

CLINTON CITY COUNCIL MINUTES

2267 North 1500 W

Clinton UT 84015

MAYOR

L. Mitch Adams

CITY COUNCIL

Councilmember Anna Stanton

Councilmember Mike Petersen

Councilmember Karen Peterson

Councilmember Barbara Patterson

Clinton City Council	February 10, 2015	Call to Order: 7:02 P.M.
Staff Present	City Manager Dennis Cluff, Community Development Director Lynn Vinzant, Public Works Director Mike Child, Recreation Director Bruce Logan, Police Chief Bill Chilson and Lisa Titensor recorded the minutes.	
Citizens Present	TJ Beddes, Vanessa Sorenson, Daniel Funk, Bill, Brandon Wilson, Syringa Networks, Kaytlyn Hunsaker, Becca Flitton, Richard Murdock, Fred Foerster, Kathy Murdock, Bryce Wilcox	
Pledge of Allegiance	Councilmember Patterson	
Prayer or Thought	Mike Child	
Roll Call & Attendance/ Excused Were:	Councilmember Stanton was excused.	
A. EMPLOYEE OF THE MONTH FOR JANUARY 2015 – RICHARD MURDOCK		
Petitioner	Police Chief Bill Chilson, Dennis Cluff	
Discussion	<p>Chief Chilson reported the Police Department has selected Richard Murdock for employee of the month for January 2015. Officer Murdock recently applied for and received a grant on behalf of the Police Department, resulting in the award of 6 Automatic External Defibrillators. These AED's provide the officers a valuable resource to provide assistance on emergency calls for service. The estimated value of the equipment is \$4,875.</p> <p>Chief Chilson further reported that in addition to Officer Murdock having a strong work history with Clinton City as a Police Officer, he has consistently utilized his medical expertise as an EMT in the service of Clinton residents and the Police Department.</p> <p>Chief Chilson said he is pleased to recognize Officer Richard Murdock as employee of the Month for January 2015.</p> <p>Officer Murdock expressed appreciation for the award.</p> <p>Mayor Adams expressed appreciation for Officer Murdock's dedication and service to Clinton City and presented him with an award.</p>	
B. CONCESSION AGREEMENT RENEWAL		
Petitioner	Dennis Cluff, Recreation Director Bruce Logan	
Discussion	<p>Mr. Logan explained that All Star Concessions contracted to provide the service for concessions for the City over the past year; they did a great job. Staff is pleased with how well it went and would like to extend the contract for the next five years. The owners of All Star Concessions reside here in Clinton and are very happy to provide the concession services for the City. They run concession for the little league ball games at West Clinton and here at the City Park softball complex and the football fields. In addition, they also set up a trailer on Heritage days. They are dependable, customer friendly and easy to deal with. He said he highly recommends the approval of the contract extension.</p>	

	<p>Mr. Cluff said that overall it has provided a cost savings to the City.</p> <p>Councilmember K. Peterson expressed concern that five years may be too long a time for a contract such as this.</p> <p>Mr. Cluff clarified that the contract does allow an option for the Concessionaires to terminate the contract early with a 90 day notice.</p> <p>Councilmember M. Petersen commented that he as well feels that five years may be too long. He suggested having a yearly renewal option to help encourage a consistent performance level.</p> <p>Mayor Adams said that he would be more in favor of a three year agreement.</p>
CONCLUSION	<p>Councilmember M. Petersen moved to approve the Concessionaires agreement for three years. Councilmember K. Peterson seconded the motion. Voting by roll call is as follows: Councilmember M. Petersen, aye; Councilmember K. Peterson, aye; Councilmember Patterson, aye.</p>
<p>C. ORDINANCE 15-02, ADDING CHAPTER 27, TELECOMMUNICAITONS CABLE, TO TITLE 9, ENGINEERING STANDARDS AND SPECIFICATIONS</p>	
Petitioner	<p>Administration</p>
Discussion	<p>Mr. Vinzant explained that this ordinance will establish requirements for permits and design installation of telecommunication cables within the public right of way with 66 foot road right of way plus easements. The easements vary depending on the subdivision. The two procedures it requires submittal of the complete drawings with a profile and the plan view which identifies where the cable will be in relationship to utilities. A 6 foot minimum distance is required for City infrastructure and one foot from other utilities.</p> <ul style="list-style-type: none"> ▪ Title 9, is Engineering and Standard Specifications and Standard Drawings. ▪ Chapter 27 will establish standards for the installation of underground telecommunication cables. ▪ In the past, when the placement of these cables was not regulated the method of installing, blind boring, would result in the cables going through underground utilities, sewer laterals, mains, storm drain, and other utilities. The boring machine doesn't know the difference between a plastic pipe and any other tough item underground. ▪ This ordinance will require the installers to preplan and verify depths of other utilities and will no longer allow "blind boring". <p>This ordinance is a result of industry practices that caused the problem.</p>
CONCLUSION	<p>Councilmember Patterson moved to adopt Ordinance 15-02, adding Chapter 27, Telecommunications Cable to the Clinton City Code of Ordinances. Councilmember K. Peterson seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember M. Petersen, aye; Councilmember K. Peterson, aye.</p>
<p>D. RESOLUTION 04-15, TELECOMMUNICATIONS FRANCHISE AGREEMENT WITH SYRINGA NETWORKS, LLC</p>	
Petitioner	<p>Dennis Cluff</p>
	<p>Mr. Cluff identified that Syringa Networks, LLC, of Boise, Idaho is seeking this Franchise Agreement with Clinton City in order to install and provide fiber optic cable within the City. However, this is NOT an agreement allowing Syringa to provide cable TV or community antenna business to the residents of Clinton. If that kind of service is ever desired by Syringa, they would need to secure a separate franchise agreement from the City.</p> <p>According to their preliminary plan, Syringa will use the Rights of Way (mostly along State corridors) to install underground fiber optic cable to at least one primary location. With this Franchise, they may amend their cable through following the City requirements.</p>

