

CLINTON CITY COUNCIL MINUTES

**Mayor
L. Mitch Adams**

**City Council
Councilmember Mike Petersen
Councilmember Karen Peterson
Councilmember Barbara Patterson
Councilmember Brice Mitchell
Councilmember Anna Stanton**

Clinton City Council Meeting	September, 23 2014	Call to Order: 7:09 P.M.	2267 N 1500 W Clinton UT 84015
Staff Present	City Manager Dennis Cluff, Community Development Director Lynn Vinzant and Lisa Titensor recorded the minutes.		
Citizens Present	Kelly Boehmer, Jeremy Bruening, Andrea Bruening, Darryl and Angela Armstrong, Jordan Sam, Bruce Logan, Susan Bates, Ariane Barker, Kirtstee Buston, Jacob Woolley, Spencer Belnap, Cade Woolley, Josh Clapham, Joey Mashburn, Garrett Gellespie, River Krey, Kaleb Kohler, Tim Tomlin, Brycen Rackham, Kara Cooper		
Roll Call & Attendance	Mayor Adams asked for a roll call of City Councilmember’s present.		
Excused Were	Councilmember Brice Mitchell		
Pledge	Kaleb Kohler		
Invocation	Joey Mashburn		
A. DEPARTMENT HEAD OF THE 2ND QUARTER OF 2014 – SHANNON MULLINS			
Petitioner	Dennis Cluff		
Discussion	<p>Mr. Cluff reported that Shannon Mullins is the Court Administrator for the Clinton Municipal Court. She has worked for Clinton City for 13 years. Shannon does a great job as she and her one full-time clerk diligently process and maintain the massive amount of records, documents and legal paperwork that is required for Court. She represents the City well with the public and the professional organizations she works with. She is very knowledgeable in her field of work. She is also a great person to work with and a valuable member of the City’s Management Team. Mr. Cluff said he is happy to recognize Shannon as the Dept Head for the 2nd Quarter of 2014.</p> <p>Ms. Mullins said she feels fortunate to work for such a great City and appreciates and enjoys working with the staff.</p> <p>Mayor Adams expressed appreciation for Shannon’s work ethic and dedication. He presented her with a gift card and an award.</p>		
B. REQUEST FOR FUNDING FOR THE ANNUAL “FUN RUN” FOR THE SUNSET JR HIGH DRUG AWARENESS WEEK			
Petitioner	Dennis Cluff		
Discussion	Mr. Cluff explained that for the last seven years during the second week of October Sunset Jr. High promotes Red Ribbon Drug Awareness and Prevention week. Clinton City has donated \$200 each year towards the Fun Run/Walk event that will be held on Friday October 10 th starting at 2:15 p.m.		
CONCLUSION	Councilmember Patterson moved to authorize the donation of \$200 to the Sunset Jr. High Drug Awareness Fun Run. Councilmember Stanton seconded the motion. All those present voted in favor of the motion.		
C. RE-APPOINTMENT TO THE PARKS ADVISORY BOARD			
Petitioner	Dennis Cluff		
Discussion	Mr. Cluff identified it is time to reappoint two members of the Clinton City Parks Board. Angela and Darryl Armstrong have been very active members of the Parks Advisory Board and desire to continue working on the City’s parks issues. These re-appointments to the Parks Advisory Board would be for a term ending the end of April 2016.		

