



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

**MAYOR
Brandon Stanger**

**CITY COUNCIL MEMBERS
Anna Stanton
Marie Dougherty
Gary Tyler
Dane Searle
J. Stark**

Date of Meeting	July 25, 2023	Call to Order: 7:00 PM
City Council & Staff Present	City Manager Dennis Cluff, Police Chief Shawn Stoker, Fire Chief David Olsen, Recreation Director Brooke Mitchell, Treasurer Steve Hubbard, Community Development Director Peter Matson, Public Works Director David Williams, IT Specialist Dereck Bauer and Lisa Titensor recorded the minutes.	
Attendees	Mary Frederickson, Mike Hatch, David Peterson, Austin Gray, Theron Hinckley< Mike Hardin, Marvin Brumett	
Invocation or Thought & Pledge of Allegiance	Councilmember J. Stark	
Roll Call & Attendance Of City Council	Mayor Stanger, Councilmember Dougherty, Councilmember Searle, Councilmember Stanton, Councilmember Stark and Councilmember Tyler	
Public Input	There was none.	

A. ACCEPTANCE OF ANNEXATION PETITION

Petitioner	Dennis W. Cluff, Lisa Titensor-Recorder
Discussion	<p>Mike Hatch is the owner of 19.66 acres of property which he is petitioning to be annexed into Clinton City. In the past this has also been known as the Compton property. There are two parcels involved in this annexation, #140380067 and #141750005. The latter parcel is the long narrow one that connects into 4500 West.</p> <p>After Council’s acceptance, the City Recorder has up to 30 days to certify the Annexation Petition and then give notice to the Council, the petitioner and the County. Immediately following that notice, the Council (through staff) must give notice to the unincorporated inhabitants within ½ mile of the annexation area within 10 days, giving notice of the annexation petition and what they could do if they wish to protest it. The same must be sent to affected entities within 20 days. Any such protest must be made within 30 days of the time the Recorder gave the Council notice of the certification. If no protest is received by the Recorder within the allowed time period, the Council may hold a public hearing meeting, after giving 7 day notice to the city citizens and the proposed annexation area, to approve the annexation area.</p> <p>Councilmember Dougherty explained that the County map that was mailed to the residences was not correct; the piece going out to 4500 W was left off. She suggested that the City Council address the issue based on the map that the petitioner provided and request that the County re-notice the residences with the correct map as soon as possible.</p> <p>Mr. Cluff added the map submitted with the annexation petition to the City was correct. The signatures are based on the correct map.</p>

<p>CONCLUSION</p>	<p><i>Councilmember Searle moved to accept the Annexation Petition from Mike Hatch for 19.66 acres located on the southwest corner of the City. Councilmember Stark seconded the motion. Voting is as follows: Councilmember Dougherty, aye; Councilmember Searle, aye; Councilmember Stanton, aye; Councilmember Stark, aye; Councilmember Tyler, aye.</i></p>
<p>B. PUBLIC HEARING: ADOPTION OF ORDINANCE 23-05Z, REVIEW AND ACTION ON A REZONING REQUEST FROM DWH DEVELOPMENT OF APPROXIMATELY 1.04 ACRES LOCATED AT 662 NORTH 1500 WEST (PARCEL NO. 14-065-0097) FROM THE A-1 (AGRICULTURAL) ZONE TO THE R-1-6 (SINGLE FAMILY RESIDENTIAL) ZONE.</p>	
<p>Petitioner</p>	<p>DWH Development represented by Mike Hardin and Lance Wilson Submitted by: Peter Matson, Community Development</p>
<p>Discussion</p>	<p>The rezoning request consists of one parcel totaling approximately 1.04 acres located at approximately 662 North 1500 West (Parcel No. 14-065-0097). The subject property includes a single family home situated on the 1500 West frontage with vacant ground on the rear portion of the site.</p> <p>The rezone request is consistent with the General Plan Land Use Map (see map attached to the staff report) recommendation for R-1-6 zoning in this area of the city. Additionally, single family subdivisions in this area have developed in this same zoning district. The R-1-6 zone is present in only a few areas of the city, and this zone is an important component in the overall land use scheme of the city contributing to the variety of lot sizes. Smaller single family lots increase the availability of houses in our residential market accessible to a wide group of residents.</p> <p>The rezoning from the A-1 to R-1-6 zone is intended to accommodate future development of a minor subdivision with a handful of lots on the rear portion. The existing home will likely stay and be incorporated into a new subdivision plat in the future. The applicant is working with adjacent property owners to secure additional access width for future development of the rear portion of the site. Future development of this property will be subject to city standards for access, lot size and utilities. Staff recommends approval of the proposed R-1-6 zoning based on consistency with the land use recommendation of the General Plan.</p> <p>PLANNING COMMISSION RECOMMENDATION: The Planning Commission reviewed this rezone request on July 18, 2023. The Commission voted unanimously to recommend approval of the rezone from A-1 to R-1-6. The Commission expressed some concern about how the applicant might develop the rear portion of the property with the limited access width from 1500 West. The applicant indicated they are aware of the challenges and that they are only interested in securing the R-1-6 zoning at this time, and that a specific development plan is not under consideration at this time.</p> <p>PUBLIC COMMENT: The Community Development Department has fielded a few phone calls and questions from residents who live in the neighborhoods surrounding the rezone area. Most questions relate to lot size/density and are easily explained based on the general plan recommendation.</p> <p>Mayor Stanger opened the public hearing at 7:13 p.m.</p> <p>Marvin Brumett lives south of this location. The area developed just south was developed several years ago. A six foot high fence that was required has never been installed. His neighbors have rabbits that run through the neighborhood. He is fine with this project and would prefer single family homes, not apartments. He would like a six foot high fence installed around this development. Traffic will be a concern if high density goes in.</p> <p>Mary Frederickson lives on the north side of this property. She supports single family homes with a six foot fence.</p> <p>Mike Hardin is the owner of the property and he is in support of the rezone. He</p>

