

Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **April 4, 2006** at 6:00 pm at the Riverdale Civic Center, 4600 South Weber Drive.

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

Others Present: Lynn Moulding, Public Works Administrator
Randy Daily, Community Development Director
Jan Ukena, City Planner
Steve Brooks, City Attorney
Michelle Douglas, Deputy Recorder
John Noorlander Carla Noorlander Del Helm
Sheila Helm Lorin Parks Kent Hill
Joyce Hamilton Van Gilbert Toni Gilbert
Teleni Togisala Norma Miller Roy Miller
Don Artis Maria Artis Jo D'Ann Dance
Jim Dance Michele Sahleen Cherie Crezee
Elgin Charlsworth Madge Charlesworth Andy Spencer
Kim Thomas Marsha Vogrinec Terry Fausett
Mellody Fausett Ivan Ray Michelle Haggerty
Ruth Van Erden

Mayor Burrows called the meeting to order and welcomed all those present. He acknowledged that all members of the Council were present. He excused Mr. Hansen who is out of town at a conference in St. George.

Mayor Burrows offered the Pledge of Allegiance. Mayor Burrows then read a quote by Dr. Wernher von Braun who was an eminent space scientist and was involved in space exploration. Mayor Burrows went on to say that Dr. von Braun emigrated from Germany in 1945 and became a United States citizen on April 14, 1955. Dr. von Braun noted in this age of space flight, to advance into the human unfolding enables us to fly to the moon and also allows us to destroy our own planet; pray we are on God's side. Mayor Burrow's quote was followed by a Moment of Silence.

Open Communications

Mayor Burrows indicated he was aware many of those at the meeting were in attendance for a couple of different agenda items. He explained there was no public hearing at the meeting this evening. Mayor Burrows stated, having said that, we have this period of time for individuals to communicate with us. He went on to say, please bear in mind there have been public hearings and if you have already spoke at a public hearing, please do not speak again; we have read the minutes. Mayor Burrows said we would respectfully ask those that have not spoke, to keep your comments to three minutes. In addition, we do have a roll, and

Mayor Burrows asked that everyone would sign the roll so the City could keep an accurate record of who has been at the meeting this evening.

There were no public comments at this time.

Mayor's Report

Resolution No. 8-2006 - Declaring the Month of April 2006 as "Child Abuse Prevention Month" in Riverdale City

Mayor Burrows informed all those in attendance that he has a proposed Resolution for Riverdale City declaring the Month of April as Child Abuse Prevention Month. Mayor Burrows proceeded to read the Resolution.

Motion: Councilor Gibby moved to adopt Resolution No. 8-2006, Declaring the Month of April as "Child Abuse Prevention Month" in Riverdale City. Councilor Peterson seconded the motion.

Roll call vote: Councilor Peterson, Yes; Councilor Griffiths, Yes; Councilor, Gibby, Yes; Councilor Haws, Yes; and Councilor Jenkins, Yes. The motion passed unanimously.

Toll Road - Business Luncheon Topic

Mayor Burrows indicated he knows many of the residents are dealing with the closure of 300 West. He reported the City is hold a business luncheon on Wednesday, April 12, 2006, and 12 noon, to talk to businesses about validating tolls that shop at their store. He went on to say the City has talked to the owner of the toll road, and those that talked to them discussed the idea of a pass due to the closure of 300 West. He went on to say there are passes because of the 300 West closure; and if you mention the 300 west closure, they will authorize a discount.

Fire Damage Status Report

Mayor Burrows report on the fire damages to the City Civic Center, which occurred on March 22, 2006. Mayor Burrows explained a battery back up system for the City's computer system started the fire the City had two weeks ago. He indicated that the fire was contained to one room and the Fire Department responded quickly. Mayor Burrows went on to say the computer sever was still operational; however, the phones and computer were nonoperational for a couple of days. He reported the City is still trying to find out all the insurance information.

Recorder's Report

Community Developer's Director's Report - Approval process for liquor licenses

Community Development Director Randy Daily addressed the City Council. He explained currently the City Ordinance requires the City Council to review any and all approval of beer and liquor licenses. In addition, State law requires the Mayor, City Administrator, or City Attorney to sign off on the license. Mr. Daily inquired if the Council wanted to stay a part of the process under the City's current guidelines. He noted the current approval of beer and liquor licenses the City has are food-oriented licenses; such as, Chilies, Ruby River and soon to be TGI Fridays; they have alcohol but the main use is food.

Mayor Burrows pointed out these guidelines were put in place when the City had several taverns and standalone bars and now the City does not currently have any taverns or clubs.

