CLINTON CITY COUNCIL MINUTES
CITY HALL
2267 North 1500 W Clinton UT 84015

MAYOR
L. Mitch Adams

CITY COUNCIL MEMBERS
Anna Stanton
Karen Peterson
Mike Petersen
Barbara Patterson
TJ Mitchell

Date of Meeting	**February 9, 2016**	**Call to Order**	**7:00 p.m.**
Staff Present	Recreation Director Bruce Logan, Treasurer Carla Parsons, Fire Chief Dave Olsen, Asst. Fire Chief Justin Benavides, Bailey Gard, Alicia Anderson, Steve Hubbard, City Manager Dennis Cluff, Community Development Director Will Wright and Lisa Titensor recorded the minutes.		
Citizens Present	Randy Elliott, Pam Logan, Tammy Hubbard, Hunter Behm, Connie Valentine, Allen Labrecque, Heather Hensley, Ken Hamelin, Rob Ellgren, Bob Buckles, Omer Dillon, Jerry & Linda Hogge, Bruce Nilson, Glen Phillips		
Pledge of Allegiance	Councilmember Barbara Patterson		
Prayer or Thought	Carla Parsons		
Roll Call & Attendance	Present were: Councilmember Patterson, Councilmember K. Peterson, Councilmember Stanton, Councilmember M. Petersen, Councilmember TJ Mitchell and Mayor Adams		
	Mayor Adams introduced Randy Elliott who is running for Davis County Commissioner. Mr. Elliott introduced himself and said he is a fourth generation farmer in Davis County who is interested in serving the community.		
A. EMPLOYEES OF THE MONTH FOR JANUARY 2016 – ALICIA ANDERSON & BAILEY GARD			
Petitioner	Dennis Cluff, Carla Parsons		
	Carla Parsons introduced Alicia Anderson and Bailey Gard who perform the custodial duties for City Hall and the Police Department. She said she is pleased to recognize these ladies as employees of the month for January 2016. She explained that Alicia has been working for the city for the past nine months. Bailey was hired last September. Recently, in addition to taking care of City Hall, they have agreed to perform the custodial duties for the Police Department as well. Staff has been very pleased with their ability to perform a full range of custodial duties with both outstanding quality and moderate supervision. They have been very dependable and are trusted employees. It is evident by their outstanding performance that they do take pride in their work. Mayor Adams expressed appreciation for the hard work and beneficial service that Alicia and Bailey perform on behalf of the City. He presented them with an award and gift card in recognition.		
B. EMPLOYEE OF THE FOURTH QUARTER FOR 2015 – RECREATION DIRECTOR BRUCE LOGAN			
Petitioner	Dennis Cluff		
Discussion	Mr. Cluff stated that Bruce is the Director of Recreation. He has been with Clinton City since July 2013. He has worked hard to find ways to improve his department's functions and has made many improvements and changes that have made things run more effectively and efficiently.		

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	Bruce is a fun person to be around. He has a great way of working with people and smoothing out issues that arise. He has brought a wealth of local recreation experience to Clinton from the many years of working for and with other local cities as well as being involved in regional and statewide sporting events. He has a positive "lets get it done now" attitude and is willing to step up and do it. Mr. Cluff went on to say that Bruce is a great asset and addition to our management staff. He appreciates his desire to excel in all he does, follow the rules and policies, and, continually seek ways to improve services to the public. He is truly dedicated to recreation. He is glad to have Bruce working for Clinton on behalf of the citizens of Clinton and he is pleased to recognize Bruce s the Dept Head of the 4th Quarter of 2015. Mr. Logan said he loves Clinton City and his job. He looks forward to coming to work every day and appreciates the support of his staff, city staff and the city council. He expressed appreciation for this recognition. Mayor Adams said Mr. Logan is doing a great job running the Recreation Department. He thanked him for his hard work and dedication and presented him with an award and gift card in recognition.
C. RECOGNITION OF NEW CERT GRADUATES	
Petitioner	Mayor Adams
Discussion	CERT coordinator Connie Valentine stated CERT is an important function of the City. She appreciates the support she receives from the city staff and city council for the CERT Program. She introduced the three newest CERT graduates: Paul Housely Heather Housely Kenneth Hamelin Mayor Adams expressed appreciation for the efforts of Connie Valentine and Allen Labrecque for their training and direction of the CERT program. Ms. Valentine stated that regular CERT training is on going and valuable, she invited everyone in the community to participate in the CERT program. She explained there are different levels of participation available.
D. ORDINANCE 16-01, AMENDMENT TO CHAPTER 10-8 OF THE CLINTON CITY FIRE CODE	
Petitioner	Dennis Cluff, Fire Chief Dave Olsen
Discussion	Fire Chief Olsen explained that local businesses in the City with Fire Suppression systems must regularly have them inspected, tested and serviced by a certified contractor. Keeping track of these required inspections and results is a very time consuming task that has not always been successful. Because of the importance of this issue, the Fire Department feels it important to have a system to track this information. Staff has found a company that provides record keeping services for these inspections. Right now, this is the only company that could be located that provides this service but it is anticipated that in the future other such companies may also be available in this area. The intent is to make it a requirement that the certified contractors who install, inspect, service, and/or maintain the life safety and fire suppression systems (i.e. fire alarms, fire sprinklers, commercial cooking fire suppression and hood systems, etc...), for the businesses must send their inspection reports and other pertinent data to a 3rd party records repository company. This repository company in turn organizes and tracks the fire and life safety activities of inspections, repairs, maintenance, etc. on the fire

