
Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **January 16, 2007** at 6:00 pm at the Riverdale Civic Center, 4600 South Weber River Drive.

Members Present: Bruce Burrows, Mayor
David Gibby, Councilor
Stacey Haws, Councilor
Gary Griffiths, Councilor
Doug Peterson, Councilor
Shelly Jenkins, Councilor

Others Present: Larry Hansen, Chief Administrative Officer; Steve Brooks, City Attorney; Randy Daily, Community Development Director; Lynn Fortie, Business Administrator; Doug Illum, Fire Chief; Stacey Comeau, Human Resources Director; Marilyn Hansen, City Recorder; other city staff and approximately 23 citizens.

A. Welcome & Roll Call

Mayor Burrows called the meeting to order and welcomed all those present.

B. Pledge of Allegiance

Mayor Burrows offered the Pledge of Allegiance. Mayor Burrows read a ruling from the Supreme Court that was issued in 1884.

C. Moment of Silence

Mayor Burrow's quote was followed by a Moment of Silence.

D. Open Communications

Retired Master Sergeant James Perrone, owner of the Skyline Internet Café, reported that his Counsel has been in contact with City Attorney, Steve Brooks, regarding the business license revocation hearing set for January 30, 2007. He stated that he feels it is not going to be feasible to hear all evidence on both sides for both businesses on the same day and is asking the City Council to reconsider the date of January 30, 2007 to hear both cases and afford his Counsel the ability to hear this outside of the City Council hearing.

E. Presentations and Reports

1. Mayor's Report

Mayor Burrows reported that the City has received a letter from the State Auditing Department accepting our Auditor's report showing that we are in compliance with all state rules and regulations of auditing practices. He thanked Larry Hansen, Lynn Fortie and all the Department Heads for their hard work to stay within budget and keep accurate records. Mayor Burrows announced that Police Sergeant Don Anderson is retiring after 24 years of service to the community. An open house will be held in his honor on January 30, 2007 from 1:00 to 3:00 p.m. in the Riverdale Fire Station training rooms.

2. Administrator's Report

a. Department Information

Larry Hansen discussed the report.

b. Employee Recognition

Larry Hansen recognized the following employees whose anniversary date falls in the month of January.

<u>Employee</u>	<u>Length of Service</u>	<u>Department</u>
Randy Daily	29 years	Community Development
Kelly Rose	24 years	Public Works
Cindi LeFevre	12 years	Police Department
Bill Fuchs	8 years	Police Department
Larry Hansen	8 years	City Administrator
Roger Wedde	7 years	Justice Court
Stacey Comeau	2 years	Human Resources

c. Staffing Authorization Plan

Mr. Hansen discussed the report and noted that the city is still operating under authorization.

Mr. Hansen reported that a segment on Frequently Asked Questions and Comments has been added to the monthly newsletter that is mailed to the residents. He stated that these will be put in on a rotating basis and welcomes input from the Council and community. Councilor Peterson asked if it would be possible for the City's web-site to support web blogs from Councilmembers. Mr. Hansen stated that he would look into that possibility as the City's new web-site is developed. He noted that web blogs would be a good alternative to the space limitations that are faced in the newsletter.

d. Annual Fire Department Report

Fire Chief, Doug Illum, gave an overview of the Annual Fire Department report for 2006. He reported that they received a grant for a heavy rescue tractor and training of the heavy rescue technicians. Chief Illum explained that there are other things in the works for the upcoming year that will not cost the residents any additional funds. Councilor Jenkins asked who carries the liability for the heavy rescue tractor as it was awarded through a Homeland Security Grant. Chief Illum stated that the City owns the truck and trailer and they are covered under the City's liability policy. Councilor Jenkins asked how many of the calls are in the City and how many are within reciprocal agreements that the fire department participates in. Chief Illum stated that he would check into the exact figures. He explained that the Riverdale Fire Department typically gives structure fire aid and the other municipalities give us medical aid.

