

**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**

City Council	June 23, 2015	Call to Order: 7:00 P.M.
<b>Staff Present</b>	City Manager Dennis Cluff, Community Development Director Lynn Vinzant and Lisa Titensor recorded the minutes.	
<b>Citizens Present</b>	Catherine Hoskins, Allen Labrecque, Connie Valentine, Bob and Isis Buckles, Rob Elggren, Shannon Mullins, Ross Gardiner, Travis Bonsteel, Justin and Suzi Cherry, Connor and Caleb Cherry, Gary Nelson, Tad Kruitbosch	
<b>Pledge of Allegiance</b>	Councilmember Mike Petersen	
<b>Prayer or Thought</b>	City Manager Dennis Cluff	
<b>Roll Call &amp; Attendance/ Excused Were:</b>	Present were: Mayor Adams, Councilmember Mike Petersen, Councilmember Karen Peterson, Councilmember Barbara Patterson, and Councilmember TJ Mitchell.  Excused were: Councilmember Anna Stanton,	
<b>A. (1) - APPOINTMENT OF MUNICIPAL JUDGE – CATHERINE HOSKINS</b>		
<b>Petitioner</b>	Mayor Adams	
<b>Discussion</b>	<p>Mayor Adams reported that after an extensive application, review and interview process, He has decided to appoint Catherine J. Hoskins as the new Clinton Municipal Court Judge. Catherine is also the sitting Municipal Court Judge in Syracuse as well as a partner in the firm of Hoskins Legal. She is an attorney with her law degree from the University of Oregon.</p> <p>Catherine Hoskins said she appreciates this opportunity. She is also the Justice Court Judge for Syracuse. She is excited to begin her service to Clinton City.</p>	
<b>CONCLUSION</b>	<b>Councilmember Mitchell moved to ratify Mayor Adams’ appointment of Catherine J. Hoskins as the new Clinton City Justice Court Judge. Councilmember M. Petersen seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember Mitchell, aye; Councilmember K. Peterson, aye; Councilmember M. Petersen, aye.</b>	
<b>A. (2) - RECOGNITION OF NEW CERT GRADUATES</b>		
<b>Petitioner</b>	Mayor Adams	
<b>Discussion</b>	<p>CERT Coordinator Connie Valentine introduced the following individuals as the newest CERT graduates who have completed their 24 hour CERT Certification Training Program:</p> <ul style="list-style-type: none"> <li>• Bob Buckles</li> <li>• Isis Buckles</li> <li>• Justin Cherry</li> </ul> <p>Mayor Adams expressed his appreciation of the willingness for these individuals to serve the community.</p>	
<b>B. RESOLUTION 14-15, SUPPORT OF COUNTY VOTE ON LOCAL OPTION SALES TAX INCREASE FOR TRANSPORTATION PURPOSES</b>		
<b>Petitioner</b>	Dennis Cluff	
<b>Discussion</b>	Mr. Cluff reported HB 362 was enacted this year which allows, on a county-wide basis only, a public vote in November on a 0.25% local option sales tax increase which would	

be dedicated to transportation purposes. The Bill provides for the division of revenues from this 0.25% sales tax increase to be distributed: 10% to cities; 10% to local transit (UTA), and 5% to the County. If the issue is placed on the November ballot by the County Commission and approved by the voters, the City could anticipate about \$230,000 a year increase in transportation funds, which includes the change in gas tax funding which is also going into effect.

Any funding through this new source would be dedicated solely to transportation purposes such as street rehab/construction, sidewalks, trails, traffic signs and signals, street lighting and other non-motorized public transportation improvements.

The process is to get the County Commission to put this issue on the November ballot for a public vote. The League of Cities and Towns is hoping all counties in the State will put this issue before the people this November. So far Davis County Commissioners have been hesitant in taking the ballot placement step.

Mayor Adams said he feels this is a necessary step for road improvements.