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	suppression equipment located within each business. The repository company also provides timely notices to the businesses of when the next normal inspection of their equipment is due. In order for this system to work effectively, the reports need to be sent to one repository company. Local businesses may hire any certified contractor they wish to perform the inspections and maintenance work on their in-business fire suppression equipment then they will be required to send the reporting information to the City's designated records repository company and pay the required fee of the repository company. This new Ordinance will help the businesses keep their required fire inspections and maintenance up to date, in addition to helping Clinton City meet the requirement of tracking these required inspections for our local businesses. Councilmember K. Peterson asked if these records will be available in the event that a GRAMA Request is received. Chief Olsen said the information will be available to Clinton City on a secure network 24/7. Councilmember K. Peterson then stated that as the ordinance is written, if the City decides to terminate this agreement in the future, the Ordinance will need to be repealed. She feels the agreement should be reviewed and the prices evaluated at the end of the three year period.
CONCLUSION	**Councilmember M. Petersen moved to adopt Ordinance 16-01, amending Chapter 10-8 of the Clinton City Fire Code adding a record keeping requirement. Councilmember Stanton seconded the motion. Voting by roll call is as follows: Councilmember M. Petersen, aye; Councilmember Patterson, aye; Councilmember Stanton, aye; Councilmember K. Peterson, aye; Councilmember Mitchell, aye.** **Councilmember Stanton seconded the motion. Voting by roll call is as follows: Councilmember M. Petersen, aye; Councilmember Patterson, aye; Councilmember Stanton, aye; Councilmember K. Peterson, aye; Councilmember Mitchell, aye.**
E. CONTRACT WITH BRYCER LLC FOR FIRE RECORDS REPOSITORY SERVICES	
Petitioner	Dennis Cluff, Chief Olsen
Discussion	Chief Olsen stated that with the adoption of Ordinance 16-01, staff would like the Council to authorize a contract with Brycer, LLC for their fire records repository services. Both Layton and Salt Lake City have recently engaged Brycer for these same services. The contract is for a basic 3 year period, but will be automatically extended unless either party wants to cease at that time. The records are kept on Brycer's servers and can be accessed by our staff through secure internet access. The Fire Department believes this service will help businesses keep their safety systems more up to date, providing more safety for their employees and customers. It will also allow the City to better keep track of required inspections of businesses. There is no cost to the City for this service; the cost will be paid by the inspection company, who in turn, may pass the cost on to the business if they wish. The cost is $10 per year per business for the first inspection, and no additional cost for any additional inspections within that same year.
CONCLUSION	**Councilmember M. Petersen moved to authorize the contract with Brycer, LLC for Repository Services pertaining to fire inspection services. Councilmember Patterson seconded the motion. All voted in favor of the motion.**
F. 7:00 PM PUBLIC HEARING; RESOLUTION 01-16, AMENDMENTS TO THE FY 2015-16 BUDGET	
Petitioner	Dennis Cluff
Discussion	Mr. Cluff provided the Council with Attachment A which identifies necessary budget amendments for the FY 2015-16 budget. He explained the General Fund amendments include a few small increases from the audit as pass through to other funds and

