

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

Councilmember TJ Mitchell

Clinton City Council	March 24, 2015	Call to Order: 7:02 P.M.
Staff Present	City Manager Dennis Cluff, Community Development Director Lynn Vinzant, Recreation Director Bruce Logan and Lisa Titensor recorded the minutes.	
Citizens Present	Brooklyn Welch, Ivan Ray (Davis & Weber Counties Canal Company), Lisa & Kyler Martindale, Cathy Derrick, Mike Taylor, H. Newby, Brittney Tesch, Asha Stapley, Kevin Jackson, Brandon Allen, Austin Harrison, Carter Andreason, Parker Atmore, Wesley Elmore, Zac Phipps, Luke Briscoe, Clinton Pixton, Spencer Arave, Ruth Collard, Florence Harlan, Luke Harlan, Daniel Harlan, Connie Wright, Richard Worcester, Zachary Knight, Jacob Briggs, Ken Spencer, Tanner Price, Jackson Price, Easton Hansen, Scott, Cory Price, Jeremy Stumm, Porter Nielsen, Sam Hummel, Jo Gillmore, Parker Jones, Michael Jones, Jared Jones, Becky Jackson, Kayden Hubble, Matthew Evans, Bobby Buckles, Sage Dellamore, Carter Dunford, Eric Swanson, Ashley Swanson,	
Pledge of Allegiance	Brandon Allen, Troop 738	
Prayer or Thought	Carter Andreason, Troop 738	
Roll Call & Attendance/ Excused Were:	All were present.	
Public Comment	Brooklyn Welch said she recently moved into Clinton City. She would like the opportunity to have chickens in her back yard. She is not in zone R-1-10 or R-1-15; she does however have a 14,810 sq. ft. lot. She has researched surrounding city ordinances, she asked the City Council to consider changing their ordinance to that of the other cities that allow chickens based on the lot size of 10,000 sq. ft. minimum rather than the zone.	
A. EMPLOYEE OF THE MONTH FOR FEBRUARY 2015 – RYLEE DALTON, RECREATION		
Petitioner	Dennis Cluff, Bruce Logan	
Discussion	<p>Bruce Logan addressed the Council to introduce Rylee Dalton as the Employee of the Month for February 2015. He explained Rylee is the office assistant for the Recreation Department. Since Rylee started her position in 2013, she has always been an exemplary employee. In addition to her excellent customer service skills, Rylee is very punctual, extremely dependable, and constantly positive. Fellow employees appreciate her willingness to help wherever needed. She pays attention to detail and is very task oriented. She is a great team player and her positive attitude is very contagious. She is honest, trustworthy, and reliable. Clinton City Recreation wants to thank Rylee for all she does and let her know she is valued and her hard work and dedication does not go unnoticed.</p> <p>Mayor Adams expressed appreciation to Rylee for her good work and presented her with an award and gift card in recognition.</p>	
B. APPOINTMENT OF JACOB BRIGGS AND DENNIS CLUFF TO THE DAVIS COUNTY NOMINATING COMMITTEE FOR REPLACEMENT OF THE MUNICIPAL JUSTICE COURT JUDGE		
Petitioner	Mayor Adams	
Discussion	Mayor Adams asked the Council to consider his recommendation for the appointments	