The Council discussed some concerns with the Resolution as it was drafted by the County and made some modifications. The following is what they ultimately agreed on:

**CLINTON CITY**

**RESOLUTION 14-15**

**A RESOLUTION OF THE CLINTON CITY COUNCIL, SUPPORTING THE HB 362 (2015) AUTHORIZED 0.25% LOCAL OPTION GENERAL SALES TAX DEDICATED TO TRANSPORTATION, ENCOURAGING THE DAVIS COUNTY TO SUBMIT THE PROPOSAL TO VOTERS IN NOVEMBER 2015, AND ENCOURAGING VOTERS TO SUPPORT THE PROPOSAL.**

**WHEREAS**, a safe and efficient transportation system creates the foundation for economic growth, improved air quality and public health, and enhanced quality of life; and

**WHEREAS**, the creation and maintenance of transportation infrastructure is a core responsibility of local government; and

**WHEREAS**, Utah’s population is expected to grow by 2 million residents by 2040; and

**WHEREAS**, due to our drastic shortfall in transportation revenue, Clinton City is using over \$477,000 from property tax and other funding to supplement the Class C Fund (Gas Tax) revenue in order to try to meet our local transportation needs; and

**WHEREAS**, research from the Utah Department of Transportation indicates that road rehabilitation costs six times as much as road maintenance, and road reconstruction costs ten times as much as road maintenance, and

**WHEREAS**, investing in transportation results in economic development for Clinton City and Davis County and accessible good-paying jobs for our residents; and

**WHEREAS**, the Utah State Legislature recognized the local transportation needs and enacted HB 362 which authorized counties to impose and voters to approve a 0.25% local option general sales tax dedicated to local transportation; and

**WHEREAS**, Clinton City will, upon county imposition and voter approval, receive 0.10 (40%) of the 0.25% sales tax to invest in critical local transportation needs.

**THEREFORE, BE IT RESOLVED BY THE CLINTON CITY COUNCIL SUPPORTS HOUSE BILL 362 (2015) BE FORWARDED TO THE VOTERS AS ESTABLISHED IN THE BILL**

**Effective Date.** This Resolution shall become effective upon passage.

**APPROVED BY THE CLINTON CITY COUNCIL ON JUNE 23, 2015.**

<b>CONCLUSION</b>	<b>Councilmember K. Peterson moved to adopt Resolution 14-15 in support of a vote to enact a sales tax increase for transportation purposes as outlined in HB 362. Councilmember</b>
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Mitchell seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember Mitchell, aye; Councilmember K. Peterson, aye; Councilmember M. Petersen, aye.

**C. 7:00 P.M.-PUBLIC HEARING - RESOLUTION 15-15, AMENDMENTS TO FY 14-15 BUDGET**

**Petitioner** Dennis Cluff

**Discussion**

Mr. Cluff reported that in order to balance out the annual budget, the funds within each departmental budget must be sufficient to cover the costs. In some cases during the fiscal year changes were necessary due to incurred costs which now must be covered within those specific budgets.

All of the budgetary increases are itemized in Attachment "A". Additions are made to 2 General Fund categories and to 2 of the Enterprise Funds. By category these are:

<u>Dept</u>	<u>Line Item</u>	<u>\$ Increase</u>	<u>Description</u>
Cross Guards	Salaries	\$6,400	New guard coverage and hours
Ambulance	Service Exp	\$54,560	Ambulance fee collections, lock box and paramedic fees
Water	Improvements	\$130,000	3000 W. and Cemetery
Storm Drain	Improvements	\$100,000	1740 N.(phase 2 of 1640 W. Project)

Mayor Adams opened the public hearing at 7:37 p.m.; there was no public comment, therefore he closed the public hearing at 7:38 p.m.

Councilmember K. Peterson asked for clarification in the Water Fund of the \$5,000 unanticipated costs for water testing.

Mr. Cluff responded it was due to the August 2014 water contamination incident.