<p>CONCLUSION</p>	<p>Councilmember K. Peterson moved to ratify Mayor Adams’ re-appointment of Darryl and Angela Armstrong to the Clinton City Parks Board to a term ending April 2016. Councilmember Stanton seconded the motion. All those present voted in favor of the motion.</p>
<p>D. 7:45 PM PUBLIC HEARING – RESOLUTION 16-14, REVIEW AND ACTION UPON A RESOLUTION CONCERNING A REQUEST FOR APPROVAL OF LONNIE CAMPBELL SUBDIVISION, LOCATED AT APPROXIMATELY 900 N</p>	
<p>Petitioner</p>	<p>Lonnie Campbell, representing Lakeside Community Church-AG</p>
<p>Discussion</p>	<p>Mr. Vinzant reported that Pastor Campbell was unable to attend due to a church emergency.</p> <p>Mr. Vinzant reviewed the following with the City Council as identified in the staff report:</p> <p>Normally, this subdivision would not go through the Council for approval due to the size, however because a variance was required and the impending improvements on 1000 West, staff opted to process it as a subdivision requiring approval by the City Council.</p> <ol style="list-style-type: none"> 1. This subdivision will correct an illegal subdivision that was recorded without City approval and resulted in a Certificate of Noncompliance being filed against all of the land in the subdivision. 2. This subdivision will create two lots, one with frontage on 800 North and one with frontage on 1000 West. 3. Lot 1 of this subdivision required a variance because of the inadequate frontage on 1000 West, <p>The BZA unanimously agreed to the following determination:</p> <ol style="list-style-type: none"> A. The Board of Zoning Adjustments has reviewed the matter referred to above, case number 2014-04Z, and has found the following facts with respect thereto: <ol style="list-style-type: none"> 1. Literal enforcement of the Zoning Ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the Zoning Ordinance; due to the overall size of the lot with limited frontage the impact of the smaller frontage is not detrimental to the use or neighborhood considering the use to be Lakeside Community Church-AG, a conditional use within the Zone. 2. There are special circumstances attached to the property that do not generally apply to other properties in the same district; specifically the Jordan Valley Water District easement. 3. Granting variance is essential to the enjoyment of a substantial property right, granting this variance provides a specific use, a conditional use, other than vacant land, namely Lakeside Community Church-AG 4. The variance will not substantially affect the general plan, the use, a church is a conditional use and based upon the 4.555 acre lot size the possibility of the use is not affected by the frontage. 5. The spirit of the Zoning Ordinance is observed, the large size of the property is compatible with the proposed use, occasional access requirements, and restricted frontage which is only going to be used as an access point and not for construction of a building. B. This Variance is granted based upon the following stipulations and conditions: <ol style="list-style-type: none"> 1. This variance is limited to this use, Lakeside Community Church-AG, and if another use is proposed a new variance will need to be secured from the Clinton City Board of Zoning Adjustments. 2. The proposed use is Lakeside Community Church-AG. 3. If Lot 2 is acquired by Lakeside Community Church-AG or if additional frontage is obtained on 1000 West that, combined with the frontage of lot 1, creates a frontage that meets the requirements of the Zone this variance becomes null and void once the subdivision is amended to either create one lot or create valid frontage on Lot 1. 4. The Lakeside Community Church-AG will file with the Davis County Recorders Officer documents related to Lot 2 that indicate a first right of refusal and agreement from the owner of Lot 2 that they are willing to sell to Lakeside Community Church-AG when the Jordan Valley Water pipeline is to be installed. <p>Mayor Adams opened the public hearing at 8:00 p.m.</p>