4. Recorder's Report *(Review status of Council requested follow-up items)*

None

F. Consent Items

1. Approval of meeting minutes from:

December 19, 2006 Council Work Session

December 19, 2006 Regular City Council

Councilor Jenkins requested that her comments regarding what staff would bring back to the Council on the Woods item be added to the December 19, 2006 regular City Council minutes.

2. Report on the Condition of the Treasury for the month ending December 31, 2006.

Lynn Fortie, Business Administrator, discussed the month ending December 31, 2006. He noted that the General Fund received \$312,265 in property tax, \$20,745 in business license fees and \$13,802 in State Liquor funds. Expenditures from the General Fund included \$103,007 to Advanced Paving. He reported that the van was sold at auction for \$12,100 which netted the City \$10,890 which will be reflected on the January report. Mr. Fortie stated that the RDA received \$773,042 in property tax for all three areas and expended \$39,817 to Advanced Paving. Capital Projects expended \$177,168 to Advanced Paving for road work and the Sewer Department expended \$27,000 to Advanced Paving for sewer repair.

Motion: Councilor Gibby moved to approve the consent items to include in the minutes those items discussed. Councilor Peterson seconded the motion.

Call the Question

The motion passed unanimously.

G. Action Items

1. Consideration of Resolution 1-2007 amending Riverdale Personnel Policy manual – revising Chapter 9-12 Birthday and adding a new section 9-16 Service Recognition.

Stacey Comeau reported that Chapter 9-12 Birthday was changed to state that an employee must take their birthday holiday within thirty days. Ms. Comeau reported that Chapter 9-16 Service Recognition was added to ensure consistency between departments regarding service recognition. Councilor Haws discussed that he doesn't want a bonus put into the Employee Personnel Manual. Mr. Hansen stated that the December 15th incentive pay is subject to funding and wording could be added stating that it is subject to the funding approval of the City Council. Ms. Comeau stated that there is another policy that discusses the December 15th incentive pay and she could also cross reference it to the other policy.

Motion: Councilor Gibby moved to adopt Resolution 1-2007 adopting amendments to the Riverdale City Personnel Policies & Procedures Handbook with the recommendation that the incentive portion be cross referenced to the other section dealing with it. Councilor Griffiths seconded the motion.

Call the Question

Roll Call Vote: Councilor Peterson, Yes; Councilor Griffiths, Yes; Councilor Gibby, Yes; Councilor Haws, Yes; Councilor Jenkins, Yes. The motion passed unanimously.

2. Consideration of Resolution 2-2007 amending set-back policy for Woods property.

Randy Daily, Community Development Director, displayed drawings showing different sizes of homes and accessory buildings on a lot and how the set-backs would be applied using the current zoning ordinances. He stated that if the set-backs are changed, then the property owners may lose the ability to have accessory buildings, such as future garages or sheds. Mr. Daily reported that up to a 1,000 square foot accessory building is allowed to be within one foot of the property line as long as the building doesn't take up more than 25% of the yard. Mr. Daily stated that he is recommending leaving the set-backs on the Woods property as they currently are and recording the

no-build easement to show the original property lines in case the property owner combines the two lots into one. Councilor Gibby stated that if they pass this resolution and made the property owners aware that accessory buildings were limited to the property line, then it would become their choice. Mr. Daily replied that the property owner may find themselves needing additional space for accessory buildings and they wouldn't have the ability to do it. Councilor Haws noted that the rear yard set-back used to be thirty feet and was changed to twenty-five feet and that most of the homeowners in the Woods, built their homes using the thirty foot set-back. Councilor Griffiths asked if there are any structures in the no-build zone. Mr. Daily replied that some of them have structures in the no-build zone. Councilor Jenkins stated that she did a fair amount of research and read through all the minutes and concurs with the position that staff is taking with this. She reported that the original motion said that folks were approved to purchase the property and had a nine month window to do so and now it appears to be open ended. She asked if the language could be cleaned up and put a limit on that open ended opportunity. Larry Hansen stated that there was a window of time to communicate the policy and stipulations on which this was made available but he didn't recall that the closings were to be accomplished in a time schedule. Mayor Burrows reported that he was on the Council when the original motion was made and his recollection was that there had to be a drop dead date as to the intent to either purchase the property or not. Councilor Jenkins stated that it is her feeling that three to four years is an adequate amount of time for them to know if they want to buy or not. She also stated that the sales price is not at all congruent with the real estate market today. Mr. Hansen discussed that the City originally made a financing consideration for these properties and interest rates have changed since then and perhaps that can also be addressed. **Mayor Burrows asked for consensus to bring back the discussed items for consideration as a future agenda item. Consensus was reached.**

