



CITY COUNCIL
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AGENDA
December 9, 2014

Mayor

L. Mitch Adams

City Council

Anna Stanton

Brice Mitchell

Mike Petersen

Karen Peterson

Barbara Patterson

I. REGULAR SESSION

1. Call to Order
2. Pledge of Allegiance
3. Invocation or Thought
4. Roll Call

II. BUSINESS

- A. Clinton Midget Football Team Acknowledgement
- B. Employee of the Month of November 2014, Cleo Bullie
- C. Recognition of New CERT Graduates
- D. Presentation of FY 2013-14 Audit Report
- E. 1300 North Detention Pond Design
- F. Subdivision Final Acceptance, Clinton Homestead East Ph II
- G. Resolution 20-14, Amending the Clinton City Consolidated Fee Schedule

III. OTHER BUSINESS'

- a. Approval of All Meeting Minutes: November 25, 2014
- b. Accounts Payable
- c. Planning Commission Report
- d. City Manager's Report
- e. Mayor's Report
- f. Council Reports on Areas of Responsibility
- g. Action Item Review

IV. ADJOURN

Lisa Titensor, Deputy Recorder

If you attend this meeting and, due to a disability, will need assistance in understanding or participating therein, please notify the City at least eight hours prior to the meeting and we will seek to provide assistance. The order of agenda items may be changed or times accelerated as time permits with the exception of public hearing.

CLINTON CITY COUNCIL AGENDA ITEM

SUBJECT: Clinton Midget Football Team Acknowledgment	AGENDA ITEM: A
PETITIONER: Mayor L. Mitch Adams	MEETING DATE: December 9, 2014
RECOMMENDATION: That Council congratulate and recognize the Midget Football Team for their Mini-Bowl win.	ROLL CALL VOTE: NO
FISCAL IMPACT:	
<p>BACKGROUND:</p> <p>I would like introduce to you the Clinton City Seahawks Mini bowl 2014 Champs of the Midget division.</p> <p>Head Coach Paul Apallonie and his Staff. A coaching staff that had many roles and responsibilities, which included ensuring that these young players develop their football skills while not overlooking their social and psychological needs. They succeeded as coaches by leading through examples of good sportsmanship. They emphasized good sound fundamentals. They were reliable, good communicators, well-organized and great role models.</p> <p>This team also had great parents that supported the Athletes, the Coaches and Recreation staff. They had a bigger impact on the team than they may realize. They were very supportive and passionate football parents. Unconditionally they left the coaching and instructions to the coaches. Yet they provided great encouragement, support, and praise to the players.</p> <p>And last but not least, these athletes were successful because of the enthusiasm they had for the game. These young athletes learned to work together, acquire leadership skills and a sense of discipline. They had great chemistry, commitment and dedication. This team could play power football or finesse with speed and skill unmatched. They could throw the ball over the field with pin point accuracy. They really were a hard team to defend against. On the defensive side of the ball they shot down everything. No team could run the up the middle because of their massive size up front. And, they had the speed to match up with the other teams speed. This team really was the complete package. They went undefeated in League play.</p>	
ATTACHMENTS:	

CLINTON CITY COUNCIL AGENDA ITEM

SUBJECT: Employee of the Month of November 2014 - Cleo Bullie	AGENDA ITEM: B
PETITIONER: Bruce Logan	MEETING DATE: November 9, 2014
RECOMMENDATION: That Council recognize Cleo Bullie as the Employee of the Month of November 2014.	ROLL CALL VOTE: NO
FISCAL IMPACT:	

BACKGROUND:

I would like to recommend Cleo Bullie, a Recreation Programmer, for Employee of the Month. Mr. Bullie has been a key player in our Department, and in that capacity he has worked closely with the training of the youth officials for all the sports programs. In the past year and half that I have interacted with Mr. Cleo Bullie, he not only came across as a very professionally competent person, but also a very friendly and compassionate co-worker. His contribution to the various projects has been exemplary. His dedication, hard-work and sincerity have enabled him to be a go to person in the office.

He has been more than willing to take on additional responsibility when the call of duty so warranted. On one instance, he was asked to take the additional responsibility of being the representative for the WFFL football program. He readily coordinated and successfully influenced the football program that provided a positive and meaningful experience for the participants, coaches and parents.

He deals with the public daily and has the ability to communicate with them is an open and two-way network of communication. He respects their opinion regardless whether he thinks they are right or wrong. He is a good and competent employee that is loyal, trustworthy and dedicated to the City. He seeks to use his values to provide services and opportunities which will enhance the quality of life here in Clinton City. He is very good with dealing with and effectively handles conflict and works to resolve situations in a courteous, cooperative and timely manner.

