



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

**MAYOR
Brandon Stanger**

**CITY COUNCIL MEMBERS
Anna Stanton
Barbara Patterson
TJ Mitchell
Marie Dougherty
Gary Tyler**

Date of Meeting	January 25, 2022	Called to Order: 7:01 PM
Staff Present	City Manager Dennis Cluff, Community Development Director Peter Matson, Police Chief Shawn Stoker, Public Works Director David Williams, Recreation Director Brooke Mitchell and Lisa Titensor recorded the minutes.	
Attendees	Russell Arave	
Pledge of Allegiance	Councilmember Dougherty	
Invocation or Thought	Councilmember Dougherty	
Roll Call & Attendance	Mayor Stanger, Councilmember Dougherty, Councilmember Patterson, Councilmember Tyler, Councilmember Stanton Councilmember Mitchell was excused.	
Public Input	There was none.	
A. APPROVAL OF THE PROTEST LETTER TO THE TERRAFORM ANNEXATION PETITION		
Petitioner	Dennis Cluff	
Discussion	<p>As discussed at the January 11, 2022 City Council meeting and the January 19, 2022 Special City Council Work Session, a letter of protest has been prepared to be delivered to West Point City and the Davis County Boundary Commission (via the County Clerk) pertaining to the Terraform Annexation Petition. This letter outlines the reasons for Clinton City’s opposition to the annexation.</p> <p>By State Code this protest letter has to be delivered to the annexing city (West Point) and the County Boundary Commission by Monday January 31, 2022.</p> <p>Mr. Cluff clarified he is working with Brett Coombs, the Attorney the City has contracted with to ensure accurate information.</p> <p>The City Council reviewed the proposed letter and map.</p> <p>Mayor Stanger clarified map number 4 shows the ability for the sewer lift station to fully service the entire area.</p> <p>Councilmember Dougherty explained she does have some concerns about what should be included in the protest letter.</p>	
CONCLUSION	<p>Councilmember Tyler moved to approve the protest letter to the County Boundary Commission and West Point City giving latitude to make adjustments as needed to ensure accuracy. Councilmember Patterson seconded the motion. Voting by roll call is as follows: Councilmember Dougherty, aye; Councilmember Patterson, aye; Councilmember Stanton, aye; Councilmember Tyler, aye.</p>	

B. <u>ORDINANCE 22-1 SEWER, STORM WATER, AND FLOOD IRRIGATION SYSTEMS</u> ORDINANCE UPDATE	
Petitioner	Dennis Cluff, Dave Williams, Kasey Jensen, Bryce Wilcox
Discussion	<p>The State of Utah revises their storm water permits every 5 years. To comply with the regulations in the new permit, Clinton City has revised the storm water ordinance. Clinton has done a great job in complying with the storm water permit requirements since they were implemented in 2004.</p> <p>Public Works Director David Williams explained that as staff updated the storm water chapter of Title 23, they realized that the entire title needed to be revised to meet current codes and city operating procedures. A copy of Title 23 which identifies all the changes as well as a clean copy of the proposed updates to Title 23 are included with the staff report. Staff recommends repealing the current Title 23 and adopting the proposed Title 23.</p> <p>He reviewed some of the of the proposed changes:</p> <ol style="list-style-type: none"> 1- Chapter 2- Definitions <ol style="list-style-type: none"> a. Updated and added definitions 2- Chapter 3 – Administration <ol style="list-style-type: none"> a. Updated responsibilities b. Moved lateral sections to other chapters c. Added land disturbing activities regulations d. Moved sections that apply to all chapters to administration section. 3- Chapter 4 – Sewer System <ol style="list-style-type: none"> a. Updating requirements b. Added lateral sections c. Addition of prohibition section 4- Chapter 5 – Fats, Oils, & Grease Control <ol style="list-style-type: none"> a. Updating requirements for commercial kitchens b. Updated maintenance requirements 5- Chapter 6 – North Davis Sewer District Wastewater Control <ol style="list-style-type: none"> a. Moved enforcement sections to enforcement chapter b. Added section defining Clinton city owns right-of-way and has ultimate discretion on locations of utilities in right-of-way c. Excludes adoption of North Davis Ordinance regarding placing of utilities near their facilities in public right-of-ways 6- Chapter 7 – Land Drain System <ol style="list-style-type: none"> a. New chapter for land drain 7- Chapter 8– Storm Drain System <ol style="list-style-type: none"> a. Updated required permits b. Land Disturbing Activities sections c. Updated discharge requirements d. Updated SWPP and BMP Sections e. Updated Maintenance Agreements f. Added Low Impact Development requirements g. Added flood control requirements for detention h. Added water quality retention requirements i. Moved footing drains to land drain chapter j. Added prohibitions 8- Chapter 9– Flood Damage Prevention <ol style="list-style-type: none"> a. General updates to chapter b. Update development requirements 9- Chapter 10– Gravity Flood Irrigation System <ol style="list-style-type: none"> a. General updates to chapter b. Updating ownership and responsibilities