	<p>of Jacob Briggs and Dennis Cluff to the Davis County Nominating Committee for selection of the Clinton Municipal Justice Court Judge to replace Judge Sandberg who is retiring in June.</p>
<p>CONCLUSION</p>	<p>Councilmember Stanton moved to ratify Mayor Adams' appointment of Jacob Briggs and Dennis Cluff to the Davis County Nominating Committee for replacement of the Municipal Justice Court Judge. Councilmember Peterson seconded the motion. All voted in favor of the motion.</p>
<p>C. REPORT ON SECONDARY WATER FOR 2015 FROM DAVIS WEBER COUNTIES CANAL COMPANY</p>	
<p>Petitioner</p>	<p>Dennis Cluff, Ivan Ray-DWCCC</p>
<p>Discussion</p>	<p>Ivan Ray, General Manager of the Davis and Weber Counties Canal Company presented the Secondary Water prospects and anticipated availability of secondary water for 2015 to the City Council. He explained the DWCCC has already provided the watering schedule which as of now will be the same as last year. He assured the Council that the water will be available by April 15th.</p> <p>Mr. Ray provided the Council with pictures from Feb 2015, April 2014 and April 2013 and identified that Utah is currently in a drought. The water run off is less than last year based on fewer storms and a record breaking warmer than normal winter. He said the DWCCC is currently only asking for voluntary conservation efforts, however this could change. There is good reservoir carryover storage now, but low run off levels will use up the storage early. He expressed appreciation to the Clinton residents for their water conservation efforts in 2013 and 2014 and said he is optimistic they will do the same in 2015.</p> <p>He went on to explain that the Canal Company is in good financial condition. Reserve funds and grants have been set aside to fund infrastructure replacement and improvements. The DWCCC does not have to borrow money for these improvements.</p> <p>Ken Spencer, DWCCC Field Supervisor reported that over the winter months there was a vigorous campaign to rebuild and improve the equipment and infrastructure to provide adequate delivery of water to the residents. This past year they worked to rebuild all the pump stations; the power station in West Point will be up and running soon which will also help improve efficiency. Each year they work to improve the system. He explained they will be receiving a grant to help pay for the installation of meters to help monitor usage through out the City, the meters are already being installed in new subdivisions. The installation will begin in the older areas and then will work east.</p> <p>Mayor Adams asked if the water pressure issues will be addressed again this year.</p> <p>Mr. Spencer responded that the alternating watering schedule has helped with this issue significantly. Efforts are underway for repair and replacement of existing infrastructure to improve it even further.</p> <p>Mayor Adams asked Mr. Spencer and Mr. Ray to please maintain the minimum water pressure guaranteed to the City of 35 to 40 psi. He said he feels fortunate that the water was carried over in the reservoirs.</p> <p>Councilmember K. Peterson asked how she should respond to residents who contact her with water pressure issues.</p> <p>Mr. Spencer said the water pressure can be monitored to determine the best time for the home owner to water and they will be allowed to water during those times.</p> <p>Councilmember K. Peterson then asked for clarification how the meters will function.</p> <p>Mr. Spencer said the decisions have not been made; the installation plans are still under consideration. The meters will not be monitored for when watering takes place, rather how much water is being used, charges will not be incurred from the monitoring results.</p>

	<p>Councilmember K. Peterson then asked if water restrictions become necessary, how will they be enforced.</p> <p>Mr. Spencer responded door hangers will be placed on residences that are watering when they shouldn't.</p> <p>Mr. Cluff asked if the water will be available by April 15.</p> <p>Mr. Spencer replied – charging of the water lines will begin April 1 and should be available by the 15th.</p>
<p>The Council addressed Agenda Item E and approval of the minutes prior to Agenda Item D because the time was prior to 7:45 p.m. which was the time advertised for the public hearing.</p>	
<p>D. 7:45 P.M. PUBLIC HEARING – RESOLUTION 06-15 - REVIEW AND ACTION UPON A RECOMMENDATION FROM THE PLANNING COMMISSION CONCERNING A REQUEST FROM COUNTRYSIDE HOMES UTAH, COREY KUHN, FOR APPROVAL OF COUNTRYSIDE MEADOWS SUBDIVISION, LOCATED AT APPROXIMATELY 1564 NORTH 1500 WEST.</p>	
<p>Petitioner</p>	<p>Corey Kuhn</p>
<p>Discussion</p>	<p>The Council was provided the following information that resulted from the Planning Commission discussion of this issue:</p> <p>Commissioner Thompson moved to approve the Preliminary Plat of Countryside Meadows Subdivision. Commissioner Cressall seconded the motion. Commissioner Coombs was excused; all others presented voted in favor by roll call.</p> <p>At the March 17, 2015 Planning Commission meeting Commissioner Thompson moved to forward a recommendation to the City Council for approval of Res 06-15, Final Plat approval of Countryside Meadows Subdivision requiring the following findings and conditions:</p> <ol style="list-style-type: none"> 1 The Subdivision is proposed for development in the R-1-10 Residential Zone. 2 The Plat indicates that the lots within the subdivision meet the minimum requirements of the R-1-10 Zone. 3 The infrastructure proposed for the Subdivision meets the minimum requirements of the City Standards. 4 The patch to 1595 North at the intersection of 1450 West is to be the full width of 1450 West. 5 The patch for lot 1 on 1500 West will be a single patch for all trenches. 6 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. 7 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. 8 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. 9 Prior to a request for Conditional Acceptance by the City Council all undeveloped lots will be cleared of all debris and graded level to facilitate weed control. <p>Commissioner Briggs seconded the motion. Commissioner Coombs was excused; all others present voted in favor by roll call.</p>

