



## **CLINTON CITY COUNCIL WORK SESSION AGENDA**

2267 N 1500 W Clinton, UT 84015

**August 7, 2023**

**Mayor**

Brandon Stanger

**City Council**

Marie Dougherty

Dane Searle

Anna Stanton

J. Stark

Gary Tyler

**I. SPECIAL SESSION – 6:00 P.M.**

1. Call to Order
2. Roll Call

**II. DISCUSSION ITEMS**

- A. Proposed Personnel Policy Change – Firefighter Holiday Accrual
- B. Discussion On Temporary Water Meters and Water Use Fees
- C. Discussion On Potential Sewer, Storm and Garbage Fees
- D. Rap Tax Proposal-Discussion and Direction
- E. *Discussion Only* – Review of Possible Updates to The R-M (Multi-Family Residential) Zone Chapter of The Zoning Ordinance Including Proposed Development Standards and Design Guidelines, and Private Street Standards

**III. ADJOURN**

***Lisa Titensor***

LISA TITENSOR, CITY RECORDER

- *Supporting documentation for this agenda is posted on the Clinton City website at [www.clintoncity.com](http://www.clintoncity.com) and on the Utah Public Notice Website*
- *In compliance with the American with Disabilities Act, individuals needing special accommodation (including auxiliary communicative aids and service) during the meeting should notify Lisa Titensor, City Recorder, at (801) 614-0700 at least 48 hours prior to the meeting.*
- *This meeting may involve the use of electronic communications for some members of this public body. The anchor location for the meeting shall be the Clinton City Council Chambers at 2267 N 1500 W Clinton UT 84015. Elected Officials at remote locations may be connected to the meeting electronically to participate.*
- *Notice is hereby given that by motion of the Clinton City Council, pursuant to Utah State Code Title 52, Chapter 4 sections 204 & 205, the City Council may vote to hold a closed session for any of the purposes identified in that Chapter.*
- *The order of agenda items may change to accommodate the needs of the city council, staff and/or public.*

# CLINTON CITY COUNCIL WORK SESSION AGENDA ITEM

<b>SUBJECT:</b> Proposed Personnel Policy Change – Firefighter Holiday Accrual	<b>AGENDA ITEM:</b> A
<b>PETITIONER:</b> Dennis Cluff, Dave Olsen	<b>MEETING DATE:</b>  August 7, 2023
<b>RECOMMENDATION:</b> That the Council consider approving the proposed Personnel Policy change dealing with Firefighter Holiday Accrual	<b>ROLL CALL VOTE:</b>  <b>YES</b>
<b>FISCAL IMPACT:</b>	
<p><b>BACKGROUND:</b></p> <p>Below are the proposed changes to the Holiday Leave language for Full Time Firefighters who work the 48 hours on duty shifts. FTE Firefighters work 2880 hours on duty per year, while regular FTE employees work 2080 hours per year. The Firefighters are on duty 38.5% more than other employees. Non-Fire employees receive 104 Holiday hours/year (13 x 8hrs). Due to being required to be on duty 38.5% more, the Firefighters should receive that much more of Holiday leave (13 x 8hrs x 1.385) or 144 hours/year.</p> <p style="margin-left: 40px;">E. All <del>On-duty</del> full-time <del>firemen</del> fire department personnel working the 48/96 shift schedule shall receive the equivalent of <del>96</del> <del>156</del> 144 hours of alternate time off to compensate for the holidays. <del>This may be utilized in four 24 hour shifts off annually.</del> This equals <del>42 hours</del> 1.385 hours for every 1 hour of alternate time off given to regular schedule employees for each of the 13 holidays (equals 11.08 hours per holiday). Alternate time off accrues with each payday (5.54 hours) and may be subsequently scheduled for time off as approved by the Fire Chief. Alternate time off for holidays <del>should be used within 3 months of the accrual date</del> will accrue separately but may be used in conjunction with vacation time off. A maximum of 48 hours may be carried over at the end of the calendar year for use within the first two months of the new calendar year.</p>	
<b>ATTACHMENTS:</b>	