Cleo is a true public servant. He is passionate about our department, this City and his family. I and the staff of Clinton City Recreation are grateful to Cleo and do highly recommend him for Employee of the Month of November 2014.

ATTACHMENTS:

CLINTON CITY COUNCIL AGENDA ITEM

SUBJECT: Recognition of New CERT Graduates	AGENDA ITEM: C
PETITIONER: Mayor Adams	MEETING DATE: November 9, 2014
RECOMMENDATION: That Council recognize and accept the newest CERT graduates as City volunteers.	ROLL CALL VOTE: NO
FISCAL IMPACT:	
BACKGROUND: The newest CERT graduates are: Peggy Sheets Scott Sheets Braxton Krock	
ATTACHMENTS:	

CLINTON CITY COUNCIL AGENDA ITEM

SUBJECT: Presentation of FY 13-14 Audit Report	AGENDA ITEM: D
PETITIONER: Ryan Child, Auditor	MEETING DATE: December 9, 2014
RECOMMENDATION: That Council accept the Audit Report for FY 2013-14.	ROLL CALL VOTE: NO
FISCAL IMPACT:	
BACKGROUND: Ryan Child, Auditor on contract with the City, has finished the audit of last fiscal year's financial transactions. He will present the findings and audit information to the Council at the meeting.	
ATTACHMENTS:	

CLINTON CITY COUNCIL AGENDA ITEM

SUBJECT: 1300 North Detention Pond Design	AGENDA ITEM: E
PETITIONER: Community Development	MEETING DATE: December 9, 2014
RECOMMENDATION: Review and authorize expenditure of funds, development of contract, and authorization for City recorder to enter into contract.	ROLL CALL VOTE: X YES NO
FISCAL IMPACT: This project will use approximately \$13,520 from the Storm Drain Enterprise Fund, this would be an allowed impact fee expense. Auditor has given me a sneak peak to the FY 2013 carryover which will be \$55,779,87, projected was \$52,800. This year, to date, we have \$59,271 in revenues with expected annual revenue of \$76,460. The budget indicates a reserve of \$72,420.	
BACKGROUND: We have been working on the concept and design through several steps to get to this point. This cost estimate is based on none of that information being used because the information is so dated. For example, we have been working on this for so long that JUB is on their third surveyor and we want to make sure that all of the work already done meets design. Another reason is we now know how the water will enter from the south. If any of the existing information can be used it will be. I am still being contacted by the representative of the O-Block property anticipating that they will be coming in with a new preliminary plat. This detention basin is essential to development of that land. We committed to allowing the farmer using the property to continue to farm through this year but no commitment for next year. At this time we are not asking for approval of expenditure of the Construction phase.	
ALTERNATIVE ACTIONS: Wait until the pond is absolutely needed.	
ATTACHMENTS: JUB Work Plan	
REFERENCED DOCUMENTS:	

CLINTON CITY CORPORATION
1300 North Detention Pond
Work Plan

										Equipment	Total Hours	Estimated Cost
		Project Manager	Design Engineer	Project Engineer	CAD	Clerical	Survey Manager	Surveyor	Equipment			
WORK TASKS		hrs	hrs	hrs	hrs	hrs	hrs	hrs	hrs	hrs		
Task 001 Site Plan Design		20	62	12	20	8	2	10	10	144	\$13,520	
1	Survey Existing Site	1					2	10	10	23	\$1,830	
2	Prepare Topographical Maps and indentify existing utilities	2	16							18	\$1,640	
3	Earthwork for pond	2	24							26	\$2,310	
4	Earthwork Quantities	1	4							5	\$490	
5	Storm Drain Pipe Design	2	8							10	\$980	
6	Inlet Structures	2		12	20					34	\$3,370	
7	Final Plan Set Up	2	4							6	\$640	
8	Opinion of Probable Cost	2	4							6	\$640	
9	Prepare Bid Documents	6	2			8				16	\$1,620	
Task 002 Construction		10	6				6	16	16	54	\$5,060	
1	Construction Survey	2	2				6	16	16	42	\$3,500	
2	Construction Assistance	8	4							12	\$1,560	