Mr. Daily informed the Council when the approval of beer and liquor licenses comes back to the City each year, anyone that handles or manages alcohol goes through a background check; in addition, the City checks to make sure the businesses are having its employees go through the proper TIPS training.

Councilor Jenkins inquired if they have a "boondoggle" in the system; other than Staff's time in amending the ordinance. She suggested leaving the ordinance alone. Councilor Peterson concurred. He said it was nice to be made aware. **The consensus of the Council was to leave the approval process for liquor licenses as it is written.**

Consent Items

Approval of Minutes

Mayor Burrows reported the City Council has before them the minutes of the Work Session and Regular Meetings of March 22, 2006; he noted the Council was presented with some amendments before the meeting. An amendment on page 13, in reference to the lit sign, which would cost approximately \$9,600 not \$6,900; and an amendment on page 14; there is conduit under the road at Cozy Dale.

Motion: Councilor Gibby moved to approve the Common Consent items as amended. Councilor Jenkins seconded the motion. The motion passed unanimously.

Final Site Plan for Arby's located at 760 West Riverdale Road

City Planner Mrs. Jan Ukena addressed the Council regarding the final site plan for Arby's located at 760 West Riverdale Road. The site is located in a C-3 zone and consists of approximately .91 acres.

Mrs. Ukena presented the Council with the color pallet and rendition for the proposed Arby's, which will not have any painted surfaces. Mrs. Ukena informed the Council that Arby's has met all of the City's site development requirements.

Mrs. Ukena explained the City has a letter from UDOT for one access. In addition, the site has met the City's landscape requirements, which is at 24 percent. She went on to explain the hash line on the site plan is the possible Riverdale Road expansion area and none of Arby's trees, bushes or major landscaping will be planted in this particular area. She stated when the widening takes place, the site's landscaping ratio will still be over 20 percent.

Mrs. Ukena presented the seating plan, which would require the site to have 21 parking stalls. She pointed out that the site has exceeded the required parking and is proposing 50 parking stalls.

Discussion followed regarding a cross-access agreement with the adjacent property owner. Mrs. Ukena informed the Council that Arby's has gone back and forth with UDOT regarding

the cross-access agreement and there has been a lot of concern regarding this issue. She explained that UDOT wanted the cross-access agreement recorded at the County; however, UDOT agreed to take off recording off as one of their conditions but Arby's still shows it on their site plan and are agreeable to do such. She noted that language was added, which states it will not adversely affect their site.

Mrs. Ukena reported that the geotechnical report did come back, and the report, Soils Conditions, indicates that up to 4-feet of fill was encountered at the site and this fill is considered unsuitable for support of structures and should be removed from below foundations, pavements and concrete flatwork. In addition, excavations resulting from the removal of these materials (foundations and other demolition debris) should be backfilled with properly placed and compacted structural fill.

Mrs. Ukena introduced Mr. Andy Spencer, PEPG Engineering, L.L.C, Arby's representative.

Councilor Jenkins said in reviewing the information, the cross-access agreement would be put in place at the time the approximate or suitable location would be determined. She inquired who would be responsible for paying for such expenses. She acknowledged that the site's parking is adequate, but she was curious as to who would be responsible to pay for the cross-access. Mrs. Ukena explained it would be the party that would be expanding, and she believes Arby's is not opposed to the cross-access. Councilor Jenkins pointed out Arby's is being required to have the cross-access, and she would think it would be Arby's that would be paying for it. Mrs. Ukena said in her opinion, UDOT is playing a "bluff card", and she does not believe UDOT can require Arby's to provide the cross-access.

Councilor Jenkins inquired at what point the cross-access would be put in place. Mr. Spence informed the Council they discussed this issue, but they felt they had no timeline. They believed landscaping would look better than an access point.

Mayor Burrows stated he did not think financial responsibility is the point. He believes this body wants the access point.

Councilor Haws inquired about the road to the west of the site. Mrs. Ukena informed Councilor Haws that another party owns that road; it is a private road. Councilor Haws questioned if they were not able to work something out with that party. Mrs. Ukena explained the same person owns both parcels - the property to the east and the private road.

Councilor Peterson referred to the Planning Commission minutes dated November 22, 2005. He pointed out concern was expressed about the safety of a left-hand turn exiting the site. He inquired if that was investigated. Mrs. Ukena informed the Council the access point (ingress/egress) is the recommendation UDOT gave the City. She stated she concurred with Councilor Peterson; however, this is the solution that was presented to Arby's from UDOT.