Though this is technically a Franchise Agreement, no ongoing revenue is anticipated through this service since they will not be “retailing” it to the public. They will offer the fiber optic service to other businesses which provide direct services to the public.

Mr. Cluff clarified that the previously adopted Telecommunication Rights of Way Ordinance is attached to this Franchise Agreement and adopted by reference in the Agreement.

The Council expressed concern that the contract state that service will not be allowed to be provided to residential customers. They asked for paragraph 1.4 to be modified to make sure that this is clearly identified in the agreement.

Brandon Wilson representing Syringa Networks addressed the Council and explained that Syringa is a broadband provider. They offer services to commercial enterprise customers; they do not sell to residential customers. The end user provides the return on franchise.

CONCLUSION

Councilmember Patterson moved to adopt Resolution 04-15, approving the Franchise Agreement with Syringa Networks, LLC. Councilmember M. Petersen seconded the motion. Voting by roll call is as follows: Councilmember M. Petersen, aye; Councilmember K. Peterson, aye; Councilmember Patterson, aye.

E. TABLED FROM JANUARY 27, 2015 – PUBLIC HEARING, ORDINANCE 15-01Z – REVIEW AND ACTION UPON A RECOMMENDATION FROM THE PLANNING COMMISSION CONCERNING CHANGE TO THE CLINTON CITY ZONING ORDINANCES; § 28-2 DEFINITIONS DEALING WITH GARAGES, ACCESSORY BUILDINGS, CARPORTS, AND SHEDS; § 28-3-25 GARAGES, ACCESSORY BUILDINGS, SHEDS, CARPORTS; § 28-12 THRU 28-15, AND 28-19 SUBSECTIONS DEALING WITH GARAGES, ACCESSORY BUILDINGS, SHEDS, AND CARPORTS

Petitioner Community Development

The City Council discussed the proposed ordinance as recommended by the Planning Commission.

Discussion	This change is intended to remove conflicts within the ordinance and clarify the intent of the sections dealing with Garages, Accessory Buildings, Carports and Sheds.	
	Old	Amended
	Definitions	Clarified definitions for Garages, Accessory Buildings, Carports and Sheds, no significant changes from previously intended. Relocated requirements from definitions to Chapter 3 Regulations Applicable to All Zones. Defined “Major Street”.
	Ch 3, Elderly Apartments, Residential Facility for elderly Persons, Nursing Homes	Assisted Living Facility with Resident Drivers: kept the number of spaces required. Assisted Living Facility no Resident Drivers; number of parking per bed from 1/4 to 1/2
	Single Family Dwelling Parking Requirements: there was a conflict regarding if a structure was required.	Clarified, two parking spaces required can be pads, carport, or garage. If a pad then side lot set back requirements are increased by 21-feet.
	2, 3, and 4 Plex Parking Requirements: there was a conflict regarding if a structure was required.	Clarified, parking requirements are evaluated as part of the site plan review.
	Due to changes in surface required for parking there became a conflict between hard surface or gravel for access to required parking or additional parking.	Clarified, access to required parking must be hard surface from street to required parking. Access to additional parking must have a hard surface to the parking unless the parking is behind a solid gated fence then hard surface to the gated fence.
	Clarified surface for required parking vs. additional parking	All required parking shall be hard surface. All additional parking shall be hard surface unless behind a solid gated fence.
	Table 12.4.1	Clarified setback requirements established in building codes, added footnote requiring additional setback when a carport or garage is not built on a dwelling.