CLINTON CITY COUNCIL AGENDA ITEM

SUBJECT: Subdivision Final Acceptance Clinton Homestead East Phase II	AGENDA ITEM: F
PETITIONER: SLI, Howard Kent	MEETING DATE: December 9, 2014
RECOMMENDATION: Grant final acceptance to improvements in Clinton Homestead East Phase II and authorize the release of all funds being held in escrow.	ROLL CALL VOTE: X YES NO
FISCAL IMPACT:	
BACKGROUND: <ul style="list-style-type: none">▪ In June of 2012 the City authorized final acceptance of improvements and release of funds with the exception of fencing between phase 2 and the adjacent property that was to be phase 3.▪ The requirement for fencing was based upon the time period between phases. The progress of phase 3 was slow due to the downturn in development. The intent of the fence is to protect the agricultural area from the residential area.▪ Mr. Kent has installed fencing on the line between phases for all lot as they were built upon and the residents were given the option of having vinyl rather than the required chain link.▪ There is no reason for additional fencing on unconstructed lots because the next phase is approved.	
ALTERNATIVE ACTIONS:	
ATTACHMENTS: Final Inspection Form from PW.	
REFERENCED DOCUMENTS:	

Date:

6/15/2012

CLINTON CITY SUBDIVISION

INSPECTION

FINAL ACCEPTANCE

SUBDIVISION		Homestead East PH 2		
REQUIRED INSPECTIONS	INSPECTIONS REQUIRED	DATE	INITIALS	COMMENTS
BLUE PRINT INSPECTIONS				
REVIEW OF PRELIMINARY PLANS		1/28/2010	GF	
REVIEW OF AS BUILTS		3/15/2010	GF	
WIRING DIAGRAMS/STREET LIGHTS		6/15/2012	GF	
CONSTRUCTION INSPECTIONS				
SEWER				
MANHOLES	X	6/15/2012	GF	
VIDEO		6/6/2010	GF	
LAND DRAINS				
VISUAL PIPE INSPECTION	X	6/15/2012	GF	
MANHOLES	X	6/15/2012	GF	
SMOKE TEST	X	6/15/2012	GF	
WATER				
CHLORINE TEST		5/17/2010	GF	
BACTERIA TEST		5/17/2010	GF	
PRESSURE TEST		5/20/2010	GF	
CONNECT TO EXISTING SYSTEM		5/20/2012	GF	
FLUSH		5/19/2012	GF	
HYDRANT CHECK (PRIOR TO HOME CONSTRUCTION)		6/10/2010	GF	
VALVE & VALVE BOXES	X	6/15/2012	GF	
FIRE HYDRANTS	X	6/15/2012	GF	
METER BOXES	X	6/15/2012	GF	
BLOW OFF HYDRANTS	X	6/15/2012	GF	
STORM DRAINS				
VISUAL PIPE INSPECTION	X	6/15/2012	GF	
MANHOLES	X	6/15/2012	GF	
COLLECTION BOXES	X	6/15/2012	GF	
STREETS				
SUB GRADE		5/20/2010	GF	
FINAL GRADE / ROADBASE		6/4/2010	GF	
ASPHALT	X	6/15/2012	GF	
CURB & GUTTER (PRE -POUR)		6/9/2010		
CURB & GUTTER (POST-POUR)	X	6/15/2012	GF	
SIDEWALK (POST-POUR)	X	6/15/2012	GF	
COLLARS ON BOXES	X	6/15/2012	GF	
SLURRY SEAL	X	6/15/2012	GF	
STREET LIGHTS				
BASE INSPECTION		3/1/2011		
PRE POWER INSPECTION		3/1/2011		
POST POWER INSPECTION	X	6/15/2012	ZM	
MISC INSPECTIONS				
LOTS CLEANED UP	X	6/15/2012	GF	
WEEDS CUT TO 10 INCHES	X	6/15/2012	GF	
VACANT LOTS GRADED SMOOTH	X	6/15/2012	GF	
FENCE INSTALLED	X	6/15/2012	GF	