# CLINTON CITY COUNCIL WORK SESSION AGENDA ITEM

<b>SUBJECT:</b> Discussion on Temporary Water Meters and Water Use Fees	<b>AGENDA ITEM: B</b>
<b>PETITIONER:</b> Dennis Cluff, Steve Hubbard	<b>MEETING DATE:</b>  August 7, 2023
<b>RECOMMENDATION:</b> That the Council consider staff's recommendations for inclusion into the Fee Schedule	<b>ROLL CALL VOTE:</b>  <b>YES</b>
<b>FISCAL IMPACT:</b>	
<p><b>BACKGROUND:</b></p> <p>We recommend the Temporary Water Meter Set fee that has been \$50 since 2009 be increased to \$65 due to 14 years of inflation and salary increases.</p> <p>We recommend the Temporary Water usage be at the same rate as residential. This means the meters will need to be read monthly like all of the rest instead of just at the beginning and ending of the rental period (which has been over a year in some cases).</p> <p>These fee changes will be on your August 8<sup>th</sup> Regular Council meeting agenda as a Resolution amending the City Fee Schedule.</p>	
<b>ATTACHMENTS:</b>	

# CLINTON CITY COUNCIL WORK SESSION AGENDA ITEM

<b>SUBJECT:</b> Discussion on Potential Sewer, Storm and Garbage Fees	<b>AGENDA ITEM:</b> C
<b>PETITIONER:</b> Dennis Cluff	<b>MEETING DATE:</b>  August 7, 2023
<b>RECOMMENDATION:</b> That the Council consider staff's recommendations for potential inclusion into the Fee Schedule	<b>ROLL CALL VOTE:</b>  <b>YES</b>
<b>FISCAL IMPACT:</b>	
<p><b>BACKGROUND:</b></p> <p>Three of the Enterprise funds, Sewer, Storm Drain &amp; Solid Waste (garbage) have had inflationary cost and receiving entity increases over the years since their last fee increase. The dates of the last fee increases are: sewer=2016; storm=2013; and garbage=2022. We have been using fund reserves to help pay for the costs of operations. Ideally operation costs should be covered by the user fee revenue.</p> <p>If Council feels the need to increase fee revenue, I suggest it be done somewhat incrementally, that is, some this year and some additional in future years. For this year I recommend a \$2/mo/edu for sewer and a \$1.50/mo/edu for both storm and garbage. That will not totally cover the revenue need but will greatly slow down the drain on the reserve funds.</p> <p>As of beginning of July these three funds had fund balances of: Sewer = \$459,682; Storm = \$568,204 + \$517,116 impact; Garbage = \$388,860. When taking into account the remittance of the Depreciation expense back into the fund balance of each fund, the net reduction of using fund balances for operations will be: Sewer = \$-90,050; Storm = \$-175,345; and Garbage = \$-108,906.</p> <p>As opined in earlier meetings, the Franchise funds can make it through this next fiscal year, but their fund balances which are meant for maintenance, repair and emergencies will continue to diminish. Just for clarification, \$150,000 of the Sewer use of fund balance is for a maintenance project and \$165,000 of the Storm use of fund balance is for repair and maintenance projects. This shows that a good portion of the fund balance use is for the proper purpose, but still the end result is the reduction of the fund balance in reserve.</p>	
<b>ATTACHMENTS:</b>	

# CLINTON CITY COUNCIL WORK SESSION AGENDA ITEM

<b>SUBJECT:</b> RAP tax Proposal-discussion and direction	<b>AGENDA ITEM: D</b>
<b>PETITIONER:</b> Dennis Cluff, Marie Dougherty	<b>MEETING DATE:</b>  August 7, 2023
<b>RECOMMENDATION:</b> That the Council consider sending an opinion question to the Public via the General Election ballot on establishing a local RAP tax	<b>ROLL CALL VOTE:</b>
<b>FISCAL IMPACT:</b>	
<p><b>BACKGROUND:</b></p> <p>We have time to meet all the deadlines to put a RAP tax on the ballot this year, but we would probably need to act during our Council meeting Aug. 8 with a Resolution to put this question before the public on the November ballot. Timing wise we would have one month before the first deadlines are required by the guidelines.</p>	
<b>ATTACHMENTS:</b> RAP Tax Information	

# **RAP Tax**

## **Overview**

The City Council may, by majority vote, submit an opinion question to the residents, via ballot at the general election, on the imposition of a local sales and use tax of 0.1% to fund recreational facilities and cultural organizations (the two categories that apply to Clinton) and their ongoing operating expenses.