Table 12.4.3	Clarified Accessory Garage/Carport; Detached Garage/Carport
A-1 Zone, Chapter 12, Accessory buildings permitted	Clarified that Garages, Accessory Buildings, Sheds and Carports are permitted
AE Zone, Chapter 13	Clarified that Garages, Accessory Buildings, Sheds and Carports are permitted
Table 13.4.1	Clarified setback requirements established in building codes, added footnote requiring additional setback when a carport or garage is not built on a dwelling.
Table 13.4.3	Clarified Accessory Garage/Carport; Detached Garage/Carport
28-13-4(7) added	Established evaluation process for Garages, accessory buildings, sheds, and carports that are for a use other than SF residential.
Table 14.2	Clarified item 4 and added 25 for non SF residential uses.
Table 14.3	Clarified setback requirements established in building codes, added footnote requiring additional setback when a carport or garage is not built on a dwelling. Established requirements for non SF residential uses
28-15-2 & 3	Clarified and established procedure for non SF residential uses
Table 15.4	Clarified setback requirements established in building codes, added footnote requiring additional setback when a carport or garage is not built on a dwelling. Established requirements for non SF residential uses
Table 19.4 & 19.29.2	Clarified setback requirements established in building codes, added footnote requiring additional setback when a carport or garage is not built on a dwelling. Established requirements for non SF residential uses

The Council felt that a two car garage should be required for new construction homes. They discussed parking and agreed that for additional parking gravel is an acceptable option. Additionally, they felt that lawn mowers and/or ATV's should be allowed to be parked in a shed or accessory building in the back yard. Parking in the front should be allowed on gravel or hard service and parking and access in the back yard should not be regulated.

Mayor Adams acknowledged that the public hearing remained open from the last meeting and asked for additional public comment, there was none. He declared the public meeting will stay open to the next City Council meeting.

CONCLUSION
Councilmember Patterson moved to table Ordinance 15-01Z to the February 24, 2015 City Council meeting to allow staff to make changes to the ordinance to require a two car garage, allow storage in sheds or accessory buildings in the back yard and modify parking requirements. The public hearing is to remain open. Councilmember M. Petersen seconded the motion. Voting by roll call is as follows: Councilmember K. Peterson, aye; Councilmember Patterson, aye; Councilmember M. Petersen, aye.