Motion Councilor Haws moved to approve the final site plan for Arby's located at 760 West Riverdale Road. Councilor Peterson seconded the motion. The motion passed unanimously.

It was inquired what Arby's proposed building timeline is. Mr. Spencer informed the Council Arby's is on an 80 to 90 day timeline. They plan to move straight forward, and he believes they should be open sometime into the late summer.

Welcome to Riverdale City Signs

City Planner Mrs. Ukena addressed the Council regarding the Welcome to Riverdale Signs. She noted this is the same agenda items they discussed on March 22, 2006; however, Ms. Kim Thomas from YESCO is present to explain any questions or concerns the Council may have, which there were during the last meeting.

Mrs. Ukena recalled during the March 22, 2006, meeting, the Council has a majority consensus to move forward with two signs; a sign located on 300 West and a sign located in the Cozy Dale roundabout. It was inquired if both signs would be the same price. Ms. Thomas explained the sign on 300 West has nothing on the backside (no wording - "always welcome"). She explained on the proposal, it is for two (2) stones, which is the maximum price without being illuminated. If the City wants the signs to be illuminated, the price is \$8,900. She went on to explain if the City wants to add the lettering "always welcome", the price would be approximately \$9,800.

Councilor Griffiths inquired if the sign located at the Cozy Dale roundabout would limit the vision of drivers. Mr. Moulding said he would have to get the specifications of the signage and take it to the experts to have the evaluate it.

Discussion followed regarding the cost of the stones. Ms. Thomas explained the City would be getting two stones at a price of \$2,500 each. Councilor Jenkins questioned if the City would be able to do a sign now and another sign in August. Ms. Thomas said the individual providing the stones would not be able to drop below \$2,500. She explained the majority of the cost is transporting and installing the stones into the ground. Ms. Thomas said she did not think it would be a significant cost savings; however, she believes the individual would pass on the saving, but he would not guarantee a dollar amount on the savings.

Motion Councilor Gibby moved to approve the installation of the two signs, one on 300 West and one at the Cozy Dale roundabout, with the one on Cozy Dale to be illuminated. Councilor Haws seconded the motion.

Discussion followed regarding the motion. Councilor Jenkins inquired of Mr. Moulding regarding the sign on 300 West; are you envisioning going up 300 West and will there be street lighting around the sign? Mr. Moulding indicated to his knowledge the sign would be facing to the south and street lighting would illuminate it. Councilor Jenkins inquired where is it going to be with you envisioning it. Mr. Moulding said he thought it would look best in the center island and at that location the street lighting would adequately illuminate it. However, he has to admit the blue does look nice.

Amendment No. 1

Councilor Gibby moved to amend his motion to add that both signs would be illuminated. Councilor Haws seconded the amendment.

Discussion followed regarding the motion. Mr. Daily said he did not know if the Council wanted both signs to say "always welcome". He pointed out on 300 West, individuals are coming from Riverdale into Washington Terrace.

Councilor Haws inquired if an individual could turn left from 300 West onto Highland Drive. Mr. Moulding indicated they could. It would be right after that to the north where the island would start.

Councilor Jenkins stated for consistency, she believes the signs should be the same. Mayor Burrows added it doesn't mean people aren't always welcome.

Amendment No. 2

Councilor Gibby moved to amend his motion to add that both signs would have the lettering "always welcome". Councilor Haws seconded the amendment.

Discussion followed regarding the agenda item. Councilor Peterson indicated that he appreciated Staff's work on this item; however, in his mind this is not a priority.

Councilor Jenkins explained the City Council had a certain amount of money budgeted for this project, and the City will fall below that amount. She went on to say she would hope they would reserve that money for this purpose. She noted the sign by Carl's Jr. would not look like these signs. She inquired if the City could stain the concrete and put some flowerbeds around that sign.

Mayor Burrows explained that is a private sign. Furthermore, the City asked if they could beautify that area and do something with it and the State informed the City they would have to wait until the widening project for Riverdale Road until the City could do something with it.

Councilor Griffiths said he understands; Councilor Peterson and he were not on the City Council when some of these decisions were made. However, he can see what motivated the City Council and that was the Citizen's Questioner. He pointed out in the Citizen's Survey it was said that the residents wanted these types of signs. Councilor Peterson commented he did not see that. Councilor Griffiths said he believes he saw it in the 2004 survey. Mayor Burrows added it was the survey and the fact the City had some land donations.

Call the Question

Roll call vote: Councilor Griffiths, Yes; Councilor Gibby, Yes; Councilor Haws, Yes; Councilor Jenkins, Yes; and Councilor Peterson, No. The motion passed four votes in favor to one.