	<p>Suggested the City consider rezoning all the property north and south from A-1 to R-1-6.</p> <p>With no further public comment, Mayor Stanger closed the public hearing at 7:20 p.m.</p> <p>Councilmember Dougherty expressed concern that the City Code does not have a provision for any type of access to this area. Private roads are a concern for her as well as the Planning Commission who had also expressed skepticism about allowing a private road in this area.</p> <p>She explained she feels the City Council has a role defined by state code that goes beyond the Planning Commission role as the Legislative Body.</p> <p>Other developments with private roads have come to the City several times in the past to ask the Council for the City to take them over. For an area like this, she doesn't feel a private road will work.</p> <p>Mayor Stanger stated the only issue before the Council today is a rezone request.</p> <p>Councilmember Dougherty stated she feels the City Council as the Legislative Body should consider if the rezone appropriately looks into the future development of the area and if it is in the best interest of the City to affirm a scenario that won't be possible to develop under current code.</p> <p>She said the applicant had suggested an option to allow a one way public street that goes through the development in a "U" shape. This would also require the City to adjust the code to add non-standard road.</p> <p>Councilmember Stanton stated she agrees that private roads are problematic.</p> <p>Mr. Matson explained without additional property it would be very tight to add a full road.</p> <p>Councilmember Tyler stated the Developer is aware of the issue and the City has codes in place to guide the development.</p> <p>Councilmember Dougherty clarified her intent is to set the developer up for success.</p> <p>Mr. Cluff explained the basis for judgment on a zone change is based on the statute. It is a good practice to inform the owner there may be an issue with the development of the property however, he cautioned the basis for the decision can't be based on personal preference for the type of development.</p> <p>Mayor Stanger clarified for the petitioner that there is a possibility that no private road or no one way road will be allowed on the development and asked the petitioner if he would like to move forward.</p> <p>Mr. Hardin confirmed he would like to move forward with the rezone.</p>
<p>CONCLUSION</p>	<p><i>Councilmember Tyler moved to adopt Ordinance 23-05Z and approve the rezoning request from DWH Development of approximately 1.04 acres located at 662 North 1500 West (Parcel No. 14-065-0097) from the A-1 (Agricultural) Zone to the R-1-6 (Single Family Residential) Zone. Councilmember Searle seconded the motion. Voting is as follows: Councilmember Dougherty, aye; Councilmember Searle, aye; Councilmember Stanton, aye; Councilmember Stark, aye; Councilmember Tyler, aye.</i></p>