F. CHLORINATION STATION BID AWARD

Petitioner	Public Works										
Discussion	<p>Mr. Vinzant reviewed the following information related to the construction bid, and equipment bids for the Chlorination Station.</p> <p>Patriot Construction is the low bidder for project construction and Wetco is the low bidder for the equipment.</p> <p>Staff has received a complaint that Patriot Construction does not have the correct license for this project. Staff will verify Patriot's license through DOPL prior to finalizing acceptance of the bid; if their license is not sufficient, a special meeting will need to be called to award the bid to the next lowest bidder.</p> <table style="margin-left: 40px;"> <tr> <td>Construction</td> <td>\$158,965 (contingent on verification of license)</td> </tr> <tr> <td>Equipment</td> <td>\$ 30,220 (scales, pumps, etc.)</td> </tr> <tr> <td>Rocky Mountain Power</td> <td>\$ 3,000 (move transformers and supply new power lines)</td> </tr> <tr> <td>Telemetry</td> <td>\$ 33,600 (upgrade existing system and software)</td> </tr> <tr> <td>Total</td> <td>\$225,785</td> </tr> </table>	Construction	\$158,965 (contingent on verification of license)	Equipment	\$ 30,220 (scales, pumps, etc.)	Rocky Mountain Power	\$ 3,000 (move transformers and supply new power lines)	Telemetry	\$ 33,600 (upgrade existing system and software)	Total	\$225,785
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	<p style="text-align: center;">Engineer's Estimate \$264,000</p> <p>Bryce Wilcox of JUB Engineers reviewed a memo he wrote to Mr. Child on Feb 4, 2015 which is included in the staff report. He explained that the entire project was initially built around the Waterford System because that is the system used by other nearby cities and is system JUB is familiar with. With direction from the City, they sought another bid. Because the equipment is not specific it has been a process to compare and evaluate the notable differences in the equipment.</p> <p>He explained that both are good systems, but his preference would be the Waterford System due to their history and performance in the area. The basis for this recommendation is that 1) While not a fault of Wetco's, Waterford Systems has been a party to more frequent and in-depth discussions regarding the project background, purpose, and available options. 2) The difference in proposed equipment and the importance of such equipment to fulfill the purposes of the project. 3) Feedback and track record of the equipment from other respected municipalities and districts.</p> <p>Mr. Child clarified that the intent is to pump additional chlorine into the culinary water supply as a standard procedure to maintain adequate chlorine levels through out the entire system year round.</p> <p><i>Mayor Adams directed Mr. Child to research the cost of chlorine to help the Council evaluate future budget needs.</i></p> <p>Mr. Wilcox clarified that the state permit is not to chlorinate the system but to boost the chlorination level. Downstream there will be an additional chlorine residual meter to monitor and calibrate chlorine needs. The chlorine will be regulated with a flow meter installed in the main line that will operate based on volume levels flowing through the pipe. An additional chlorine residual meter will be installed at the lift station at the end of the system. The pumps are variable frequency to ramp up or down depending on the volume levels of the water.</p> <p>Mayor Adams expressed concern over accurate readings by the residual pump at the lift station based on the potential of delays due to the volume of waste water.</p> <p>Mr. Wilcox responded he will discuss this concern with his JUB colleague who has been working on the project with him. He clarified that sensors and safety features are designed into the program.</p> <p>The Council decided to postpone the decision on the purchase of the equipment to allow staff time to research the cost and lead time for replacement components of the equipment.</p>
<p>CONCLUSION</p>	<p>Councilmember K. Peterson moved to award the bids on the construction, RMP and telemetering items contingent on verification of the required contractor's license by the lowest bidder with direction to staff to research lead time on replacement components for the equipment portion of the project. Councilmember Patterson seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember K. Peterson, aye; Councilmember M. Petersen, aye.</p>
<p>Approval of Minutes</p>	<p>Councilmember Patterson moved to adopt the January 27, 2015 Clinton City Council Minutes as amended <i>correcting the motion for Res 03-15 to read: Councilmember M. Petersen moved to adopt Resolution 03-15, a resolution of support for transportation funding from the 2015 Legislature. Councilmember Patterson seconded the motion. All those present voted in favor of the motion; and correcting the date of resignation of Councilmember Mitchell from January 27 to January 26, 2015 and removing "resigned" from the comment</i></p>

	section on the record. Councilmember K. Peterson seconded the motion. All those present voted in favor of the motion.
Accounts Payable	Councilmember K. Peterson moved to pay the bills as presented. Councilmember Patterson seconded the motion. All those present voted in favor of the motion.
Planning Commission Report	Mr. Vinzant reported on the February 3, 2015 Clinton City Planning Commission Meeting as recorded in the minutes.
City Manager	<ul style="list-style-type: none"> • The City offices will be closed n Monday, February 16 in honor of President's day. • The Parks Advisory Board will meet on Wednesday, Feb. 18 at 7 p.m.
Mayor	<ul style="list-style-type: none"> • He and staff met with the West Davis Corridor and the Shared Solution Coalition. The Shared Solution Coalition is of the opinion that the West Davis Corridor is not a necessity and development to the west should cease in favor of increased density in the City Center and walk ability. Mayor Adams stated he feels this is an unreasonable suggestion. They are requesting a response from Clinton City in writing. • Attended the Wasatch Front Regional Council open house; the Record of Decision will be coming forth in the near future. Expressed the desire for the project to be completed as quickly as possible especially through Clinton City. • Asked Mr. Vinzant to analyze deficiencies in parking requirements as it would pertain to multiple businesses within one structure. • Asked staff and JUB to make sure that the 3000 W project is inspected thoroughly and compactions are solid.
Councilmember Patterson	<ul style="list-style-type: none"> • Nothing at this time.
Councilmember K. Peterson	<ul style="list-style-type: none"> • Attended WFRC Open House. • Discussed the impact on traffic on 2000 West due to improvement projects on SR 193.
Councilmember M. Petersen	<ul style="list-style-type: none"> • Attended the recent RAB Meeting; they are proposing to do additional clean up measures.
Councilmember Stanton	<ul style="list-style-type: none"> • Excused
Lynn Vinzant	Asked for direction from the Council to apply for CDBG Funds; the Council gave direction to move forward with the application.
Mike Child	There will be a lot of road construction going on this year, several projects have already begun.
ADJOURNMENT	Councilmember M. Petersen moved to adjourn. Councilmember K. Peterson seconded the motion. All those present voted in favor. The meeting adjourned at 10:22 p.m.