Public Meeting to review the application for a Planned Residential Unit Development (PRUD), the Peacock Ridge, located at approximately 5633 South 1200 West

City Planner Jan Ukena addressed the City Council regarding the application for a Planned Residential Unit Development (PRUD), Peacock Ridge, located at approximately 5633 South 1200 West. The proposed development is located in an R-2 zone, consists of approximately 9.14 acres and is proposing 28 units. Mrs. Ukena explained the petitioners are proposing to demolish one of the homes in the Craig-Dale Subdivision, Lot 67, in order to complete the access road. In addition, there are seven geotechnical reports for this proposed development.

Mrs. Ukena informed the Council the petitioners, Mr. Kent Hill and Mr. Lorin Parks, proposed the PRUD to the Planning Commission, which they held a public hearing on February 14, 2006, and held two subsequent public meetings prior to making a recommendation to the City Council.

Mrs. Ukena explained the City contacted the State, the Utah Geological Survey (UGS), to review the geological reports, and they reviewed them and sent the reports back with their recommendations.

Mrs. Ukena said the Planning Commission read everything; everything from the geotechnical reports to the citizens' information. She went on to say after the public hearing on February 14, 2006, the Planning Commission table the application and within the 30-day timeframe (March 14, 2006), the Planning Commission denied the application for the PRUD based on the findings of fact, which the City Council has.

Mrs. Ukena informed the City Council the Planning Commission denied the application based on the Planning Commission's motion, as follows:

Commissioner Hunt stated based on the evidence and information the Planning Commission has been presented and gone over and tried to weigh the pros and cons; the evidence is inconclusive. The hillside is unstable due to snowmelt and rainfall; he would move to recommend to deny the application for the Planned Residential Development Unit (PRUD) for Peacock Ridge. In addition, there are uncontrollable landslides, undocumented natural springs and water in the area shown by the existing trees and vegetation and uncontrollable natural soil saturations. Furthermore, I know the petitioners have the rights to develop the three lots they have but to develop this PRUD is not in the best interest of the City or its residents. Commissioner Miller seconded the motion.

She informed the Council that the motion passed unanimously.

Councilor Jenkins said in following the progression of the information, in Terracon's geotechnical report, she did not see the actual report and how the hillside was reconstructed. She question if the canal's pipe was encased in concrete and what the load bearing of the pipe would be at full capacity. Mrs. Ukena indicated that she was sure they had to follow stringent engineering specifications. Mr. Moulding informed the Council the pipe is not encased in concrete; it is aluminum.

Councilor Haws inquired if the Canal Company had to have approvals. Mr. Moulding explained they had to go through the State Engineering's Office; however, the City was involved.

Councilor Haws indicated there is a lot of information provided regarding this specific agenda item; he noted there are a lot of pages just in our packet; in addition there is a listing of additional information that the Council could come in and review in the Deputy Recorder's office. He explained he did not have a change to come in and review any of the additional information on file, and he would like to have an opportunity to review this information.

Councilor Haws went on to say in the Executive Summary it states "Discuss, review or deny"; however, the Council was not given any options for conditions. He questioned if there were any additional studies that might help in anyway that must be done to consider approval. He said he is leery to deny the application simply based on the Planning Commission's recommendation.

Councilor Haws said he did have an opportunity to attend the Planning Commission meetings, and he thought there were done very well. However, Councilor Haws said he still has the ultimate responsibility to make the decision, and he would like to know a little bit more than what has been presented.

Councilor Jenkins stated what is glaring to her is the seven geotechnical reports that do not agree one with another; she pointed out there is one piece of property, and she believes that warrants a glaring concern. She went on to say the developer has to be aware of that; the City is aware of the hazards in the area. In addition, we have to be prudent to look at every detail.

Discussion followed regarding the seven geotechnical reports. Mrs. Ukena explained one of the reports is Hill Air Force Base's (HAFB) report, which is a general report (not site specific) and another report is the Canal Company's report. The petitioner has provided three reports, and two reports are by the Utah Geological Survey (UGS). Mrs. Ukena asked the Council to keep in mind all the reports are not the same; they were not all hired by the same individual and none of the reports would guarantee the stability of the hillside.

Councilor Griffiths pointed out the reports are required to be stamped with an engineer's certificate. Mrs. Ukena said she did not read HAFB's report. The report is not for this specific part of property; it is for the entire area. Councilor Griffiths noted in doing a geotechnical report, an individual has to be trained in that type of engineering and has to have that training and stamp. Mrs. Ukena said in those reports, they had the appropriate certification.

