	
Petitioner	Community Development / Public Works
Discussion	This discussion was postponed to the special meeting on August 13, 2014.
I. TO BE TABLED 8:30 PM PUBLIC HEARING – ORDINANCE 14-05Z – REVIEW AND ACTION UPON A RECOMMENDATION FROM THE PLANNING COMMISSION UPON A REQUEST FROM BRUCE NILSON, NILSON HOMES, REPRESENTING HE FLYS LLP, FOR A REZONE OF THE PROPERTY LOCATED AT APPROXIMATELY 2382 W 1800 N	
Petitioner	Bruce Nilson, Nilson Homes, representing He Flies LLP
Discussion	This discussion was postponed to the special meeting on August 13, 2014.
J. 8:50 PM PUBLIC HEARING – ORDINANCE 14-03 – REVIEW AND ACTION UPON A RECOMMENDATION FROM THE PLANNING COMMISSION CONCERNING A CHANGE TO THE CLINTON CITY SIGN ORDINANCE, TITLE 24, AMENDING STANDARDS FOR DRIVE-THRU MENU BOARDS, INFLATABLE’S AND PORTABLE SIGNS	
Petitioner	Community Development
	This discussion was postponed to the special meeting on August 13, 2014.
K. CANCELLED - 9:00 PM PUBLIC HEARING – REVIEW AND ACTION UPON A RECOMMENDATION FROM THE PLANNING COMMISSION CONCERNING A CHANGE TO THE CLINTON CITY ZONING ORDINANCE, §28-22-3 PATIO HOME INFILL SITE DEVELOPMENT CHARACTERISTICS	
Petitioner	Community Development
	This discussion was postponed to the special meeting on August 13, 2014.
ADJOURNMENT	<p>Councilmember Stanton moved to adjourn. Councilmember Patterson seconded the motion. All those present voted in favor the motion. The meeting adjourned at 11:08 p.m.</p>