	<p>10- Chapter 11 - Enforcement</p> <ol style="list-style-type: none"> a. Updated inspector requirements b. Moved sections to Administration and other chapters that are not regarding enforcement c. Revised entire chapter for enforcement and penalties to match city procedures d. Separated enforcement for storm water violations to meet requirements of storm water permit <p>Councilmember Tyler stated he appreciates all the work that went into this. He questioned in regards to 23-8-1, if there is an actual maintenance agreement plan signed.</p> <p>Mr. Williams confirmed an agreement is signed and recorded with the County.</p> <p>Councilmember Tyler than asked if businesses are allowed to detain water in their parking lot to a specific limit for the storm water.</p> <p>Mr. Williams responded the Low Impact Development Handbook identifies some ideas for businesses to manage storm water.</p> <p>Mr. Cluff clarified that he is not sure there is a significant incentive for business now.</p> <p>Mr. Williams responded each site is sized to release storm water at a slow rate as not to overwhelm the City's system.</p> <p>Councilmember Dougherty asked staff to ensure that the correct writing style is considered throughout the ordinance.</p> <p>The Council expressed their appreciation to staff for the hard work they did on submitting this document.</p>
CONCLUSION	<p>Councilmember Stanton moved to adopt Ordinance 22-1 repealing the current Title 23 and adopting the proposed Title 23 Sewer, Storm Water, And Flood Irrigation Systems Ordinance. Councilmember Dougherty seconded the motion. Voting by roll call is as follows: Councilmember Dougherty, aye; Councilmember Patterson, aye; Councilmember Stanton, aye; Councilmember Tyler, aye.</p>
C. LOW IMPACT DEVELOPMENT (LID) HANDBOOK	
Petitioner	<p>Dennis Cluff, Dave Williams, Kasey Jensen, Bryce Wilcox</p>
Discussion	<p>Engineer Bryce Wilcox reported the storm water permit requires that each municipality create a Low Impact Development (LID) manual to guide in the control and treatment of storm water runoff. LID's are engineered systems that use or mimic natural processes to promote infiltration, evapotranspiration, and/or reuse of storm water as close to its source as possible to protect water quality and aquatic habitat.</p> <p>The storm water permit requires development to manage rainfall on-site, and prevent the off-site discharge of the precipitation from all rainfall events less than or equal to the 80th percentile rainfall event or a predevelopment hydrologic condition, whichever is less.</p>

	<p>The control of storm water can be done by using best management practices (BMP) and various methods of retention, infiltration, and treatment measures. With the soil conditions that exist in Clinton City, the high groundwater table, and the fact that we have to install land drain systems to protect basements, infiltration in Clinton city is very difficult. Infiltration feasibility studies will need to be done with each proposed development to ensure that any water added to the groundwater table will not affect adjacent property owners. If the development shows that infiltration is infeasible, there BMP measures will be focused on treatment rather than infiltration.</p> <p>Clinton City will continue to need the regional detention facilities for flood control. These detention ponds can have treatment measures added to help clean up the water and meet the goals of the LID handbook.</p>
CONCLUSION	<p>Councilmember Tyler moved to adopt the proposed Low Impact Development Handbook. Councilmember Stanton seconded the motion. Voting by roll call is as follows: Councilmember Dougherty, aye; Councilmember Patterson, aye; Councilmember Stanton, aye; Councilmember Tyler, aye.</p>
D. STORM WATER MANAGEMENT PLAN-2021	
Petitioner	Dennis Cluff, Dave Williams, Kasey Jensen
Discussion	<p>Assistant Public Works Director Kasey Jensen reported the State of Utah issues Storm Water permits every 5 years. Clinton City has had a Storm Water Management Plan (SWMP) since 2004 which describes how Clinton City will comply with the permit. The SWMP was updated in 2011 and 2016, and now this updates the SWMP again to comply with the new rules.</p> <p>Clinton City has an excellent storm drain program. As staff updated the SWMP, the entire plan was reformatted to address each section and how Clinton will comply. Staff reevaluated what is currently being done, what is needed, what is working and what is not and developed a plan with meaningful goals to comply with the permit and Clinton’s goal to keep the water clean. Some of the goals will be met or at least assisted through Clinton’s membership in the County Storm Water Coalition.</p> <p>Highlights of continuing requirements:</p> <ol style="list-style-type: none"> 1- Emphasis on public education to be active not passive and multiple topics to all audiences annually. 2- Must have a nutrient removal program. <ol style="list-style-type: none"> a. Identifying problem areas and sources b. Targeted public education program. 3- Low Impact Development (LID) program <ol style="list-style-type: none"> a. Standard details b. LID selection process c. Require sites to manage rainfall on-site, and prevent the off-site discharge of the precipitation from all rainfall events less than or equal to the 80th percentile. 4- Updating storm water ordinance 5- Post phone number at construction sites for environmental concerns 6- Track illicit discharges and enforcement actions
CONCLUSION	<p>Councilmember Dougherty moved to adopt the updated Storm Water Management Plan for 2021-2026 and thank staff for their exceptional work. Councilmember Stanton seconded the motion. Councilmember Dougherty, aye; Councilmember Patterson, aye; Councilmember Stanton, aye; Councilmember Tyler, aye.</p>