If a majority of the city's registered voters voting on the imposition of the tax have voted in favor, the City Council may impose the tax by a majority vote. The tax shall be levied for a period of 10 years.

- "Recreational facility" means a publicly owned or operated park, campground, marina, dock, golf course, playground, athletic field, gymnasium, swimming pool, trail system, or other facility used for recreational purposes.
- "Cultural organization" includes a municipal council having as its primary purpose the advancement and preservation of history/art/music/theater/dance.

## **Process and election**

(Follows procedure in Local Government Bonding Act)

1. The City Council shall at least **75 days** before the date of election:
  - Approve a resolution to submit the question to the voters.
  - Provide a copy of the resolution to the lieutenant governor and the county clerk.
  - Prepare and submit a ballot title/language to the county clerk.

2. Submit to the County Commission a written notice of the intent and receive in return a written resolution passed by that body stating that the county is not also seeking to impose the tax.

3. City Council shall submit an argument in favor of the proposition to the county clerk at least **65 days** before the election.

4. Voters are given the opportunity to file an argument for or against. They must notify the election officer at least **65 days** before the election, and their argument, which cannot exceed 500 words, is due at least 60 days before the election. Only one voter argument per side is allowed. Election officer chooses. Rebuttals can be submitted at least **45 days** before election. Arguments are posted publicly, and information regarding the public meeting follows immediately after.

3. City Council must conduct a public meeting no more than **45**, but at least four, days before the election. Allow equal time, within a reasonable limit, for a presentation of the arguments in favor and against.

4. City Council must post notice of election and a voter information pamphlet for three weeks prior to the election.

### **Deadlines for 2023**

Nov. 21 — general election

Oct. 6 — 45 days before

Sept. 18 — 65 days before

Sept. 8 — 75 days before

### **Relevant Utah Code**

59-1-16 Transparency of Ballot Propositions Act

11-14-2 Local Government Bonding Act

59-12-14 City Option Funding for Botanical, Cultural, Recreational, and Zoological Organizations or Facilities

# RESOLUTION NO. 18-23

**A Resolution submitting a RAP Tax ballot question to the residents of Clinton City, Utah, regarding the authorization of a local sales and use tax of one-tenth of one percent (0.1%) on certain qualifying transactions for the City to fund park improvements, recreational improvements and cultural facilities and organizations.**

**WHEREAS**, The City is authorized in accordance with Utah Code Annotated 59-12-1402 to submit an opinion question to the City residents providing each resident an opportunity to express the resident's opinion on the imposition of a local sales and use tax of one-tenth of one percent (0.1%) on qualifying transactions within the City to fund park improvements, recreational improvements and cultural facilities and organizations for the City (hereafter referred to as the "RAP Tax");

**WHEREAS**, The City has determined that it is in the best interest of the City residents to submit a ballot question to the voters of the City regarding the establishment of the RAP Tax to assist the City in developing and improving parks, recreation and cultural facilities, programs and opportunities for the City and its residents;

**WHEREAS**, State Code requires the City to send notice by way of a Resolution to the State and County of this intent to seek a local RAP Tax;

**WHEREAS**, The City Council desires to submit to its residents this upcoming November 21, 2023 General Election the ballot question of whether the City should impose a local RAP Tax as provided in Utah Code Title 59, Chapter 12

**NOW, THEREFORE, THE CLINTON CITY COUNCIL RESOLVES:**

**Section 1. Submission of Ballot Questions to Voters.** Pursuant to authority set forth in the Utah Code 59-12-1402, the Clinton City Council hereby directs and authorizes that a RAP Tax ballot question be submitted to the City residents by a ballot proposition to be held in conjunction with the November 21, 2023 General Election.