Motion: Councilor Jenkins moved to follow the direction of staff for this evening and deny the Resolution that was prepared for them. Councilor Haws seconded the motion.

Call the Question

Roll Call Vote: Councilor Griffiths, No; Councilor Gibby, No; Councilor Haws, Yes; Councilor Jenkins, Yes; Councilor Peterson, Yes. The motion passed with three in favor and two opposed.

3. Consideration of Ordinance #675 adopting the Uniform Building Codes.

Randy Daily reported that the State of Utah requires the adoption of the new building codes and he is requesting that the Council approve this ordinance.

Motion: Councilor Haws moved to approve Ordinance #675 adopting current editions of the Building, Plumbing, Mechanical and Electrical Codes, providing a repealer, severability and an effective date. Councilor Gibby seconded the motion.

Call the Question

Roll Call Vote: Councilor Gibby, Yes; Councilor Haws, Yes; Councilor Jenkins, Yes; Councilor Peterson, Yes; Councilor Griffiths, Yes. The motion passed unanimously.

4. Discussion of Ordinance #676 adopting the International Fire Code.

Fire Chief, Doug Illum, reported that the State of Utah requires the adoption of the new fire codes and he is requesting that the Council approve this ordinance.

Motion: Councilor Haws moved to approve Ordinance #676 adopting the current edition of the

International Fire Code, providing a repealer, severability and an effective date. Councilor Gibby seconded the motion.

5. Consideration of Procedures for Conducting a Public Meeting on Proposed Business License Revocation.

City Attorney, Steve Brooks reported that he put together these Procedures to give all parties some idea of how the meeting will occur. Councilor Peterson asked if there is any type of resolution being worked out with these businesses. Mr. Brooks reported that he has not been approached by Riverdale Dinner and Bingo to work through a resolution, but he has been approached by Mr. Perrone and his attorney from the Skyline Internet Café to try to reach some type of resolution. Councilor Jenkins asked if there is enough time between now and January 30th to work through a resolution. Mr. Brooks replied that he doesn't believe so and feels that it would be difficult to hear both cases the same night. He stated that Mr. Perrone's request earlier tonight is legitimate and if negotiations broke down, their hearing could be scheduled either during or after a regular City Council meeting. He stated that the main purpose tonight is to approve these Procedures, then both parties can be notified.

Motion: Councilor Haws moved to adopt the Procedures for conducting a public meeting on proposed business license revocation. Councilor Peterson seconded the motion.

Councilor Peterson asked for clarification as to whether or not both revocation hearings will be heard on the same night. Mr. Brooks replied that they will use the Procedures on both but he is not saying that they are both going to be heard that night. Mayor Burrows reported that the Procedures state that the hearing could be set for another date. Councilor Jenkins asked if they would know before January 30, 2007 if they will be hearing from both businesses or just one. Mr. Brooks stated that if the decision needs to be made tonight, he would recommend only hearing one on January 30th. Mr. Hansen stated that they are planning on only hearing the one.

Call the Question

The motion passed unanimously.

H. Discretionary Items

None

I. Adjournment

With no further business to come before the Council at this time, Councilor Gibby moved to adjourn the meeting. Councilor Haws seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 7:06 p.m.

Attest:

Approved: February 6, 2007

Marilyn Hansen, City Recorder

Bruce Burrows, Mayor