CLINTON CITY COUNCIL AGENDA ITEM

SUBJECT: Resolution No. 20-14 Amending the Clinton City Consolidated Fee Schedule	AGENDA ITEM: G
PETITIONER: Community Development	MEETING DATE: December 9, 2114
RECOMMENDATION: Discuss the items and take appropriate action.	ROLL CALL VOTE: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
FISCAL IMPACT:	
BACKGROUND: Recently the Council has expressed an interest in adopting fees associated with the following items. Telecommunications Right-of-Way Application Fee \$ 500.00 Tampering with City Utilities GRAMA Request Deposit Application Fee. \$ 0.00 GRAMA Request Deposit, as determined by the Records Management Administrator based upon a rate of \$20.00 per hour. GRAMA Request Policy The Clinton City Records Management administrator, in consult with affected departments, will review all GRAMA applications to estimate the time to research and compile the information requested. For voluminous requests, as allowed by Utah State Code 63G-2-203 Clinton City has set a hourly rate as established in the Clinton City Consolidated Fee Schedule and requires a deposit for the initial estimate of time. Once the Requesting Individual has placed funds on deposit with the City, the City Staff will charge this deposit based on the rate for the lowest paid person capable of retrieving and compiling the information into an electronic format to transmit to the Requesting Individual. Paper documents requested will be charged against the deposit, in addition to the stated hourly rate, established in the Clinton City Consolidated Fee Schedule. Clinton City will continue to compile and provide Requesting Individual the requested records until all the funds placed on deposit from the initial estimate are expended. If funds placed on deposit become expended the City will notify Requesting Individual, with an updated estimate, and the City will stop compiling records until additional funds are placed on deposit. If the request is fulfilled before funds on deposit are expended, the fund balance will be refunded with a record of time and funds expended. I have a call in to Mike Houtz to discuss the Tampering with City Utilities fee/fine. Hope to have more information at the Meeting.	
ALTERNATIVE ACTIONS:	
ATTACHMENTS: Resolution No. 20-14	

RESOLUTION NO. 20-14

A RESOLUTION AMENDING THE CLINTON CITY CONSOLIDATED FEE SCHEDULE FOR THE CITY OF CLINTON.

WHEREAS, The city has enacted ordinances establishing special fees,

WHEREAS, These ordinances give the City Council authority to set fees by resolution,

WHEREAS, It is the responsibility of users of city services to pay for requested services,

WHEREAS, Impact upon city services should be mitigated by those causing an impact,

NOW THEREFORE, be it resolved by the Clinton City Council that the fees set in the below shall be effective November 25, 2014 or as otherwise noted and added to the Clinton City Consolidated Fee Schedule.

Telecommunications Right-of-Way Application Fee

Tampering with City Utilities

GRAMA Request Deposit Application Fee. \$ 0.00

GRAMA Request Deposit, as determined by the Records Management Administrator based upon \$20.00.

Adopted by the Clinton City Council this 9th day of December, 2014.

CLINTON CITY
A MUNICIPAL CORPORATION

MAYOR L. MITCH ADAMS

ATTEST:

DENNIS W. CLUFF, CITY RECORDER

POSTED:
December 10, 2014

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	November 25, 2014	Call to Order: 7:10 P.M.
Staff Present	City Manager Dennis Cluff, Community Development Director Lynn Vinzant, Assistant Public Works Director Dave Williams and Lisa Titensor recorded the minutes.	
Citizens Present	Bruce Logan, Tim Vega, Crystal Vega, Christian Vega, Kyndra Vega, Pat Vega, Dave Olsen, Baylee Beckman, David Lee, Scott Lempke, Kyle Montgomery, Ron Wehrle, Tyler Leavitt, Spenser Gallegos, Justin Benevides	
Pledge of Allegiance	Councilmember Stanton	
Prayer or Thought	Councilmember Mitchell	
Roll Call & Attendance/ Excused Were:	All were present.	
A. EMPLOYEE OF THE MONTH OF OCTOBER 2014 – TIM VEGA, FIRE DEPARTMENT		
Petitioner	Chief Dave Olsen	
	<p>Chief Olsen reported that Tim Vega was hired as a Part Time Firefighter / EMT in September 2000. He was hired as a Full Timer when the Ambulance service was started in October 2002. Tim left in November 2008 for a Full Time Firefighter / EMT position with Roy City Fire Dept. While Tim was Full Time with Roy City Fire he also stayed Part Time with the Clinton City Fire Dept. In September 2014 Tim accepted a Captain position with Clinton City Fire and stepped down to a Part Timer with Roy City Fire. In all, Tim has been with Clinton City Fire for over 14 years.</p> <p>Chief Olsen said that during Tim’s career he has seen him grow from a new Firefighter to one of the leaders of the Clinton City Fire Dept. Tim is the Captain on C Shift and his Full Time Firefighters are Holly Nielson, Jason Hastings and one of our many Part Time Firefighters. Tim is also over Fire Training for our Fire Department. During Tim’s career he has obtained many certifications that are important to the Fire Service like ADO-Pumper, ADO-Aerial, Inspection I, Instructor I and Officer I. While Tim was Full Time with Roy City Fire he was a part of the Weber County USAR Team where he was trained and certified in Rope Rescue, Trench Rescue, Confined Space Rescue, Heavy Vehicle Extrication and Structural Collapse. With Tim having the knowledge and certifications of USAR he is one of two people on the Clinton City Fire Dept that is a part of the Davis County USAR Team. In May 2014, Tim achieved his most desired certification as a Paramedic. This program requires determination and dedication; it took nine months of long hours, lots of studying and time away from his family to complete.</p> <p>Tim has a great deal of support from his family, he is married to Crystal and they have two children together Christian and Kyndra. When Tim is not at work he enjoys spending time doing outdoor activities.</p> <p>Tim commented that he is grateful to be working for Clinton City. He feels his training and experience will be an asset to the City.</p> <p>Mayor Adams expressed appreciation for Tim’s service. He presented him with</p>	