	<p>The following information was included in the City Council staff report: This subdivision is zoned R-1-10 Minimum lot size is 10,000 square feet Lot frontage, at setback point is: Minimum – 75 feet Average – 85 feet Corner – 85 feet</p> <p><u>Public Works</u></p> <ul style="list-style-type: none"> • Submittal Date: 2-12-15 • Sewer and Land drain needs 5’ manhole at existing main connections • Add catch basin at start of east radius • Install 8” W valve at mainline connection • Move W blow off to park strip lot 3/4 property line • Where are lot 1 utilities fed from? • SWPPP needs to be provided • Street light at West radius • Remove/replace asphalt from radius to radius across entire road to curb to the North <p>Engineer’s Review Plat Review</p> <ol style="list-style-type: none"> 1. In the typical roadway cross section the base course section does not meet the current city requirements. <p>Eric Swanson representing Countryside Homes was present to address the Council.</p> <p>Mr. Vinzant clarified the issue regarding the Engineer’s Review has been corrected. This is a minor subdivision that meets the requirements of the R-1-10 Zone.</p> <p>Mayor Adams opened the public hearing at 7:51 p.m. There was no public comment, therefore he closed the public hearing at 7:52 p.m.</p>
CONCLUSION	<p>Councilmember Patterson moved to adopt Resolution 06-15 approving the Final Plat of Countryside Meadows Subdivision, located at approximately 1564 North 1500 West. Councilmember M. Petersen seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember Stanton, aye; Councilmember K. Peterson, aye; Councilmember M. Petersen, aye; Councilmember Mitchell, aye.</p>
<p><u>E. TABLED ITEM FROM JANUARY 27 AND FEBRUARY 10 - PUBLIC HEARING – ORDINANCE NO. 15-01Z - REVIEW AND ACTION UPON A RECOMMENDATION FROM THE PLANNING COMMISSION CONCERNING CHANGE TO THE CLINTON CITY ZONING ORDINANCE; § 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.</u></p>	
Petitioner	
Discussion	<p>During the February 24, City Council meeting the Council tabled any action on this ordinance. No direction was given to staff regarding changes or corrections. During the meeting, the Council heard comments from members of the Planning Commission explaining their action and reasoning for the original presentation.</p> <p>February 24, Staff Report Action on the ordinance was tabled pending changes to the ordinance. As directed by the Council a 2 car garage is now required on all single family dwellings. A gravel or hard surface drive is required to go to an accessory parking site unless there is a solid fence then gravel or hard surface is required in the front.</p> <p>February 10, Staff Report</p>

<p>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.</p>	
<p>Items Covered, Old Verbiage vs. Amended:</p>	
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