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	reimbursements, funds for a new fire station copy machine and electronic upgrades (overhead projector and sound enhancing system) for the Council chambers. Additionally there are increases in the Class "C" road funds to be transferred to the Special Street Projects (fund #37) for road improvements, and carryover Transportation Impact fees which is budgeted for potential appropriate use. The Water Enterprise Fund Balance has an increase for a limited amount of dual check valve, valve replacement kits and temporary worker costs for work to be accomplished during this current Fiscal Year. A carry-over has been added to the Park Construction fund, and an added expense to the Solid Waste fund for additional garbage cans. There is also the #37 Special Street/Roadway Projects fund increase from Class "C" and Fund Balance Carryover from the audit).

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		COUNCIL BUDGET AMENDMENTS-Feb 9, 2016				
			REVISED			
Item	Dept	Description	Increase	Decrease	Balance	Comments
GENERAL FUND REVENUES						
10-3850	Revenue	Class "C" Surplus	**19573**		66573	Added revenue from audit
10-3690	Revenue	Sundry	**1044**		65424	Youth Council reimburse for hoodies
10-3690	Revenue	Sundry	**530**		65954	Reimburse for Fire Conference Airfare
10-3822	Revenue	State Liquor Surplus	**6013**		6013	Added revenue from audit
10-3845	Revenue	Street Impact Surplus	**3949**		263949	Added revenue from audit
10-3870	Revenue	Gen Fund Surplus	**5225**		5225	Fire Station copy machine
10-3870	Revenue	Gen Fund Surplus	**5000**		10225	Council Chamber Electronic upgrade
		GF Revenue TOTAL	**41334**			
GENERAL FUND EXPENSES						
10-4143	City Council	Youth Council	**1044**		7464	Youth Council reimburse for hoodies
10-4174	City Council	Equipment	**5000**		5000	wireless hearing system & new projector
10-5523	Fire	Meeting and Training	**530**		6436	Reimburse for Fire Conference Airfare
10-5574	Fire	Equipment	**5225**		39350	Fire Station copy machine
10-5974	DUI	Equipment	**6013**		18533	extra revenue from audit
10-6172	Streets	Impact Fee Improvements	**3949**		306179	extra revenue from audit
10-6181	Streets	Trans to Spec St Project #37	**19573**		106167	extra revenue from audit
		GF Expense TOTAL	**41334**			
						103356
WATER FUND-REVENUE						
51-3720	Water	Fund Balance	**18000**		44909	to cover added purchases
		TOTAL				
WATER FUND-EXPENSE						
51-4012	Water	Temporaries	**4500**		18500	added help to install check valves
51-4074	Water	Equipment	**13500**		16840	Dual checks and replacement kits
		TOTAL	**18000**			
STORM DRAIN FUND-REVENUE						
53-3720	Storm Drain	Fund Balance	**75000**		75000	impact fee funds
		TOTAL				
STORM DRAIN FUND-EXPENSE						
53-4072	Storm Drain	Equipment	**75000**		165195	impact fee project- detention pond phase#1
		TOTAL	**75000**			
SOLID WASTE FUND-REVENUE						
54-3720	Solid Waste	Fund Balance	**12000**		37940	to cover added purchases of cans
		TOTAL				
SOLID WASTE FUND-EXPENSES						
54-4074	Solid Waste	Equipment	**12000**		16840	purchase additional 150 garbage cans
		TOTAL	**12000**			
PARK CONSTRUCTION PROJECTS						
34-3720	Park Const	Fund Balance	**17606**		243761	Added "audit" revenue
		TOTAL	**17606**			
PARK CONSTRUCTION PROJECTS						
34-4073	Park Const	Improvements	**17606**		312661	Added "audit" revenue
		TOTAL	**17606**			
SPECIAL STREET/ROADWAY PROJECTS						
37-3671	Str Projects	Trans from Gen Fund-Class "C"	**19573**		106067	Added revenue from audit
37-3720	Str Projects	Fund Balance Carryover	**71679**		234979	Added revenue from audit
		TOTAL	**91252**			
SPECIAL STREET/ROADWAY PROJECTS						
37-4073	Str Projects	Improvements	**91252**		820548	Added revenue from audit
		TOTAL	**91252**	**0**		

Mayor Adams opened the public hearing at 7:55 p.m. and asked for public comment; there was none, therefore he closed the public hearing at 7:56 p.m.