	an award and gift card in honor of this recognition.
B. TRANSPORT SERVICE PROVIDER AGREEMENT WITH DAVIS HOSPITAL	
Petitioner	Dennis Cluff, Chief Dave Olsen
Discussion	<p>Chief Olsen explained that Davis Hospital operates the Weber Campus Emergency Facility in Roy. They have requested that Clinton City enter into this Transportation Service Provider Agreement which identifies the terms in order to fill in for Roy when they are not available and there is a need to transport a patient from the Weber Campus to the Davis Hospital in Layton. This is the same agreement that Davis Hospital has with the Roy Fire Department.</p> <p>He explained that they have determined a set fee for this service. The City will not be involved with the direct billing to the patient.</p> <p>This agreement is for a 5 year period, but may be terminated by either party after a 60 day notification.</p>
CONCLUSION	Councilmember Stanton moved to approve this Transport Service Provider Agreement with Davis Hospital. Councilmember Mitchell seconded the motion. Voting by roll call is as follows: Councilmember K. Peterson, aye; Councilmember M. Petersen, aye; Councilmember Stanton, aye; Councilmember Mitchell, aye; Councilmember Patterson, aye.
C. BUSINESS ASSOCIATE DEGREE WITH DAVIS HOSPITAL	
Petitioner	Dennis Cluff, Chief Dave Olsen
	<p>Chief Olsen then identified that with the Transport Services Provider Agreement approved, Davis Hospital also requires a Business Associate Agreement. This agreement basically provides that the City will abide by the HIPAA rules concerning patient medical information and confidentiality. This is a standard agreement in the industry.</p> <p>This agreement will run the length of the Transport Services Provider Agreement.</p>
CONCLUSION	Councilmember M. Petersen moved to approve this Business Associate Agreement with Davis Hospital. Councilmember Patterson seconded the motion. Voting by roll call is as follows: Councilmember M. Petersen, aye; Councilmember Stanton, aye; Councilmember Mitchell, aye; Councilmember Patterson, aye; Councilmember K. Peterson, aye.
D. FRANCHISE AGREEMENT WITH SYRINGA NETWORKS	
Petitioner	Dennis Cluff
Discussion	<p>Mr. Cluff identified that Syringa Networks wants to bring fiber optic cable into the Clinton area. They were not available to attend the meeting.</p> <p>He went on to explain that Syringa Networks specializes in custom network solutions for businesses, providing a wide range of networking services throughout the Mountain West delivered through a self-healing fiber optic network. Syringa Networks is a privately held Idaho corporation and is headquartered in Boise, Idaho, with additional offices in Idaho Falls, Idaho and Salt Lake City, Utah.</p> <p>Syringa is currently expanding through Utah and has agreements with UDOT for building along all State rights-of-way. Technically they don't require City approval to place fiber cable along 1800 N. and 2000 W., but would need it for anywhere outside of the State rights-of-way. As stated in Section 1.4 of the Franchise Agreement, provided in the staff report, this current agreement does not permit Syringa to provide cable TV services to residents; they would need another agreement for that type of business. But this agreement does allow them to provide fiber cable for any of the TV services providers, which would supposedly enhance their capabilities. Title 54 of the State Code classifies fiber optics as part of the "Public Utilities" and is therefore allowed to utilize the</p>

public rights-of-way.

Syringa has stated that all of their fiber optic cable will be installed underground through boring techniques. They are required to obtain permits from the City Public Works Department before initiating any work within the City. The Telecommunications Rights of Way Ordinance that was adopted last month is also attached to this Franchise Agreement as part of the agreement.

Mr. Cluff said that his main concern is the boring which will take place down two major highways where there are many existing pipes and laterals. The ROW Ordinance includes requirements for repair in the event that damage occurs from the boring.

CONCLUSION

Councilmember Patterson moved to table this issue until the Excavation Ordinance is complete and a representative from Syringa can be present at the meeting. Councilmember K. Peterson seconded the motion. Voting by roll call is as follows: Councilmember M. Petersen, aye; Councilmember Stanton, aye; Councilmember Mitchell, aye; Councilmember Patterson, aye; Councilmember K. Peterson, aye.