CONCLUSION Councilmember Stanton moved to adopt Ordinance 15-01Z amending the Clinton City Zoning Ordinance; § 28-2 Definitions dealing with Garages, Accessory Buildings, Carports, and Sheds; § 28-3-25 Garages, Accessory Buildings, Sheds,

	<p>Carports; § 28-12 thru 28-15, and 28-19 subsections dealing with Garages, Accessory Buildings, Sheds, and Carports. Councilmember Patterson seconded the motion. Voting by roll call is as follows: Councilmember Mitchell, aye; Councilmember Patterson, aye; Councilmember Stanton, aye; Councilmember K. Peterson, aye; Councilmember M. Petersen, aye.</p>
<p>Approval of Minutes</p>	<p>Councilmember M. Petersen moved to approve the February 24, 2015 Special City Council Meeting. Councilmember Patterson seconded the motion. All voted in favor of the motion.</p> <p>Councilmember K. Peterson moved to approve the March 10, 2015 Special City Council Minutes. Councilmember Mitchell seconded the motion. All voted in favor of the motion.</p> <p>Councilmember Stanton moved to approve the March 10, 2015 Closed Session Minutes. Councilmember Mitchell seconded the motion. All voted in favor of the motion.</p> <p>Councilmember K. Peterson moved to approve the March 10, 2015 regular City Council Minutes. Councilmember Stanton seconded the motion. All voted in favor of the motion.</p>
<p>Accounts Payable</p>	<p>Councilmember Stanton asked for an explanation on the cost of playground equipment identified on page 1.</p> <p><i>Staff responded it was a repair cost for existing playground equipment.</i></p> <p>Councilmember Mitchell asked for clarification on the lease of the John Deer Loader.</p> <p><i>Staff replied it is an annual lease; this allows the City to get a new Loader every two years which has significantly cut down on costs for maintenance.</i></p> <p>Councilmember Patterson moved to pay the bills. Councilmember Stanton seconded the motion. All voted in favor of the motion.</p>
<p>Planning Commission Report</p>	<p>Mr. Vinzant reported on the March 17, 2015 Clinton City Planning Commission Meeting as recorded in the minutes.</p>
<p>City Manager</p>	<ul style="list-style-type: none"> • The Parks Advisory Board will meet on Wed. March 25 at 7 p.m. • Will attend the ULCT Conference in St. George on April 6 – 9. • Wed. April 15 is the last lunch for the year with the local schools at Voyage Academy • Saturday, April 18 will be Spring Clean up from 8 am to 1 pm
<p>Mayor</p>	<ul style="list-style-type: none"> • Nothing at this time.
<p>Councilmember Patterson</p>	<ul style="list-style-type: none"> • Explained she is receiving complaints about construction debris near the construction on 3000 N blowing in residents’ yards. • Asked staff to review the social media policy in regards to the Recreation Department • Packets are going out requesting donations for Heritage Days.
<p>Councilmember K. Peterson</p>	<ul style="list-style-type: none"> • Asked for a work meeting with the Planning Commission to go through the Subdivision Ordinance before it is addressed in a regular City Council meeting. • The Arts Board received a grant to purchase a karaoke machine and will be holding karaoke events on April 17 and May 15. • The Arts Board has two vacancies. • Expressed appreciation to staff for their efforts in regards to transparency as identified in a newspaper article which was recently published in the Standard Examiner.
<p>Councilmember M. Petersen</p>	<ul style="list-style-type: none"> • Attended an Eagle Court of Honor • Appreciated receiving the minutes from the Planning Commission meeting and would like to see that continue in the future since there will not be a City Council Liaison.

Councilmember Stanton	<ul style="list-style-type: none">• The Youth Council attended the Youth Leadership Conference at Utah State.
Councilmember Mitchell	<ul style="list-style-type: none">• Nothing at this time.
ADJOURNMENT	Councilmember Stanton moved to adjourn. Councilmember Mitchell seconded the motion. All those present voted in favor. The meeting adjourned at 8:11 p.m.