CONCLUSION

Councilmember Patterson moved to adopt Resolution 01-16, accepting the budget amendments for the FY 2015-16 budget. Councilmember K. Petersen seconded the motion. Voting by roll call is as follows: Councilmember M. Petersen, aye; Councilmember Patterson, aye; Councilmember Stanton, aye; Councilmember K. Peterson, aye; Councilmember Mitchell, aye.

G. PUBLIC HEARING TABLED FROM NOV. 10, 2015 - ORDINANCE 15-12Z. REZONE REQUEST FOR PROPERTY LOCATED AT 2382 W 1800 N FROM R-1-9 TO PH

Petitioner

Dennis Cluff, Will Wright, Bruce Nilson – Representing Nilson Homes and He Flies, LLP

Discussion

Mr. Wright explained this request has been an ongoing request and was most recently reviewed by the Planning Commission at the January 19, 2016 Planning Commission

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meeting where the Planning Commission were unanimously in support of the request.

The following information was included in the staff report:

That Council consider one of the following:

1) Table the rezone, and request the Planning Commission to look at expanding the PH Infill maximum in Chapter 22 of the Zoning Code due to a finding that more senior type housing is needed in Clinton; and simultaneously amend the Master Land Use Map to reflect the anticipated new PH zone property; or,
2) Approve the rezone from R-1-9 to PH, and request the Planning Commission to revise Chapter 22 of the Zoning Code to include Conventional Patio Home development standards; and amend the Master Land Use Map to reflect the new PH zoned property; or,

Deny the rezone request.

Bruce Nilson gave the City Council a presentation which included:

- Population data from the Utah Governor's Office of Planning and Budget
- Current and projected land use amounts
- Clinton City Zoning Map
- Information from the Clinton City General Plan pages 10 & 7
- Nilson Patio Home designs
- Petition from surrounding neighbors of the development in support of patio homes.

At 7:54 p.m. Mayor Adams identified this is an open public hearing.

Mr. Nilson said there is a need for senior housing in Clinton City.

He addressed the Council's concern of altering the General Plan. He said he is not requesting to open the General Plan but to open the Master Land Use Map.

He reviewed pages 1 & 2 of his handouts which included data from the Governor's Office of Planning and Budget regarding senior housing needs which is increasing. He said that Clinton is a beautiful well developed city that needs to address this need for more senior housing. He then reviewed a map of the City and identified that less than 1% of land in the City is zoned for this type of housing. Patio homes provide seniors with nice homes on smaller lots. He then went on to review page 10 of the General Plan which identifies a need for senior housing. His intent is not to negatively impact the General Plan but to justify a need for senior housing in the community.

Mr. Nilson read the findings of the Planning Commission recommendation made by Commissioner Bob Buckles at the January 19, 2016 Planning Commission meeting:

Commissioner Buckles moved to forward a recommendation on to the City Council for approval of Ordinance 15-12Z , a request to rezone property located at approximately 2382 W 1800 N from R-1-9 to PH Zone with recognition that it is a minor deviation from the Master Land Use Map and as detailed in the findings of the ordinance:
1. This is a minor deviation from the Master Land Use Map but still conforms to the intent of the General Plan as stated on page 10 of the General Plan. (need for patio homes);
2. There is no undeveloped PH Zone on the Master Land Use Map;
3. The site exceeds the infill criteria of five acres but conforms to conventional standards as identified in 28-22-5;
4. The Commission notes that the request would appear to meet an unmet demand for retirement housing and otherwise aligns favorably with the PH Zone as found and documented through the use of the chart found in the General Plan on page 10;
5. The Master Land Use Map indicates that the frontage of the property on 1800 N is to develop as PZ. The property is currently zoned R-1-9 and any development is not likely to rezone the frontaged PZ as called out in the Master Land Use Map.
6. After several public hearings all comments have been favorable for development of Patio Homes with no objections from the public.

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7. The Petitioner has represented that the current approval of Town Point Subdivision will be withdrawn upon approval of this rezone.

Commissioner Thompson seconded the motion. Voting by roll call is as follows: Commissioner Ritchie, aye; Commissioner Buckles, aye; Commissioner Labrecque, aye; Commissioner Cressall, aye; Commissioner Coombs, aye; Commissioner Thompson, aye; Commissioner Briggs, aye.