**Section 2. Effective Date of Proposed RAP Tax.** The effective date of the proposed RAP Tax will be set by a future City Ordinance following the City resident's majority acceptance of the tax subsequent to the November General Election.

**Section 3. Ballot Question Title and Proposition.** The specific ballot title and proposition to be submitted to the voters at the November 21, 2023 General Election shall be as follows:

**OFFICIAL BALLOT PROPOSITION FOR CLINTON CITY, UTAH  
RAP Tax Authorization Election  
November 21, 2023**



**Shall Clinton City, Utah be authorized to impose  
A 0.1% sales and use tax to fund park improvements,  
recreational improvements, and cultural facilities and  
organizations for Clinton City?**

\_\_\_\_\_ **Yes**

\_\_\_\_\_ **No**

**Section 4. Effective Date of Resolution.** This Resolution shall take effect immediately upon majority passage by the Clinton City Council.

PASSED BY MOTION AND ORDERED PUBLISHED by the Council of Clinton City, Utah,  
this 8<sup>th</sup> day of August, 2023.

\_\_\_\_\_  
BRANDON STANGER, MAYOR

ATTEST:

\_\_\_\_\_  
LISA TITENSOR, CITY RECORDER

Posted: \_\_\_\_\_

# CLINTON CITY COUNCIL WORK MEETING AGENDA ITEM

<b>SUBJECT: <i>DISCUSSION ONLY</i></b> – Review of possible updates to the R-M (Multi-Family Residential) Zone chapter of the Zoning Ordinance including proposed development standards and design guidelines, and private street standards.	<b>AGENDA ITEM: E</b>
<b>PETITIONER:</b> Peter Matson, Community Development	<b>MEETING DATE:</b> August 7, 2023
<b>RECOMMENDATION:</b> Review and discuss possible updates to the R-M (Multi-Family Residential) Zone chapter of the Zoning Ordinance and provide guidance to staff for future ordinance amendments.	<b>ROLL CALL VOTE:</b> <div style="font-size: 1.5em; margin-top: 10px;">N/A</div>
<b>BACKGROUND:</b> Strategy 1 of the City’s Moderate Income Housing Plan identifies actions related to rezoning for densities necessary to facilitate the production of moderate income housing. This strategy specifically indicates that the city is to review and update the R-M zone to improve site and development standards and add design guidelines.	
<b>PROPOSED CHANGES FOR CONSIDERATION:</b> <ol style="list-style-type: none"> <li>(1) Existing standards in the R-M zone address development of attached units between two and six units attached. The associated density range is 7-12 units per acre. The zone does not address development of stacked units typical of an apartment complex.</li> <li>(2) The current building setbacks are larger than what is typically found in a multi-family/townhome development. Setbacks need to be examined and updated accordingly.</li> <li>(3) The R-M zone does not include design standards typically found in such a code. Design guidelines can be added to this chapter or a PRUD or Condo/Townhouse zone could be considered.</li> <li>(4) While larger townhome projects can accommodate public streets through the majority of the site, there is often still a need for private drives to accommodate portions of a site not easily accessible to a public street. This could be a drive or alley in front of or to the rear of a row of townhomes. Private street standards should be vetted by the city engineer and fire marshall for consistency with their specific industry standards.</li> </ol> <p>The attached table compares townhome development standards of our existing code and two townhome projects proposed in the city – the west Clinton annexation townhome project (Trail Point) and the Summers Farms project. Staff is finalizing a presentation that shows developments with various public and private street examples with right-of-way width measurement comparisons and recommendations. Staff will also provide more detailed recommendations for specific ordinance amendment amendments to the R-M zone.</p>	
<b>ATTACHMENTS:</b> <ol style="list-style-type: none"> <li>1) R-M Zone</li> <li>2) Townhome development standards comparison table</li> </ol>	

**Chapter 15. Residential, Multi-Family (R-M)**

- 28-15-1 Purpose and Intent
- 28-15-2 Permitted Uses
- 28-15-3 Conditional Uses
- 28-15-4 Site Development Standards

**28-15-1 Purpose and Intent.** To provide neighborhoods in Clinton City with multi-family dwellings of moderate density.

