

CLINTON CITY COUNCIL MINUTES
2267 N 1500 W
March 9, 2010

The Clinton City Council was called to order at 7:03 p.m. Councilmember Anna Stanton led the pledge of allegiance and Councilmember Blair Bateman offered the invocation.

Mayor Adams called for a roll call of all those present:

Present were: Mayor L. Mitch Adams
Councilmember David Pearson
Councilmember Anna Stanton
Councilmember Cheri Reed
Councilmember Joanne Hansen
Councilmember Blair Bateman

Also present were: Barbara McGavin, Ashley McGavin, Michelle Millerberg, Brodey Tremblay, Kenneth Meyers, Abby Rich, Lauralee Hunter, Stephanie Arroyo Ware, Charles Ware, City Manager Dennis Cluff, Community Development Director Lynn Vinzant, and Lisa Titensor recorded the minutes.

A. EMPLOYEE OF THE MONTH FOR JANUARY 2010 – TY SWENSON, RECREATION:

Assistant Director Ruth Collard addressed the City Council and explained that the Recreation Department would like to honor Ty Swenson as the Clinton City Employee of the Month for January 2010.

She reported that Ty has worked as a regular 3/4 time employee for Clinton Recreation since 2001. A former Recreation Director for Sunset City, Ty has worked for and with our Recreation Department for many years and we, as a city, are extremely lucky to have him as a member of our team.

Ty Swenson is the consummate professional and specializes in special events and outdoor recreation programming. Programs like our Halloween Carnival, Holiday Workshop, Easter Egg Hunt, Heritage Days and Fish Derby run like clockwork and are highly successful because of the great work Ty does. However, his passion is really providing outdoor sports activities and classes like the fishing club and Hunter Safety. Watching Ty work with the youth of our community you can see the passion he has for the outdoors and for people. A leader in everything that he does, Ty really loves making a positive difference in people's lives. Ty also just received a state award from the Division of Wildlife Resources (2009 Instructor of the Year) for his excellent and innovative work with the Hunter Education Program which was recently implemented.

As a department, we feel very strongly that we are here to serve the public and improve the quality of life for the citizens of Clinton. We could not do that without the efforts and commitment of people like Ty Swenson. Clinton City is lucky to have Ty and we, as a department, couldn't ask for a better representative for the public.

Mayor Adams expressed appreciation to Ty for the great job he does in serving the City. He presented Ty with an award and a gift basket donated by Texas Road House.

**B. EMPLOYEE OF THE MONTH FOR FEBRUARY 2010 - DAVE VALENTINE
POLICE DEPARTMENT:**

Chief Chilson identified that Lt Dave Valentine has been recommended for Employee of the Month for February 2010 by the Clinton Police Department. He reported that Dave recently was recognized by the Council for celebrating his 20 year anniversary with the department.

He went on to explain that over the past few months, there have been a couple of events taking place in which Dave was in the forefront. He has been conducting a serious internal affairs investigation to which he has dedicated a lot of time and effort in order to obtain a satisfactory outcome for both the city and the department. It has not been a pleasant task, but Dave has performed his investigation with the utmost integrity anyone could hope for.

Lt Valentine is being honored as Employee of the Month because of his commitment to the department and Clinton City. He treats all city employees with the same measure of respect and dignity he would ask in return. He is a fair-minded officer and administrator who listens to the public and his subordinates and offers them his understanding and knowledge whenever requested of him. He is an important member of the police department.

Chief Chilson stated that unfortunately Lt. Valentine had another commitment and could not attend the meeting.

Mayor Adams said that he appreciates the good work that Lt. Valentine does. He presented Chief Chilson on behalf of Lt. Valentine with a certificate and a gift basket donated by Texas Road House.

C. ORDINANCE 10-05; CEMETERY PERPETUAL CARE FUND AMENDMENTS:

Mr. Cluff explained that Centennial Bank has been closed down by the Utah State Department of Financial Institutions as of Friday, March 5, 2010.

He identified that the funds for the Cemetery Perpetual Care were tied up in a Certificate of Deposit with Centennial Bank in the amount of \$330,000.00.

He explained that the City will recover \$250,000 of insured funds right away from the FDIC and it will most likely take several months to determine how much of the remaining \$83,000.00 if any, will be returned.

He explained this is a very unfortunate turn of events particularly because the issue was before the City Council this evening to pass a resolution to transfer the funds.

Mayor Adams explained the situation for the public. He identified that the City was taken by surprise at the closing of Centennial Bank.

He stated that other states have laws that protect public funds and he feels that Utah should also have this protection.

Councilmember Reed asked about the Certificate of Deposit.

Mr. Cluff responded that he was in the process of negotiating the transfer to only take a penalty for the money transferred from the CD for the remaining term of the CD, not the full amount. He explained that the rate on the CD was a good rate and the funds built up over the past several years quickly due to compounding interest.