Mayor Adams asked for public comment.

Glen Phillips says he lives next to this property. He has enjoyed having a view of the open space; however he realizes that change is inevitable and happens quickly. He realizes there is a need to conform to the change. He knows that there will be a home next to him and he would prefer a small patio home he can see over vs. a tall two story home. He also feels that patio homes will help alleviate the concern for traffic that will come with the development. He would prefer to live next to more mature adults vs. younger families.

Steve Hubbard commented that he realizes that change is inevitable; this property is in the rear of his home, he has enjoyed the open space and watching the sunset and the horses. He realizes that this property will develop no matter what and he would prefer patio homes. He knows Bruce Nilson to be a man of integrity who builds high quality homes.

Hunter Beam commented he appreciates open space. He realizes change is inevitable.

Tammy Hubbard lives near this property and commented that she is too young for a retirement community but would consider moving into a development like this. She will miss the views but she feels that the patio homes will be a better option for this property.

Linda Hogge commented that it has been established there is a need for senior housing in Clinton. She gets questions all the time if patio homes will be built in this area. The location is perfect for this type of development because it is close to shopping and medical facilities in addition to public transportation. The neighbors are in support of this development. They want less traffic and well taken care of properties. She feels that the front of the property that is zoned PZ could be a concern if it is developed commercially. She feels that Bruce Nilson is the right person to develop this property. He builds homes that will be best for the community.

Bob Buckles stated he is a member of the Planning Commission. He was concerned about the information in the staff report. He feels that the proposal to expand the definition in the PH Zone for infill from 5 acres to 18 acres was not appropriate because it would be a distortion of the intent; which was to address small parcels that could not otherwise be developed within the City.

His understanding based on guidance from staff was that the General Plan and Master Land Use Map were not binding documents rather guiding documents; which is why the Planning Commission recommended the zoning change based on a minor deviation and the reasons identified in the resolution. If it was a mistake, it was because of this misunderstanding. The contradictory statement on page 10 was also a factor.

As a member of the Planning Commission, he feels the decision to approve patio homes is a political decision for the City Council. The Planning Commission would like resolution on this issue and would like to avoid further delay.

Omer Dillon said he appreciates seniors in society and would like to see this development move forward.

A video by Art Ballif, who was not able to attend but had comments regarding this issue, was shown to the Council. He stated he feels very fortunate that he lives in the

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newest patio home development in Clinton off 1800 N. This is a good opportunity to provide more housing for seniors. It is managed by an HOA which is a benefit. He asked the Council to make some choice decisions that will affect Clinton City positively for years to come. He feels this is an opportunity to meet special neighbors and have less traffic with only two people per house. This will improve the community with only approximately 65 homes. He asked the Council to make the decision now that will benefit the City.

Mayor Adams asked for additional public comment, there was none, therefore he closed the public hearing at 8:39 p.m.

At approximately 8:40 p.m. Councilmember Patterson moved to approve the rezone from R-1-9 to PH, and request the Planning Commission to revise Chapter 22 of the Zoning Code to include Conventional Patio Home development standards; and amend the Master Land Use Map to reflect the new PH zoned property.

There was no second to the motion.

After the motion by Councilmember Patterson, Mayor Adams clarified the motion died due to lack of a second.

He cautioned the Council against the appearance of spot zoning. He said he feels that the Planning Commission should consider changing the infill ordinance from 5 acres to 18 acres with the justification that when it was originally set up as 5, it was not realized that 5 acres would not meet the needs of the City.

Councilmember K. Peterson said she agrees there is a need for senior housing in Clinton. The City was smart in addressing it with the infill ordinance; however she feels that it may be time to reevaluate the infill based on a demonstrated need which has been presented.

Councilmember Stanton agreed that the General Plan identifies a need for senior housing. There is a need for a specific type of housing other than single family.

Councilmember Mitchell agrees there is a need; however it doesn't fit in the current guidelines. He suggested an overlay or extending the infill from 5 acres to 18 acres rather than approve a rezone.

Mr. Nilson commented he agrees with protecting the City. He realizes the process is important to follow.

Mr. Cluff clarified that changing the in-fill requirement from 5 acres to 18 acres is the best option to comply with the law and not set a precedent for spot zoning.