**CONCLUSION** Councilmember Patterson moved to adopt Resolution 15-15, approving the amendments to the FY 2014-15 Budget. Councilmember K. Peterson seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember Mitchell, aye; Councilmember K. Peterson, aye; Councilmember M. Petersen, aye.

**D. TO BE TABLED - 7:45 P.M. – PUBLIC HEARING- RESOLUTION NO. 11-15 REVIEW AND ACTION UPON A RECOMMENDATION FROM THE PLANNING COMMISSION ON A REQUEST FOR APPROVAL OF THE FINAL PLAT OF CLINTON MEADOWS SOUTH SUBDIVISION, LOCATED AT APPROXIMATELY 3400 WEST ON THE NORTH SIDE OF 1800 NORTH.**

**Petitioner** Community Development

**Discussion**

Mr. Vinzant explained that this subdivision is dependent upon an Interlocal Agreement with West Point City for a second access and for an outflow for a sewer main. The topic was presented to the West Point Council for discussion by their staff; the Council determined that they had to speak to the developers.

Mayor Adams opened the public hearing at 7:50 p.m. and identified the public hearing will remain open to the July 28, 2015 City Council meeting.

*The Council reviewed the Planning Commission report, City Manager report, Mayor’s report and City Council reports prior to addressing Agenda Item E.*

**CONCLUSION** Councilmember M. Petersen moved to table Resolution 11-15, a review and action upon a recommendation from the Planning Commission on a request for approval of the final plat of Clinton Meadows South Subdivision, located at approximately 3400 West on the north side of 1800 North to the July 28, 2015. Councilmember Patterson seconded the motion. All those present voted in favor of the motion.

**E. 8:00 P.M. – PUBLIC HEARING- RESOLUTION NO. 12-15 REVIEW AND ACTION UPON A RECOMMENDATION FROM THE PLANNING COMMISSION ON A REQUEST FOR APPROVAL OF THE FINAL PLAT OF HARRISBURG COUNTRY ESTATES SUBDIVISION PHASE 5, LOCATED AT APPROXIMATELY 2700 WEST ON THE NORTH SIDE OF 800 NORTH.**