Mrs. Ukena indicated the petitioners had two geotechnical engineers do their reports, which is in their favor. Councilor Griffiths indicated he has looked at past developments but the engineers did not have the appropriate certificates. Mrs. Ukena said she could speak for Mr. Barton, he does have the appropriate certificate. She noted if engineers are stamping

engineering for things they are not certified for; their licenses are on the line. However, she would be happy to look into each engineer's certification.

Councilor Gibby inquired if the soils in the area have been compared to South Weber. He went on to say historically, that has been the area where a home was taken out and where there have been slides. He questioned have we compared the soil types. Mrs. Ukena said she is not a geotechnical engineer. She went on to explain the City has the geotechnical land study, which Mike Lowe prepared in 1988 (Mike Lowe is the State Geologist) and it runs from Riverdale to the mouth of the Weber Canyon and it outlines the areas for possible slope failure. Mrs. Ukena said a soil study is something we can request. Councilor Gibby stated he is worried about the west side; he said it does not seem to be the soil but the water saturation. Mrs. Ukena indicated it is hard to say.

Motion: Councilor Gibby moved to table the application for a Planned Residential Unit Development (PRUD), the Peacock Ridge, located at approximately 5633 South 1200 West until the City Council has the opportunity to look at the application further and review it for more information. Councilor Haw seconded the motion.

Discussion followed regarding the motion. It was inquired if the Council could set a date as to when they would address the agenda item again; verify geotechnical information (stamped by certified professionals); soil type profiles; and provide the geotechnical reports to the City Council.

Mr. Daily informed the City Council there was not an alternate motion from the Planning Commission; they felt this was not even in the mix. He went on to say the reason to deny the application was not only the hillside; there are a lot of things that are inconclusive. Mr. Daily said you can engineer anything to make it work. In addition, the Canal Company said if they were to dig into the hillside, they would compromise the canal.

Mr. Daily said the Planning Commission went through this; however, it is open to what ever the Council wants to do and Staff will give you everything. Mrs. Ukena added the Planning Commission considered the Fire Department. She pointed out when the Fire Department responded to the Civic Center, there were four fire trucks. She went on to say on the proposed road for the PRUD, they only considered one fire truck and did not consider the water on the hillside from the fire hoses.

Mr. Daily questioned why the Council would want to belabor this item. He said Staff has looked at this petition from all angles and Staff concurs with the Planning Commission; they are comfortable with their recommendation. He inquired if they should prolong this or take the legal opinion they have been given and make a motion.

Councilor Peterson said he is not sure there is much more information the Council could get to make him more comfortable. He questioned in 10 to 20 years if homes slid, who would be responsible. He explained he has a friend that lives in Layton City, and this friend's home slid down a hillside. Councilor Peterson said the City had these many studies, and he is

comfortable with the information that has been provided, even summarized. Therefore, he would be speaking against the motion to table the agenda item.

Call to Question:

Roll call vote: Councilor Gibby, No; Councilor Haws, Yes; Councilor Jenkins, No; Councilor, Peterson, No; and Councilor Griffiths, No. The motion failed with one motion in favor to four opposed.

Motion Councilor Peterson moved to deny the application for a Planned Residential Unit Development (PRUD), the Peacock Ridge, located at approximately 5633 South 1200 West. Councilor Gibby seconded the motion.

Discussion followed regarding the motion. Councilor Haws stated he does not have a comfort level with all the information that has been provided. Councilor Griffiths indicated he looked at all the information, and he believes the City has a good Planning Commission and they did a good job. He went on to say he thinks he can make an appropriate vote.

Call the Question

Roll call vote: Councilor Haws, No; Councilor Jenkins, Yes; Councilor Peterson, Yes; Councilor Griffiths, Yes; and Councilor Gibby, Yes. The motion passed four votes in favor to one opposed.

Mayor Burrows commented that it was alluded to the fact that Mr. Hill and Mr. Parks have bent over backwards to make a safe development.

Ordinance No. 655 Amending Title 10, Chapter 9C, the R-2 Zone (all rentals have to be owner occupied); Title 10, Chapter 14, Section 12, Nonresidential Landscape Requirements (adding language); Title 10, Chapter 22 PRUD, deleting the chapter in its entirety; and Title 10, Chapter 28, Residential Landscaping (adding language)

§10-9C - Residential Zone - Article C. Single-Family and Single-Family with Rental Unit Residential Zone (R-2)

City Planner Mrs. Ukena addressed the Council regarding a small change in the City's R-2 zone. She explained, as of right now, the City allows two-family dwellings; however, they have to be under or over the primary residence. The rental unit can not be to the side.