Mayor Adams said he feels that changing the infill to 18 acres will accommodate the need of the citizens for senior housing now and for the future.

Mr. Cluff explained infill is limited to R-1-9, R-1-8, R-1-8A & R-1-6 zones. There is limited property left in the City which would qualify for infill. It is important to stay within the law. Although the Council does have latitude, both staff and legal counsel do not recommend approval of the rezone request to prevent setting a precedent. He said if the Council desires more senior housing, it would be best to table the rezone to a meeting in March and send the Planning Commission a message to consider amending the patio home zone ordinance to the size of a conventional patio home development such as Shady Grove which already exists within the City. He explained the Shady Grove development has proven to be a desired development and the homes sell quickly when they become available. He recommended simultaneously holding public hearings for an amendment to the zoning ordinance regarding patio homes and a proposed amendment to the Master Land Use Plan, which would then allow this patio home development to develop legally; after which address the tabled rezone request.

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	Councilmember K. Peterson clarified that since it is an over lay, the Master Land Use Map may not need to be modified. Councilmember M. Petersen expressed concern of narrow roads in large patio home developments where parking on the street is an issue and doesn't allow other cars room on the roads. Councilmember Stanton agreed that the roads could be a concern because of snow removal and other issues that need to be a consideration as well. Mr. Wright said that the City Council will be able to provide input on the roads during the Plat approval process. Mayor Adams asked again for a motion. He cautioned that this issue has gone on for some time and a decision should be made. **At approximately 9:00 p.m. Councilmember M. Petersen moved to deny the rezone request.** **There was no second to the motion.** Mr. Cluff clarified that the previous application for this property has been withdrawn. Mayor Adams re-opened the public hearing. **Councilmember Mitchell moved to table ordinance 15-12 Z to the March 8, 2016 City Council Meeting with the public hearing to remain open. Councilmember Stanton seconded the motion. Voting by roll call is as follows: Councilmember Stanton, aye; Councilmember K. Peterson, aye; Councilmember Mitchell, aye; Councilmember M. Petersen, no; Councilmember Patterson, aye.** **Direction to Planning Commission:** • **Consider changing the infill ordinance to an overlay for the PH Zone applicable to the R-1-6, R-1-8, R-1-8A & R-1-9 zones up to 20 acres;** • **Consider the requirement for standard size roads;** • **Consider a modification to the single story element – clarify single story;** **Mr. Cluff said this should be a consideration in the Development Agreement but can also be included in the Ordinance.** **Gerald Hogge said he is confused by the process, it has taken too long. He is frustrated that this has to go back to the Planning Commission.** **Mayor Adams clarified the Council has a responsibility to follow a legal process to prevent liability for the City and the City Council.**
H. REVIEW OF THE MODERATE INCOME HOUSING PLAN BIENNIAL REPORT TO PROVIDE THE STATE WITH DATA ON THE GOALS AND PROGRESS OF CLINTON CITY REGARDING MODERATE INCOME HOUSING	
Petitioner	City staff as required by the Division of Housing and Community Development (HCD) of the State of Utah.
Discussion	Mr. Wright reported that at the request of the Council he is presenting a biennial report for moderate income housing as suggested by the State Division of Housing and Community Development (HCD). This report updates the City's efforts regarding its housing goals as outlined in the Clinton City 2013 General Plan. He explained that completing this report makes Clinton City eligible for various housing grants according to a representative at the State. Councilmember Mitchell explained that based on information he compiled, an income of $45,000 would qualify for a home valued at approximately $250,000.00. Clinton has