**Petitioner** Craythorne Construction, Erik Craythorne,

<p><b>Discussion</b></p>	<p>Tad Kruitbosch was present representing Craythorne Construction.</p> <p>Mr. Vinzant reviewed the information included in the staff report. This is the fifth phase of Harrisburg Country Estates, the preliminary plat was approved April of 2014 and the final plat of phase 4 was approved August of 2014.</p> <ul style="list-style-type: none"> <li>▪ The lots of the final plat significantly match the preliminary plat.</li> <li>▪ The lots comply with the Zoning Ordinance.</li> </ul> <p>800 North is a city street and improvements are proposed and designed to match the City requirements.</p> <p>Mayor Adams opened the public hearing at 8:22 p.m. With no public comment, he closed the public hearing at 8:23 p.m.</p>
<p><b>CONCLUSION</b></p>	<p><b>Councilmember K. Peterson moved to adopt Resolution 12-15, approving the final plat of Harrisburg Country Estates Subdivision Phase 5, located at approximately 2700 W on the north side of 800 N. with the following findings and conditions:</b></p> <ol style="list-style-type: none"> <li>1 Plat shall not be recorded until a Sub divider’s Agreement and Sub divider’s Escrow Agreement have been completed and executed to insure the completion of the development.</li> <li>2 All comments related to the plat and engineering shall be corrected before the final plat is presented for signatures.</li> <li>3 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.</li> <li>4 Prior to Conditional Acceptance and Final Acceptance by the City the Sub-divider shall clear any construction debris from lots within the subdivision and level lots within the subdivision in such a way that weed control, via mowing with a brush hog or similar item, is possible and all lots will be mowed for weed control.</li> <li>5 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.</li> <li>6 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.</li> </ol> <p><b>Councilmember Mitchell seconded the motion. Voting by roll call is as follows: Councilmember Patterson, aye; Councilmember Mitchell, aye; Councilmember K. Peterson, aye; Councilmember M. Petersen, aye.</b></p>
<p><b>Approval of Minutes</b></p>	<p><b>Councilmember Mitchell moved to approve the May 26, 2015 City Council Minutes as amended – adding “and larger Zones” to the end of Mr. Vinzant’s comments on page 1 under Public Comment. Councilmember M. Petersen seconded the motion. All those present voted in favor of the motion.</b></p> <p><b>Councilmember Patterson moved to approve the June 18, 2015 Special City Council Minutes as amended removing a duplicate of a vote by Councilmember Mitchell on the conclusion of Agenda Item A. Councilmember Mitchell seconded the motion. All those present voted in favor of the motion.</b></p>
<p><b>Accounts Payable</b></p>	<p><b>Councilmember K. Peterson moved to pay the bills. Councilmember Mitchell seconded the motion. All those present voted in favor of the motion.</b></p>
<p><b>Planning Commission Report</b></p>	<p>Mr. Vinzant reported on the June 16, 2015 Planning Commission Meeting as recorded in the minutes.</p>
<p><b>City Manager</b></p>	<ul style="list-style-type: none"> <li>• Tour of Utah – this event will take place throughout the State on Aug. 5 – 8, 2015. It will pass through Clinton on 1800 N and 2000 W at approx. 10:45 a.m. on August 5.</li> <li>• The County and State Health Department representatives met with Clinton City representatives to discuss the cross contamination issues.</li> <li>• There is a need for a Special City Council Meeting July 1 at 8 a.m. to award the bid for road construction projects.</li> </ul>

	<ul style="list-style-type: none"> <li>• The offices will be closed July 3 to celebrate the July 4 holiday.</li> <li>• Heritage Days is July 8 – 11.</li> </ul>
<b>Mayor</b>	<ul style="list-style-type: none"> <li>• The waste facility is still under construction; it is not anticipated to be back up and running for a couple of weeks.</li> </ul>
<b>Councilmember Patterson</b>	<ul style="list-style-type: none"> <li>• Parks Board Meeting June 24, 2015 at 7 p.m.</li> <li>• Starbucks will supply coffee for the Heritage Days Breakfast.</li> </ul>
<b>Councilmember K. Peterson</b>	<ul style="list-style-type: none"> <li>• The City Council will participate in the Heritage Days parade; information will be forthcoming.</li> <li>• The City Departments participated in training for the new website.</li> <li>• Community Enhancement, the Arts Board &amp; the Recreation Department have a lot of activities planned for Heritage Days, registration deadlines are approaching.</li> <li>• Secondary Water is a huge issue in the Heritage Park area. The auxiliary pump appears to be failing; there is no water pressure. Citizens in the area are extremely frustrated.</li> </ul>
<b>Councilmember M. Petersen</b>	<ul style="list-style-type: none"> <li>• Nothing at this time.</li> </ul>
<b>Councilmember Stanton</b>	<ul style="list-style-type: none"> <li>• Excused</li> </ul>
<b>Councilmember Mitchell</b>	<ul style="list-style-type: none"> <li>• The Heritage Days Committee will meet Monday June 29 at 5:00 p.m.</li> </ul>
<b>Action Items</b>	<ul style="list-style-type: none"> <li>• The Council directed staff to bring forth an agenda item for the July 14 City Council meeting to discuss changing water cross contamination from a Class C misdemeanor to a Class B or A.</li> <li>• The Council asked staff to follow up with the Weber Davis Canal Company regarding secondary water pressure issue.</li> </ul>
<b>ADJOURNMENT</b>	<b>Councilmember Patterson moved to adjourn. Councilmember Mitchell seconded the motion. All those present voted in favor. The meeting adjourned at 8:30 p.m.</b>