E. POLICY DIRECTION ON FUTURE NEW EMPLOYEE 401K PROGRAM

Petitioner Dennis Cluff

Mr. Cluff explained that at least once every year, the City Council has the opportunity in conjunction with the new Fiscal Year budget to modify non-state/federal mandated employee salary and benefit provisions. Generally the past Councils have tried to maintain the level of City employee salary and benefits along with cost of living and merit increases.

More than 20 years ago there was a basic State requirement of 1.5% of 401k for non-Police employees as part of the retirement system (this has since been rescinded). The City at the time decided to establish parity in retirement benefits between the regular, police and fire employees. The Police (by state mandate) received 7.05% higher URS (Utah Retirement Service) City contribution than the regular employees. The Fire had an additional State based retirement fund in addition to the normal URS required payment (a portion of fire insurance policy premiums) which provided them higher retirement benefits. So the City Council increased the regular employee 401k contribution to 7.05% in an effort to have parity between the employee groups. However, over the years both the Police URS required retirement payment and the Fire's additional State fund have far outreached the regular employees' benefit of 7.05% of 401k. Currently the retirement contributions are:

Discussion

<u>Group</u>	<u>URS required</u>	<u>Fire Fund</u>	<u>Judges Fund</u>	<u>401k</u>	<u>Total %</u>
Regular employees (6.61% is URS loss recovery)	18.47%	0	0	7.05%	25.52%
Police (11.75% is URS loss recovery)	34.04%	0	0	0	34.04%
Fire (0% is URS loss recovery)	18.87%	{11.71%}	0	4.36%	34.94%
Judge (0% is URS loss recovery)	40.01%	0	{11.90%}	0	51.91%

He explained that a complication with the above URS, 401k and Fire Fund participation is the modification of the URS system by the State starting July 1, 2011 in adding a "Tier 2" contribution level for all new employees to the URS system. This also added an additional 5 years to the early retirement requirement for each category (regular employees = 35 yrs and Police & Fire = 25 yrs). Because of this, new City employees hired after July 2011 who were also new to the State URS system have only been receiving the Tier 2 URS contributions. The Tier 2 system basically has two options: one where about 85% goes to the URS and 15% go to 401k; and the other has 100% going to 401k and 0% to the traditional URS account. The cost to the City is the same. The **Tier 2** employee retirement levels are:

Group	URS required	Fire Fund	401k (city)	Total %
Regular employees URS loss recovery)	16.72%	0	0	16.72% (6.61% is
Police URS loss recovery)	23.83%	0	0	23.83% (11.75% is
Fire loss recovery)	12.08%	{11.71%}	0	23.79% (0% is URS

The City employees hired under Tier 2 have not been receiving additional City 401k contributions.

Therefore, I recommend the new 401k guidelines outlined below be provided to all URS Tier 2 employees, including the Fire and Police. These new guidelines would also apply to all newly hired non-police/fire URS Tier 1 employees (those in the URS system prior to July 2011). Even though the new Personnel Policy identifies a start date of July 2015 for these new 401k guidelines, I recommend they begin January 1, 2015; funds are already budgeted for this.

For new employees falling under the above guidelines, I recommend the City provide a base 401k rate of 1½%, which is unmatched. In addition, if the employees wish to add to the 401k from their own funds, the City will match up to another 1½% at a 1 to 2 (50%) ratio. This would put the maximum City contribution at 3% for the 401k. If the employee matched to the City maximum, the total would be 6% towards their 401k. This 401k funding, like so many other funded benefits, will be approved annually with the budget and is dependent on funds being made available.

Councilmember K. Peterson explained this is a generous proposal that stems from citizen concern over budget issues. She explains she likes the idea of giving each employee a base.

Councilmember Patterson expressed concern that the employees will not stay with the City if their benefits are reduced. She values the employees and wants to keep them.

Councilmember Stanton said she values the employees as well, for some time she has been concerned about the pay scale. She agrees with Councilmember Patterson that good employees will not stay with the City if they can get higher pay elsewhere. She said she would be more in favor of 3%.

Councilmember M. Petersen said that maybe a good option would be to require the employees to stay for a certain period of time if they want to earn or keep their 401k – vesting.

He said what is being proposed will actually cost the City money. He is concerned that if the City wishes to evaluate salaries in the near future, this proposal will make that possibility impossible. He feels it should be 3% straight across for both Tier 1 and Tier 2.

Councilmember Stanton said she does not agree that Tier 1 should be changed. She realizes that funds will be limited for salary increases, but it varies year to year.