E. RESOLUTION 03-22 UPDATE OF THE CLINTON CITY CONSOLIDATED FEE SCHEDULE	
Petitioner	Dennis Cluff
Discussion	<p>Mr. Cluff explained that in conjunction with the storm drain ordinance changes, changes in the fee schedule are also necessary.</p> <ol style="list-style-type: none"> 1) Initial Storm Water Violation Fine - \$250; 2) Uncorrected Storm Water Violation Fine - \$500 (weekly until corrected); 3) Removal of Water Quality Credit (no longer financial incentive or reduction in cost for the City) <p>Mr. Wilcox explained the escalating penalty is required by state statute.</p> <p>The Council asked staff to provide a notice and explanation to businesses for the removal of the Water Quality Credit prior to it becoming effective on July 1, 2022.</p> <p>Mr. Williams clarified each home and business is charged a fee for these services, only the businesses have received the discount.</p>
CONCLUSION	Councilmember Patterson moved to adopt Resolution 03-22, updating the 2022-23 Clinton City Consolidated Fee Schedule and notify citizens. Councilmember Stanton seconded the motion. Voting by roll call is as follows: Councilmember Dougherty, aye; Councilmember Patterson, aye; Councilmember Stanton, aye; Councilmember Tyler, aye.
F. OPEN AND PUBLIC MEETING VIDEO PRESENTATION	
	The City Council reviewed the Public and Open Meetings video for their annual training for 2021-22.
Approval of Minutes	Councilmember Patterson moved to adopt the minutes of the January 11, 2022 City Council meeting and the January 19, 2022 City Council Work Session. Councilmember Stanton seconded the motion. Voting by roll call is as follows: Councilmember Dougherty, aye; Councilmember Mitchell, aye; Councilmember Patterson, aye; Councilmember Stanton, aye; Councilmember Tyler, aye.
Accounts Payable	Councilmember Stanton moved to pay the bills. Councilmember Dougherty seconded the motion. Voting by roll call is as follows: Councilmember Dougherty, aye; Councilmember Mitchell, aye; Councilmember Patterson, aye; Councilmember Stanton, aye; Councilmember Tyler, aye.
Planning Commission Report	<ul style="list-style-type: none"> • Community Development Director Matson reported the Planning Commission will meet on February 15, 2022. • There is a training opportunity on February 24, 2022 for staff, in addition to appointed and elected officials on Planning and Zoning.
City Manager	<ul style="list-style-type: none"> • Nothing at this time.
Mayor Stanger	<ul style="list-style-type: none"> • Regarding a water issue at a resident’s home that was brought to him by Councilmember Patterson, Public Works and the Engineer are evaluating the situation.
Councilmember Dougherty	<ul style="list-style-type: none"> • Communities that Care – regarding the SHARP surveys, they established needs for the northwest end of the County; the most significant issues are vaping, marijuana and alcohol in addition to depressive issues and suicide. • She also explained that the youth also seem to have an issue that they do not feel recognized. She would like to see Clinton help with issue. • Attended the League Legislative Policy Meeting. • Suggested adding water planning to the General Plan; cities should not require only grass.

Councilmember Patterson	<ul style="list-style-type: none"> • Feels the 1800 N freeway off ramp will be happening soon.
Councilmember Mitchell	<ul style="list-style-type: none"> • Excused
Councilmember Stanton	<ul style="list-style-type: none"> • Reported the Youth Council will attend the Leadership Conference in Logan in March. • The Sewer District will meet in two weeks.
Councilmember Tyler	<ul style="list-style-type: none"> • Nothing at this time.
ADJOURNMENT	Councilmember Stanton moved to adjourn. Councilmember Tyler seconded the motion. Councilmembers Dougherty, Patterson, Mitchell, Stanton and Tyler voted in favor of the motion. The meeting adjourned at 8:25 p.m.
<u>ACTION ITEMS</u>	<ul style="list-style-type: none"> • Annexation area – green belt • Plaque at the pickleball courts for anonymous donor. (July 2021) • Subdivision Ordinance – recommendation for concrete in the park strips along UDOT roads. (August 2016) – Planning Commission Review • Bring back Chapter 4 of the Subdivision Ordinance regarding allowing a letter of credit for escrow and researching what surrounding jurisdictions allow (26-4-8). 6g(January 2017) Planning Commission Review • Update Ordinance to eliminate pressurized sewer lines in the Clinton City streets on new residential development (January 2018). • Create a facilities maintenance plan before the next budget cycle in FY 19-20 (May 2018). • Remove river rock from the low maintenance material allowed for park strips in the ordinance (Aug 2019).

Lisa Titensor, Clinton City Recorder