**28-15-2 Permitted Uses.** <sup>182, 193, 199, 205</sup>

- (1) Agriculture
- (2) One, two, three, four, five, and six-family dwellings.
- (3) Public-owned and operated uses and facilities; public buildings; public parks and playgrounds.
- (4) Household Pets
- (5) Garages, Accessory Buildings, Sheds, and Carports, as defined in this Title, incidental to any permitted use.
- (6) Churches, Synagogues, and Temples
- (7) Cemetery

(8) Sign - One nameplate or identification sign in accordance with the Clinton City Sign Ordinance.

(9) Educational Institution (Elementary and Secondary, including associated grounds and athletic and other facilities)

(10) Temporary on site storage containers for emergency construction or repair of residences, with the following stipulations:

- (a) Must be placed on a hard surface
- (b) Can only be present for 3 months out of a 12 month period.

(11) Home Office

**28-15-3 Conditional Uses.** <sup>134, 182, 199</sup>

- (1) Golf Course
- (2) Public Utility Substations
- (3) Garages, Accessory Buildings, Sheds, and Carports, as defined in this Title, approved during site plan review and incidental to an approved conditional use.<sup>199</sup>

**28-15-4 Site Development Standards.** Site development standards shall be in accordance with Table 15.4. <sup>199</sup>

Table 15.4			NUMBER OF DWELLINGS					
MINIMUMS			1	2	3	4	5	6
Lot Area Square Feet			6,000	7,500	10,750	14,500	16,500	21,500
Lot Width			60	75	85	85	90	100
Yard Set-Backs <sup>a</sup>	Front		20	30	30	30	30	30
	Side, (interior)	Dwelling	10	20	20	20	20	20
		Other Main Building	10	20	20	20	20	20
	Side, (exterior)	Major Streets	30 feet					
		Other Streets	20 feet					
	Rear		25 feet					
Garages, Accessory Buildings, Sheds, and Carports		Distances from the property lines will be evaluated during a site plan review as established in §28-3-10. Distances outlined above, for a dwelling, and in the “R” Zones for the type of structure will be used as a guide. Consideration for reducing distances during site plan review will be based upon mitigation proposed to reduce impact upon adjacent properties.						
Building Height <sup>169</sup>	Minimum		1 story					
	Maximum		2 ½ story or 35 feet					
	Accessory Building		Minimum 12 feet, Maximum 20 feet, Maximum 1 story					
	Shed		Minimum 6 feet, Maximum 16 feet, Maximum 1 story					
Building Size <sup>169</sup>	Dwelling		850 square feet minimum except townhouses and other similar attached 2-story units may have a ground floor minimum of 550 square feet					
	Accessory Building		600 square feet maximum per unit.					
	Shed		200 square feet maximum individual structure per unit.					

**TOWNHOME CODE COMPARISONS**  
**Front-Loaded Townhomes**

<b>Development Standard</b>	<b>City Code</b>	<b>Trail Point (Annexation)</b>	<b>Summers Farms</b>
Density	12 units/acres	12 units/acre	11.48 units/acre
Private Street Width	n/a	26 ft.	n/a
Private Drives/Alleys	20 ft. <i>(2008 Code)</i>	22 ft.	22 ft.
Front Setback	30 ft.	Varies	22 ft.
Rear Setback	25 ft.	10 ft.	15 ft.
Side Yard between bldgs	20 ft.	10-20 ft.	15-20 ft.
Side Yard exterior	20 ft.	10-20 ft.	15 ft.
Front to Front	n/a	25 ft.	n/a
Rear to Rear	n/a	20 ft.	30 ft
Max. Height	35 ft. or 2 ½ story	35 ft.	35 ft.
Min. SF	550 sf ground floor	?	850 sf