C. PURCHASE OF BALL FIELD GROOMER FOR FY 2023-24

Petitioner	Dennis Cluff, David Williams
Discussion	<p>A ball field grooming tractor and equipment is budgeted for purchase in FY2023-24. \$45,000 was budgeted for these items; through the State Contract # MA2188 for Turf Equipment the price to the City is \$43,335. This is a Ventrac tractor and ball field groomer implements. It will replace an old groomer that is suffering from age decline.</p> <p>Public Works Director Dave Williams explained Public Works maintains many fields in Clinton. It is important to keep the fields useable and safe. Over the years, there has been several types of equipment used. Currently there are not a lot of options available other than this type of equipment. Staff feels this machine has the necessary tools (multi-purpose) to use to keep the fields in good order and save City staff a significant amount of time. He clarified this bid is for the tractor and groomer.</p> <p>Mayor Stanger asked what the issues are with the current equipment.</p> <p>Mr. Williams responded the manufacturer no longer supplies parts for the current equipment. Clinton already owns other attachments that will work with tractor. This equipment should last 20 years or more.</p> <p>Mayor Stanger asked if the groomer could be purchased and used with the current equipment.</p> <p>Mr. Williams responded no, the groomer attachment would not fit on the current equipment.</p> <p>Councilmember Tyler suggested putting this purchase on hold until next year. He said the City has other needs that need to be met.</p> <p>Mr. Cluff explained the item was already postponed from last year. Personnel is expensive as well, this equipment will save time and manpower.</p> <p>Mayor Stanger expressed concern over the cost and upcoming purchases by the City such as an ambulance.</p> <p>Councilmember Stanton stated she is ok to approve this purchase because it is multi-use, long lasting and Public Works hasn't purchased large equipment for some time. In addition, it is already included in the current budget.</p> <p>Councilmember J. Stark asked how many fields and how many other groomers does the City have.</p> <p>Mr. Williams responded 12 fields. The City owns two other groomers that are over 15 years old and pretty well worthless at this point. This is an important purchase for public works.</p> <p>Councilmember Tyler stated that at some point there will need to be decisions</p>

	<p>made to cut expenses.</p> <p>Councilmember Stark asked how much time this equipment will save.</p> <p>Mr. Williams responded at least one less personnel on the fields and it will save the mechanics time as well as staff time in the winter making new rakes for the old equipment.</p> <p>Councilmember Searle asked if this will make the fields safer.</p> <p>Mr. Williams confirmed it does make the fields safer and much more quickly and efficiently.</p> <p>Councilmember Stanton stated the fields in Clinton are used a lot. She expressed appreciation to staff for trying to save money.</p> <p>Mr. Cluff explained staff puts money aside each year for the motorpool. The intent is to keep money in the fund balance. The fund balance comes from depreciation. Money is set aside for large purchases over a period of time; for example, the ambulance that will be purchased in FY 2023-24 will have been paid for by setting money aside over a 3 year period.</p>
<p>CONCLUSION</p>	<p><i>Councilmember Stanton moved to approve the purchase of the budgeted Ball Field Groomer and equipment through the State Contract. Councilmember Dougherty seconded the motion. Voting is as follows: Councilmember Dougherty, aye; Councilmember Searle, aye; Councilmember Stanton, aye; Councilmember Stark, aye; Councilmember Tyler, no.</i></p>
<p>D. AWARD BIDS FOR LAND DRAIN MANHOLE PROJECTS</p>	
<p>Petitioner</p>	<p>Dennis Cluff, Dave Williams</p>
<p>Discussion</p>	<p>Mr. Williams explained some repairs need to be made to two land drain systems. Staff has acquired four bids to do the following projects:</p> <p><u>1) Remove and replace Land Drain Manhole at 744 W 2550 N.</u> In conjunction with the streets project just awarded, there is a need to replace the Land Drain manhole at 744 W 2550 N. The original manhole went in with the original development and now has need for repair. The bottom of the manhole has eroded away and has caused the manhole to sink. Replacement of the manhole will fix the sinking issue and allow for better maintenance of the Land Drain system in the area.</p> <p><u>2) Installation of a new Land Drain Manhole at 2736 W 1650 N.</u> The Land Drain in this area needs a bit more maintenance due to roots in the system. The specific pipe section is over 600 ft long (normal length is 300' to 400') making maintenance a challenge. City crews had problems with the root cutter this year and ended up digging a hole in a resident's yard to retrieve it after it lodged itself in the pipe. Installation of a new manhole in the area will shorten the distance the root cutter will have to travel and the amount of debris it needs to remove. This will reduce the possibility of the cutter getting lodged again.</p> <p>The bids are as follows: Thurgood excavation at \$68,000.00 RJT Excavation at \$60,663.35 Brinkerhoff Excavation at \$61,625.00</p>