Mrs. Ukena explained a few months ago, the Planning Commission had a request to convert a single-family dwelling into a duplex with two rental units and the Planning Commission denied it based on it not being owner occupied. She informed the Council the ordinance mentions it; however it is not clear-cut that it has to be owner-occupied. She noted we (Staff and the Planning Commission) decided that it needed to be better defined.

Mrs. Ukena pointed out in Ogden City and Salt Lake City, absentee property owners do not always take care of their properties and the majority of Riverdale City is zoned R-2. The Planning Commission felt single-family with rental units should be owner-occupied. However,

then a question came up regarding existing units and it was determined that existing units would be grandfather until the property was sold and any new owner must be a resident of one of the units.

Existing units will be exempt until the property is sold, or otherwise changes ownership, and then any new owner of such property must be a resident of one of the units.

Councilor Peterson clarified he would be able to make his basement a rental unit until he moved, and then he would not be able to market his home with a rental unit unless the new owner lived in the dwelling. He inquired how the City would be able to enforce this ordinance. Mrs. Ukena explained generally when the City starts getting non-owner occupied homes, you get weeds, garbage and multiple cars. She indicated this is a problem we are trying to take care of and it is harder when the owners do not live close by. Councilor Peterson inquired if this has an impact on renting a single-family dwelling. Mrs. Ukena indicated that it does not.

Councilor Haws noted that he lived in a home that would be classified as a single-family with rental unit and the owner lives in California. He went on to say the renter that was required to keep up the yard did so. However, he can understand what Staff is talking about, but he thinks it can be done in a manner that is conducive.

Councilor Haws said what Staff is doing is not changing the ordinance but clarifying it. He pointed out what the current ordinance says is "single rental unit located within, underneath or above the primary single-family dwelling unit." To him, you would assume the primary single-family dwelling unit would mean the owner.

Councilor Peterson clarified if the owner is not currently occupying the dwelling, they can continue to not occupy the dwelling until the dwelling is sold and then at that point, it would have to be occupied by the owner. Mrs. Ukena indicated that is correct.

Councilor Jenkins pointed out Riverdale City is unique with the over/under "duplex style" in the typical R-2 zone and to state testing standards in the real estate world. She inquired if the City's Health and Sanitation Ordinance would address these issues. She noted that Councilor Haws lived in this standard and it was favorable to him. She questioned by doing this amendment, would it create another policing concern and another layer. Mrs. Ukena indicated in other cities with the policing, the courts, etc it would be easier to do it this way. With these amendments, they are just trying to protect the single-family residential neighborhoods.

Councilor Griffiths indicated when property owners live in California, the walkways don't get cleaned off, the yards and shrubs are not taken care off and eventually the properties become boarded up. He went on to say with the Health and Sanitation Ordinance and the two tiers he believes it is clarification.

Motion Councilor Griffiths moved to adopt the amendments to §10-9C-3, Single-Family and Single-Family with Rental Unit Residential Zone (R-2) - Conditional Uses as proposed. Councilor Peterson seconded the motion. The motion passed unanimously.

Chapter 22 Planned Residential Unit Developments (PRUD)

Mrs. Ukena informed the Council what they are proposing to do is to delete the Planned Residential Unit Developments (PRUD) Ordinance in its entirety and rewrite the ordinance. She went on to explain she wants to rewrite it so the roads and utilities are to City standards. Mrs. Ukena noted the homeowner's associations cannot afford to replace roads and utilities.

Mrs. Ukena pointed out Riverdale City is not the only city that is deleting its PRUD Ordinance; a lot of cities are doing it as well. She went on to say when she rewrites the ordinance; she believes the areas should be on smaller parcels; not in locations that contain 16 acres. She explained if an area were really small, the roads could be smaller but they would still be built to City standards and the utilities would always have to be to City standards.

Motion Councilor Jenkins moved to rescind Title 10, Chapter 22, Planned Residential Unit Developments (PRUD) Ordinance in its entirety and leave Chapter 22 open to rewrite a new PRUD Ordinance.

Councilor Jenkins inquired if there were a timeline to see a new PRUD Ordinance. Mrs. Ukena indicated she would put it on her list. Mr. Daily indicated if you have a PRUD with four homes, it does not work the way it should. He commented no one likes them except the builders. He went on to say if you get a small PRUD, you don't have enough money in the association to take care of it. Mr. Daily said he can think of one good location for a PRUD and that would be the "Hostler" property. Councilor Jenkins referred to the General Plan; it indicates if the Motor-Vu drive-in goes away, it would be a good location for a PRUD. She said she does not think it would hurt to have an ordinance on the books.