Councilmember Pearson made a motion to adopt Ordinance 10-05, amending the investment guidelines of the Perpetual Care Fund. Councilmember Bateman seconded the motion. Voting by roll call is as follows: Councilmember Pearson, aye; Councilmember Bateman, aye; Councilmember Stanton, aye; Councilmember Reed, aye; Councilmember Hansen, aye.

D. RESOLUTION 10-10; CEMETERY PERPETUAL CARE FUND:

Mr. Cluff clarified that the old Ordinance required identifying the bank where funds would be invested; this resolution does not specify a specific bank as long as the funds are secure.

The existing authorization Resolution was adopted in 2000. At that point, the Council authorized the City Manager to move the Perpetual Care Fund to a new bank, under new guidelines of investment. The initial \$36,000 of the Perpetual Care Fund turned into over \$330,000 with the compounding interest.

The Federal Deposit Insurance Corporation will guarantee up to \$250,000 per corporate account until 2013. The City can only have one such insured account with any given financial institution.

This new Resolution authorizes the City Manager, and thereby any qualified staff member he designates - such as the Treasurer, to set up legal investments with FDIC insured financial institutions as needed. It provides the City Council control over how the Perpetual Care funds are used.

Councilmember Stanton made a motion to adopt Resolution 10-10, amending the investment guidelines of the Perpetual Care Fund. Councilmember Hansen seconded the motion. Voting by roll call is as follows: Councilmember Bateman, aye; Councilmember Stanton, aye; Councilmember Reed, aye; Councilmember Hansen, aye; Councilmember Pearson, aye.

E. ORDINANCE 10-03; STREETS (TABLED FROM FEBRUARY 23, 2010):

Mr. Vinzant reminded the Council that this Ordinance was originally brought forth in February, as a result of that discussion, the item was tabled so staff could make changes to Chapters 15 & 16. The Ordinance now reflects those changes.

Mr. Vinzant reviewed the changes with the Council which are identified in the staff report.

Councilmember Hansen made a motion to adopt Ordinance 10-03 Repealing the existing title 25, Streets and Sidewalks and replacing it with a revised Title 25, Streets Sidewalks, and Rights-of-Way. Councilmember Bateman seconded the motion. Voting by roll call is as follows: Councilmember Stanton, aye; Councilmember Reed, aye; Councilmember Hansen, aye; Councilmember Pearson, aye; Councilmember Bateman, aye.

APPROVAL OF THE MINUTES:

Councilmember Bateman made a motion to approve the minutes of the February 23, 2010 City Council Meeting as amended. Councilmember Stanton seconded the motion. All voted in favor of the motion.

Councilmember Hansen made a motion to approve the March 4, 2010 Special City Council meeting minutes as amended. Councilmember Pearson seconded the motion. All voted in favor of the motion.

ACCOUNTS PAYABLE:

Councilmember Pearson made a motion to pay the bills. Councilmember Stanton seconded the motion. All voted in favor of the motion.

PLANNING COMMISSION REPORT:

Councilmember Pearson reported that the March 2, 2010 meeting of the Planning Commission was cancelled.

CITY MANAGER'S REPORT:

City Manager Cluff reported the following:

- March 10 – 7 p.m. 1st meeting on the Citizen Corp. at the Fire Station.
- March 16 - Mayor and staff will meet with the new UDOT Region Director at 11 a.m. at City Hall.
- March 30 Special Budget work session with the Department Heads.
- April 5 -9, is the League of Cities and Towns conference in St. George.
- March 24 - Economic Outlook Presentation at West Point City at 12:00 noon.

MAYOR ADAMS' REPORT:

- Reported he has been provided with the names of the proposed individuals to serve on the Community Arts Board and will make appointments in the near future.

COUNCIL ISSUES AND CONCERNS:

Councilmember Pearson:

- Asked staff to forward the comments they are receiving on the chicken issue.

Councilmember Stanton:

- The Youth Council is preparing for Leadership Conference at Utah State University.
- She will attend the North Davis Sewer Dist. Meeting on Thursday, March 11.
- Reported that the citizens are enthusiastic for the Community Arts Board.

Councilmember Reed:

- The Community Enhancement Class on Thursday March 11 is being taught by Artistic Hair. On April 8 it will be about Living Wills & Trusts.

Councilmember Bateman:

- Awarded an Eagle Scout award to Andrew Egbert whose project was improving Kestrel Park.

Councilmember Hansen:

- RAB Board – need a Clinton citizen to be on the board.
- Parks Advisory Board – possibly need two members.
- Leaves at 2400 N and 770 W intersection – street sweeper needs to clean.

Mr. Vinzant updated the Council on the following:

- 1800 N Environmental Study – Phase 1 is almost complete
 - overpass is warranted
 - 1800 N – five lanes warranted
 - 1800 N I-15 exchange warranted

He said that construction will impact the City

ADJOURNMENT: *Councilmember Pearson made a motion to adjourn the meeting. Councilmember Stanton seconded the motion. All voted in favor of the motion. The meeting adjourned at 8:44 p.m.*