	Slippery Rock Constructors at \$33,100.00 Slippery Rock Constructors is a good reliable company that offers a fair price. They have done quite a few projects in the city and staff would like to award them the Land Drain work. The project will be paid out of account 53-40-73.
CONCLUSION	<i>Councilmember Searle moved to approve low bid of the Land Drain Manhole Project to Slippery Rock Constructors for \$33,100. Councilmember Stark seconded the motion. Voting is as follows: Councilmember Dougherty, aye; Councilmember Searle, aye; Councilmember Stanton, aye; Councilmember Stark, aye; Councilmember Tyler, aye.</i>
E. AWARD BID FOR ROLL-UP DOORS FOR SHOPS BUILDING #3	
Petitioner	Dennis Cluff, Dave Williams
Discussion	<p>With the salt out of building 3 and in the new salt shed staff would like to install 2 new roll up doors in this building to make it more useable. Public Works stores equipment in this building to keep it out of the weather and protect it from freezing.</p> <p>Three bids were received for this work:</p> <ul style="list-style-type: none"> • Pioneer overhead door \$23,450.00; • Celia Steel \$19,000.00; • Nichols Homes \$25,030.00. <p>Staff recommends awarding this bid to Celia Steel. Celia Steel is a local company from Clinton which has erected the steel portion of our last two buildings.</p> <p>A portion of this cost is budgeted in Public Works, Streets, Water, Sewer, and Storm Drain.</p> <p>Mayor Stanger asked why this is needed.</p> <p>Mr. Williams responded it will increase the use of the building and improve utilization of the space.</p>
CONCLUSION	<i>Councilmember Dougherty moved to approve accepting the low bid on the roll-up doors for Shop building #3 from Celia Steel for \$19,000. Councilmember Stanton seconded the motion. Voting is as follows: Councilmember Dougherty, aye; Councilmember Searle, aye; Councilmember Stanton, Councilmember Stark, Councilmember Tyler, aye.</i>
Approval of Minutes	<i>Councilmember Stark moved to approve the minutes of the July 11, 2023 City Council Meeting. Councilmember Searle seconded the motion. Voting is as follows: Councilmember Dougherty, aye; Councilmember Searle, aye; Councilmember Stanton, aye; Councilmember Stark, aye; Councilmember Tyler, aye.</i>
Accounts Payable	<i>Councilmember Stanton moved to authorize the payments. Councilmember Stark seconded the motion. Council members' Dougherty, Searle, Stanton, Stark and Tyler voted in favor of the motion.</i>
Planning Commission Report	<ul style="list-style-type: none"> • Reported on the previous Planning Commission meeting as recorded in the minutes of that meeting. • The August 1 PC meeting will be cancelled.
City Manager	<ul style="list-style-type: none"> • August 8 regular CC meeting • August 9 special CC TNT meeting
Staff reports	<ul style="list-style-type: none"> • Public Works Director David Williams gave an explanation of how street projects are planned. They are on a 5 year plan based on approximately \$1,000,000 available per year. The worst roads are prioritized to be completed first. Staff is always seeking grants to fund projects when available. Staff also focuses on asphalt preservation whenever possible.

	<p>Mr. Cluff added that if there are additional Class C funds they will be transferred over. Public Works tries to schedule projects such as water line replacement and road improvements and use their budgets accordingly.</p> <p>Mr. Cluff explained grants have helped the City significantly. Millions of dollars has been received for our street projects. A lot of progress has been made in regards to roads.</p> <ul style="list-style-type: none"> • Chief Olsen stated that the Clinton City Department Heads foster great team work in their areas. Employees work to be cost effective and wear many hats. The Fire Department will have huge expenses over the next five years. Costs continue to increase and we have to adapt to the changing environment and be creative in saving over time for large purchases. • Recreation Director Brooke Mitchell reported that finding basketball courts is a big problem for the program. Personnel is also an issue; it is difficult to find people to work part time at the wages we are offering. <p>Mayor Stanger stated that he would like the scoreboards functional as soon as possible. He suggested hardwiring them to avoid the high demand use of the WiFi.</p>
<p>Councilmember Dougherty</p>	<ul style="list-style-type: none"> • West Davis Chamber will hold an event on Aug 3 - a business owner/manager gathering at 6:30 p.m. • Regarding the Lexington Estates HOA and the fence, the language in the code states that the fence shall be the buffer. • The 9-11 Day of Service is Sat. Sept 9 & Wed. Sept 6 for the youth. The Fire Dept will raise their flag. She would like to see this designated as an annual event scheduled the second Saturday in September. <p>The City Council was in consensus to hold it the second Saturday in September. They would like it to be a community event.</p>
<p>Councilmember Searle</p>	<ul style="list-style-type: none"> • Nothing at this time.
<p>Councilmember Stanton</p>	<ul style="list-style-type: none"> • Youth Council deadline is July 31. Amy Mills is stepping down. Joan and Tangie will stay involved.
<p>Councilmember Tyler</p>	<ul style="list-style-type: none"> • Councilmember Tyler asked the Department Heads who were present to report on inflation costs rising given their existing budget. Each Department Head indicated that services will need to be decreased if budgets are not increased in the future.
<p>Mayor Stanger</p>	<ul style="list-style-type: none"> • Recycling facility is now being used strictly to sort mixed recyclables. • A firm is working on a district wide recycling program. • The City Council will hold a special work session on August 7 at 6 pm to discuss town homes and zoning ordinances.
<p>ADJOURNMENT</p>	<p><i>Councilmember Stanton moved to adjourn. Councilmember Tyler seconded the motion. Councilmembers Dougherty, Searle, Stanton, Stark and Tyler voted in favor of the motion. The meeting adjourned at 9:10 pm.</i></p>

Lisa Titensor, Clinton City Recorder