Motion Councilor Jenkins moved to rescind Title 10, Chapter 22, Planned Residential Unit Developments (PRUD) Ordinance in its entirety and the Planning Commission will review the new PRUD Ordinance within 30 days. Councilor Gibby seconded the motion.

Discussion followed regarding the motion. Councilor Peterson inquired why they would want to rescind the PRUD Ordinance. Councilor Jenkins explained if the Council rescinds the ordinance, it would mean anyone that would want to submit an application for a PURD to use it the way they don't like it, could not.

Call the Question

The motion passed unanimously

Title 10, Chapter 14, Section 12, Nonresidential Landscape Requirements and Chapter 28, Residential Landscaping

Mrs. Ukena recalled the last time the City Council reviewed these amendments, it was thought the public notification was not correct because it was noticed as nonresidential and did not include the residential requirements and the Council wanted to see the additional residential requirements placed in both the nonresidential and the residential chapter, Chapter 28. In addition, some definitions were needed for xeroscape and hardscape, and those definitions have been added per the Council's instructions.

Discussion followed regarding §10-14-12 (A) Refurbished Existing Developments: The refurbishing of any existing development that, in any manner whatsoever, is expanding or reducing or otherwise changing a building footprint, structure or parking lot, shall provide new landscaping equal to twenty percent (20%) of the new footprint of the expanded or reduced development area.

It was inquired if the Planning Commission took into consideration the widening of Riverdale Road; the widening will change all the parking lots. Mr. Daily said it is something that will be imposed by UDOT, not by the property owner. Mrs. Ukena concurred, that is how she viewed it.

It was noted that the definition of refurbish would not apply to a third party. Councilor Jenkins questioned if they needed to better define that statement. Mr. Brooks stated they did not look at that; however, he believes they should define it. The wording "owner initiated" and strike the word "The" at the beginning of the sentence was suggested.

Reference was made to the Chapter 28, §10-28-5 (H), the residential landscaping ordinance, which indicates an appropriate irrigation system is required. Mr. Daily informed the Council if a resident has a hose and a hose bib and has the ability to keep the landscaping alive, the intent is covered.

Councilor Haws indicated his problem with the residential section is they are not being consistent with the two (the nonresidential and the residential). The residential ordinance specifies the City will not give a certificate of occupancy (C/O) until the landscaping is installed. He said normally, based on the time of year, a resident does not have the ability to install their landscaping. Mrs. Ukena pointed out in §10-28-5 (H), it gave home owners the option to have an escrow agreement between November 1 and March 31 with a temporary C/O. She said this would encourage a homeowner to put their yards in. Mrs. Ukena acknowledged with a home it is hard; however, with a business it is easier and it does place a burden on us. Councilor Haws pointed out when an individual is building a new home, they are depending on the contractor to get them in the house. Mayor Burrows indicated there has to be something to get it in.

Councilor Peterson said he was on the Council when Chapter 28 was adopted. He indicated giving a home owner six months or additional time in the winter seems to cover the problem. Mrs. Ukena informed the Council when the Planning Commission discussed the idea, there

were a few of the Commission members that hated the idea; however, it is a requirement in a lot of the cities that the sprinklers and landscaping is installed when the home is finished prior to a C/O being issued and then homeowners can go back and redo whatever they want.

Councilor Haws pointed out when the residential landscaping ordinance was first adopted, it did not say it the yard had to be put in before final approval. He said as far as timeframe, he felt 12 months would be appropriate. Councilor Gibby concurred. He noted he would rather see a timeframe than withholding the C/O.

Mrs. Ukena asked the Council to keep in mind it would not be the owner; it would be the contractor. She went on to say, the contractor would want their money and they will be diligent. Councilor Jenkins said maybe the owners would want their sweat equity. Mrs. Ukena informed the Council what she is trying to prevent is the neighbors having to look at yards that are not installed for three years or longer. Councilor Peterson noted maybe a resident would not want a yard that is quickly installed; maybe they would want a yard that is nicely installed.

Councilor Gibby said he has watched contractors install sod without any top soil. Councilor Griffiths added when a developers buys the land, they scrape off all the top soil and remove it. With this amendment, they might keep the top soil there and utilize it instead of selling it off.

Councilor Jenkins indicated that they should let Mr. Daily's department enforce the ordinance without being tied to a specific date. She believed it still served everyone's purpose

Motion Councilor Jenkins moved to amend §10-28-5 (H), by striking between November 1 to March 31 and put in its place but not to exceed 12 months (one-year). Councilor Peterson seconded the motion. The motion passed unanimously.