Mayor Adams said he does not feel it is appropriate to change the existing employees. Through attrition, Tier 1 will be reduced significantly over the next 10 years. He is in favor of providing a base.

Councilmember M. Petersen commented that the City should give the employees the opportunity to make their own decisions. It is important to provide a good working environment.

Mr. Cluff explained that employees who were hired under the Tier 1 retirement

	<p>program agreed to take the job under specific expectations as did the employees hired under the Tier 2 program after the changes were made by the State.</p> <p>He clarified that if an employee is hired that is already a part of the Utah Retirement System, will receive the same as the Tier 1 employees.</p> <p>Councilmember Mitchell said he likes the idea of matching funds contributed by the employee.</p> <p>Councilmember K. Peterson said she likes the base as well as the concept of matching funds.</p>
<p>CONCLUSION</p>	<p>Councilmember Stanton moved to select a 3% base for the existing Tier 2 employees and all new employees and reaffirm the existing Tier 1 rate for existing employees. There was no second.</p> <p>Councilmember M. Petersen moved to adopt as proposed as providing a base 401k rate of 1½%, which is unmatched. In addition, if the employees wish to add to the 401k from their own funds, the City will match up to another 1½% at a 1 to 2 (50%) ratio. This would put the maximum City contribution at 3% for the 401k. If the employee matched to the City maximum, the total would be 6% towards their 401k. This 401k funding, like so many other funded benefits, will be approved annually with the budget and is dependent on funds being made available. Councilmember K. Peterson seconded the motion. Voting by roll call is as follows: Councilmember Mitchell, aye; Councilmember M. Petersen, aye; Councilmember K. Peterson, aye; Councilmember Stanton, no; she said she would like to see a fixed base of 3%. Councilmember Patterson, no; she is concerned for the employees and additional paperwork.</p> <p>Councilmember M. Petersen thanked Councilmember K. Peterson for her efforts on this issue.</p>
<p>F. SUBDIVISION FINAL ACCEPTANCE MIRAGE SUBDIVISION</p>	
<p>Petitioner</p>	<p>Shron Builders</p>
<p>Discussion</p>	<p>Mr. Vinzant identified the following:</p> <ul style="list-style-type: none"> ▪ Shron Builders is requesting final acceptance of improvements within Mirage Subdivision due to exceptional reasons. ▪ The conditional acceptance was only last month; however the improvements have been in for several years with the exception of sidewalk on three lots. ▪ The escrow holder for Shron Builders for Mirage subdivision was a title company and it went bankrupt. The escrow for guarantee of the improvements is not in place. ▪ Shron Builders is requesting to place a guarantee escrow, with the City, for the one year guarantee on the sidewalk recently installed and for the City to waive the guarantee for the rest of the improvements because they have been in place for over two years. <p>He also explained that Public Works knows about this situation and feels that it would be both fair to the developer and still secure the City interests if all improvements, except the new sidewalk, are considered accepted and an escrow for the guarantee of the new sidewalk is established.</p> <p>Mr. Vinzant then clarified that this does not set a precedent because it has been done in the past.</p>
<p>CONCLUSION</p>	<p>Councilmember K. Peterson moved to grant Final Acceptance of Mirage Subdivision based on the length of the time the improvements have been in (in excess of two years) and the financial situation of the escrow company and that they create an escrow with the City for the guarantee of the sidewalk recently installed. Councilmember Mitchell seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember K. Peterson, aye; Councilmember M. Petersen, aye;</p>