	about 42% that fit in this category currently; 71% who have homes under contract are under this category and 78% of the homes sold in the last 6 months fit in this category.
CONCLUSION	**Councilmember M. Petersen moved to accept the biennial report of the moderate-income housing plan to provide the State with data on the goals and progress of the City regarding moderate income housing. Councilmember Stanton seconded the motion. All voted in favor of the motion.**
I. DEVELOPMENT AGREEMENT FOR FENWAY ESTATES LOCATED AT APPROXIMATELY 2475 WEST 800 NORTH AND 1000 NORTH ON 2000 WEST	
Petitioner	Will Wright, Dennis Hepworth-Uintah Land Investments, LLC.
Discussion	The Preliminary Plat for Fenway Estates which consists of 134 lots was approved on May 5, 2015. Resolution 20-15 for the Final Plat of Phase 1 of this subdivision was approved by the Council on August 11, 2015 and consists of 27 lots. It was noted in the August 11, 2015 staff report that this development could not add to the drainage needs without the 1300 North detention basin being constructed. The cost is estimated at about $240,000; however, the plan is to only initially put in the needed structures, piping and ½ of the pond, which is estimated at a cost of $165,000. Landscaping (at an additional cost of $230,000) is not required for the detention pond to function, so its installation may be postponed until it is determined by the Council to be used as a park. This Agreement outlines the responsibilities of the developer and the City in establishing the needed storm water system to move the storm water from the Fenway Estates location to the City Storm Water Detention Pond. The Developer has had to secure easements from other adjacent properties along the engineered Storm Water pathway in order to access the City Pond. The pipe sizes have been oversized in order to accommodate other future storm water needs along this piping pathway. Oversize costs will be part of a payback agreement with the Fenway Estates Development. The secured easements have been conveyed to the City. The City in turn will develop the Detention Pond and maintain the storm water pipe system. The overall Storm Water Fund has sufficient funds to develop the detention pond. But Impact Fees currently only have about $160,000, so part of the funding will need to be borrowed from the "regular" fund account and paid back by future Storm Drain Impact Fees. Phase 1 of the Fenway subdivision has 27 lots and will generate $69,579 of Storm Water Impact Fees. The remaining 107 lots would generate another $275,739. Other future developments in this general drainage area will also generate additional Storm Water Impact Fees. Dennis Hepworth with Uintah Land stated his intent is to begin the process of due diligence on this project by getting the Development Agreement approved ahead of other documents required by the project.
CONCLUSION	**Councilmember Mitchell moved to approve the Development Agreement for Fenway Estates located approximately 2475 West 800 North and 1000 North on 2000 West for a Development Agreement for Fenway Estates for developer to put in improvements necessary to serve this subdivision as well as the surrounding neighborhood and the City to put in a detention basin on 1300 North for servicing this subdivision and area of the city. Councilmember M. Petersen seconded the motion. Voting by roll call is as follows: Councilmember M. Petersen, aye; Councilmember Patterson, aye; Councilmember Stanton, aye; Councilmember K. Peterson, aye; Councilmember Mitchell, aye.**
Approval of Minutes	**Councilmember K. Petersen moved to approve the January 26, 2016 City Council Meeting as written. Councilmember Mitchell seconded the motion. All voted in favor of the motion.**
Accounts Payable	**Councilmember Mitchell would like to see purchases of Police vehicles come before the Council.** **Councilmember M. Petersen moved to pay the bills. Councilmember Mitchell seconded the motion. All voted in favor of the motion.**
Planning Commission Report	Mr. Wright reported on the February 2, 2016 Planning Commission meeting work session as identified in the minutes
City Manager	• The city offices will be closed on February 15 in observance of President's Day • Paul Ray will hold a Town Meeting at City Hall on Feb 17 at 7:00 PM

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Mayor	• The 1800 N EIS Record of Decision is complete; a link is available on the Clinton City website
Councilmember Patterson	• The Parks Board will meet on March 17

Councilmember K. Peterson	• Working with Representative Ray and Senator Stevenson on pushing the following road projects up on the priority list of state projects:
	  • Expansion of SR193 down to 3000 W will start first;
	  • 2000 W – not on the docket till 2021;
	  • 1800 N

Councilmember M. Petersen	• Has four Eagle Court of Honors scheduled
Councilmember Stanton	• The Youth Leadership Seminar at Utah State University is March 11; • Councilmember K. Peterson is helping plan a time for the Youth Council to tour the State Capital; • She will be attending a Sewer Board meeting on Feb 11.
Councilmember Mitchell	• Safe sale zone Mr. Wright said he has been working with the police. There will most likely be a need for a new video camera. • Attended the LPC meeting on Monday, retirement is a huge issue. • Asked the Council to consider a change in the ordinance preventing issuance of a building on unrecorded property. • Identified he is under contract to purchase the Clinton Meadows South Subdivision.
ADJOURNMENT	**Councilmember Stanton moved to adjourn. Councilmember Patterson seconded the motion. All voted in favor of the motion. The meeting adjourned at 10:00 p.m.**
ACTION ITEMS	• **Tentatively cancel the March 22 City Council Meeting due to the Presidential Caucuses.**

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