	<p>Jeremy Bruenig commented that this development will affect his family’s daily lives. He worries that if the church fails something less desirable will come in its place.</p> <p>Susan Bates asked if there is a drainage system underneath this lot and if there are requirements for how far the building has to be from the pipe?</p> <p>Mayor Adams responded that Jordan Valley Water has an easement on this property, which will dictate a significant distance.</p> <p>With no further public comment, Mayor Adams closed the public hearing at 8:06 p.m.</p> <p>He explained that although it is a legitimate concern that the church won’t be there forever; the property owner has the right to sell the property.</p> <p>Mr. Vinzant explained the BZA decision is recorded with the plat. The Conditional Use is approved by the Planning Commission and according to state law cannot be denied unless there is an impact that cannot be mitigated.</p>
<p style="text-align: center;">CONCLUSION</p>	<p>Councilmember Patterson moved to adopt Resolution 16-14 approving the Lonnie Campbell Subdivision with the following stipulations identified in the Resolution:</p> <ol style="list-style-type: none"> 1 Compliance with the findings and requirements outlined in the Determination of the Board of Zoning Adjustments for Case Number 2014 – 04Z. 2 At the time of this review and action the street frontages of both lots in the subdivision are fully developed, however Lot 1 does not have utility laterals into the property. 3 All laterals from 1000 West shall be installed prior to the reconstruction of 1000 West scheduled to be accomplished by the City in the spring/summer of 2015. 4 All laterals from 1000 West shall be installed or an escrow established and filed with the City as established in the Subdivision Ordinance prior to the plat being recorded. 5 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 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. 6 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 insuring that the inspection has been performed and work passed by Public Works. 7 It is the developer/contractor’s responsibility to insure adequate dust, trash and weed control practices are observed while any of the lots are under their control. <p>Councilmember Stanton seconded the motion. Voting by roll call is as follows: Councilmember Stanton, aye; Councilmember K. Peterson, aye; Councilmember Patterson, aye; Councilmember M. Petersen, aye.</p>
E. SUBDIVISION CONDITIONAL ACCEPTANCE - VOYAGE ACADEMY	
<p>Petitioner</p>	<p>Tyler Bodero</p>
<p>Discussion</p>	<p>Mr. Vinzant reported: This is a request from the developer of the project and depositor of the escrow funds. The petitioner will request that the city declare final acceptance and release all funds. The escrow agreement reads: “<i>At such time as the improvements required by the City Subdivision Ordinance are completed, with the exceptions outlined in the Subdivision Ordinance, the Subdivider shall</i></p>

	<p>apply for Conditional Acceptance to the Director in writing.” This is the first request for Conditional Acceptance.</p>
CONCLUSION	<p>Councilmember Patterson moved to grant conditional acceptance and authorize the release of funds being held in escrow with the exception of the seal coat funds and 15% guarantee. Councilmember K. Peterson seconded the motion. Voting by roll call is as follows: Councilmember M. Petersen, No, because he feels the final should be final when all is complete. Councilmember Stanton, aye; Councilmember K. Peterson, aye; Councilmember Patterson, aye.</p>
Approval of Minutes	<p>Councilmember Patterson moved to approve the September 9, 2014 City Council Meeting as amended removing the second specifically from the last paragraph of Agenda Item A. Councilmember Stanton seconded the motion. All those present voted in favor of the motion.</p>
Accounts Payable	<p>Councilmember Stanton moved to pay the bills. Councilmember M. Petersen seconded the motion. All those present voted in favor of the motion.</p>
Planning Commission Report	<p>Mayor Adams reported on the August 19, 2014 Planning Commission meeting as recorded in the minutes.</p>
City Manager Report	<ul style="list-style-type: none"> • Identified fall clean up is scheduled for Saturday October 4, from 8:00 am to 1:00 pm. • Asked the Council to consider cancelling the October 14, 2014 City Council meeting. <p>The Council directed staff to cancel the October 14, 2014 City Council meeting.</p> <ul style="list-style-type: none"> • Reported that November 11, 2014 is Veteran’s Day and the City offices will be closed. The Council directed staff to cancel the November 11, 2014 City Council meeting. They agreed they will meet on November 25.
Mayor Adams Report	<ul style="list-style-type: none"> • Nothing at this time.
Councilmember M. Petersen	<ul style="list-style-type: none"> • Nothing at this time.
Councilmember K. Peterson	<ul style="list-style-type: none"> • Attended the Chamber of Commerce Meeting • Is pleased with the sidewalk at Veteran’s Park • is working with staff to re-write the Personnel Policies
Councilmember Mitchell	<ul style="list-style-type: none"> • Excused
Councilmember Patterson	<ul style="list-style-type: none"> • Reported the Parks Board is looking into equipment for special needs kids to place at a Clinton City park.
Councilmember Stanton	<ul style="list-style-type: none"> • Suggested the City Council attend a tour of the sewer plant
Mr. Vinzant	<p>Mr. Vinzant reported that there are a lot of new projects coming up. Staff will be meeting every other week for staff to discuss the projects to keep everyone involved updated.</p>
ADJOURNMENT	<p>Councilmember Patterson moved to adjourn. Councilmember Stanton seconded the motion. All those present voted in favor of the motion. The meeting adjourned at 9:02 p.m.</p>