Councilmember Stanton, aye; Councilmember Mitchell, aye.	
G. AWARD OF CONTRACT FOR 3000 W – 4300 W, 1400 N TO 6000 S UTILITY PROJECT (3000 W UTILITY PROJECT)	
Petitioner	Community Development
Discussion	<p>Mr. Vinzant explained that this is the first phase of the 3000 West/ 4300 West; 1400 North to 6000 South Project.</p> <p>The Bid Opening was held November 20, in Clinton City Hall.</p> <ul style="list-style-type: none"> ▪ There were 14 bidders ▪ The bid spread was from \$1,288,029.83 down to \$671, 941.62. ▪ The low bid was: RJT Excavating at \$671,941.62 ▪ The Engineer’s estimate for the project was \$800,000 <p>RJT Excavating has done work on other JUB projects and DWCC has worked with the company on subdivision projects. RJT has done similar box culverts in Layton and they have the equipment to successfully complete this project.</p> <p>Construction is anticipated to start within a month and the project has two completion dates. The first is associated with the water in the canal, March 1, waterlines by April 1, and ready for final payment April 15.</p> <p>The second phase of the project, street work, is on schedule for advertisement in December and January and to the Council for award January 13, 2015. Work will start about a month later.</p> <p>Mayor Adams asked for Public Works staff to watch the project closely and make sure that quality work is maintained especially in the compacting testing.</p> <p>The Council asked Mr. Vinzant if he is aware of other projects RJT has completed.</p> <p><i>After the meeting Mr. Vinzant provided the City Council with a list of projects RJT has completed.</i></p>
CONCLUSION	Councilmember M. Petersen moved to award the contract for the 3000 W – 4300 W, 1400 N to 6000 S Utility Project (3000 W Utility Project). Councilmember Patterson seconded the motion. All voted in favor of the motion.
H. RESOLUTION 20-14, AMENDING THE CLINTON CITY CONSOLIDATED FEE SCHEDULE	
Petitioner	Community Development
Discussion	<p>Mr. Vinzant explained that recently the Council has expressed an interest in adopting fees associated with the following items. He asked the Council to consider the following:</p> <ul style="list-style-type: none"> • Telecommunications Rights-of-Way Application Fee, he said staff is recommending \$ 500.00. • Tampering with City Utilities; Mr. Vinzant explained this is in the ordinance as a violation. He said it brings up a question about due process and if it can be called a fine or a fee. • GRAMA Request Deposit Application Fee. He explained that a GRAMA Request Deposit is determined by the Records Management Administrator <p>The GRAMA Request fees can be based upon recent experience. There can be a great deal of research and time involved in these requests and while the City is allowed to charge it can be a hassle to get a bill paid.</p>
CONCLUSION	Councilmember Patterson moved to table Resolution 20-14 for Mr. Vinzant to do some more research. Councilmember Mitchell seconded the motion.

	All voted in favor of the motion.
Approval of Minutes	Councilmember Patterson moved to adopt the October 28, 2014 Clinton City Council Minutes as written. Councilmember K. Peterson seconded the motion. All those present voted in favor of the minutes.
Accounts Payable	<p>The Council questioned payments on page 1 and page 2 regarding SWPPP Fees paid on October 31, 2014 and asked staff to provide a more detailed explanation.</p> <p><i>Mr. Cluff provided the City Council with the following information after the meeting:</i></p> <p><i>The questioned billing for a total of \$11,562 on October 31, 2014 was for storm drain piping that was put in the City Shop as part of required drainage. The majority of the cost was against the Storm Drain Fund with part of it apportioned equally out to the other departments that use the Shop area.</i></p> <p>Councilmember Mitchell moved to pay the bills. Councilmember K. Petersen seconded the motion. All those present voted in favor of the motion.</p>
Planning Commission Report	Mr. Vinzant reported on the November 18, 2014 Planning Commission Meeting as recorded in the minutes.
City Manager	<ul style="list-style-type: none"> • The City will be closed on November 27 and 28 in observance of the Thanksgiving Holiday.
Mayor	<ul style="list-style-type: none"> • Asked the Council to approve the City to be closed on December 26 and allow the employees to use a vacation day. The City Council agreed; they said if there are employees who wish to work, the Department Head should provide work for them.
Councilmember Patterson	<ul style="list-style-type: none"> • Community Enhancement will have their annual Taste of Clinton on December 4. They will change from monthly to quarterly classes in 2015.
Councilmember K. Peterson	<ul style="list-style-type: none"> • The annual Christmas Sing-A-Long is December 6 at Parkside Elementary at 5:00 p.m. • The Arts Board is doing the Christmas décor contest. • Encouraged the Council to write a letter for the 1800 N project.
Councilmember M. Petersen	<ul style="list-style-type: none"> • The Eagle Scout presentations have slowed down a bit.
Councilmember Mitchell	<ul style="list-style-type: none"> • Nothing at this time.
Councilmember Stanton	<ul style="list-style-type: none"> • The Youth Council is serving dinner for the Christmas Box House on Wednesday, November 26. They are sponsoring two families for Sub for Santa.
	<p>Scott Limpke addressed the City Council and explained he has worked in data telecommunications for a number of years. He would like to see many questions regarding the Telecommunications agreement addressed. He suggested that during the 3000 W project they add the conduit for the fiber optics and have the City own it rather than the telecommunications company. Fiber in cities is the future. New technology will take many existing broadband providers out of business.</p> <p>Mr. Vinzant explained</p>
ADJOURNMENT	Councilmember Stanton moved to adjourn. Councilmember Patterson seconded the motion. All those present voted in favor. The meeting adjourned at 9:35 p.m.