Mayor Burrows indicated the Council never acted on the amendment to §10-14-12 (A) Refurbished Existing Developments.

Motion Councilor Gibby moved to amend §10-14-12 (A), Refurbished Existing Developments to read "Any owner initiated refurbishing of any existing development..." Councilor Peterson seconded the motion. The motion passed unanimously.

Motion Councilor Gibby moved to adopt Ordinance No. 655 amending Title 10, Chapter 9, Article C, R-2 Zone, Chapter 14, Section 12, Nonresidential Landscape Requirements, Chapter 22, PRUD Ordinance, and Chapter 28, Residential Landscaping as amended. Councilor Haws seconded the motion.

Roll call vote: Councilor Jenkins, Yes; Councilor Peterson, Yes; Councilor Griffiths, Yes, Councilor Gibby, Yes; and Councilor Haws, Yes. The motion passed unanimously.

Ordinance No. 656 Amending Title 9, Chapter 2, adopting the current edition of the 2005 National Electrical Code

Community Development Director Randy Daily informed the Council the proposed amendment to Title 9, Chapter 2, Electric Code, is a statewide, mandatory adoption of the 2005 National Electrical Code.

Motion Councilor Haws moved to adopt Ordinance No. 656 amending Title 9, Chapter 2 in order to adopt and reference the 2005 Edition of the National Electrical Code. Councilor Peterson seconded the motion.

Roll call vote: Councilor Peterson, Yes; Councilor Griffiths, Yes, Councilor Gibby, Yes; Councilor Haws, Yes; and Councilor Jenkins. The motion Passed unanimously.

The Council took a break from 8:17 p.m. to 8:25 p.m.

Councilor Peterson was excused from the meeting at approximately 8:20 due to a family emergency and would return if possible.

Adoption of job description and pay range for Facilities Maintenance Worker and amendments of Parks Worker job description

Building and Grounds Maintenance Specialist

Public Work's Director Lynn Moulding addressed the Council regarding the proposed job description for the Building and Grounds Maintenance Specialist. He informed the Council he worked with Ms. Comeau, and they got the job description off the technet system and put it into the City's system.

Councilor Griffiths pointed out under Special Qualifications, it indicates it may be required to possess a valid Commercial Drivers License (CDL), which would be a "Class B". He suggested that it be more specific. He indicated the items the individual may be handling may be hazardous chemical and if they are handling those items, he would suggest the license be a "Class X" license. In addition, it says the individual must possess a valid driver's license; he suggested it be a valid Utah driver's license.

Councilor Haws stated he knows that Councilor Jenkins had some issues with this particular agenda item, and he thought she should be present for the discussion. He inquired if the Council would be discussing the job descriptions and pay range separately. It was indicated the two are separate items.

Councilor Haws said he had an issue of whether we or I have an understanding of what Mr. Hansen said about departments working diligently to utilize people correctly. He explained he did a calculation as far as if the City took the current salaries, wages and benefits with a three percent (3%) growth. He said in the next three years, the City would be paying a half-million dollars more for that year and that is just that year. He said he wondered how long that job would exist, and that is why he is concerned about filling this position with a full-time employee. He went on to say he would not feel good about filling the position now and a year later letting the individual go.

Councilor Griffiths said along with that, would this position and job save a half-million dollars. He questioned would the duties and labor save the City money and be a benefit. Mr. Moulding indicated he did not think they would save a half-million dollars, but they would save the City money and it would get thing done correctly and promptly.

Mayor Burrows stated we are talking about two of the most conservative people in the City - Mr. Moulding and Mr. Hansen. He went on to say Mr. Moulding has run right on the edge for so long, and he does not believe you can ask him to do this for any longer; he is fiscally responsible.

Councilor Jenkins states I totally respect the comments you are making. However, the City has a totally non-inflationary budget for the next seven years. She went on to say, as we discussed in our previous meeting, we had a position that did communications, newsletter and maintenance. Mayor Burrows pointed out that Mr. Moulding is short a part-time employee in the Parks division.

Councilor Jenkins said the full-time ramifications are very frightening and as the City's costs go up, she questioned where the City's added values were as their costs go up. She pointed out the City is dealing with a different animal than what Riverdale City is not use to dealing with and the City does not have a feel of what they are dealing with. Mr. Moulding indicated he is not adding an employee; he is just filling a vacancy since the beginning of the year.

Councilor Haws acknowledged Mr. Moulding is doing what needs to be done for things to be accomplished and it is an excellent proposal. However, he would prefer a part-time employee or a seasonal worker until they could examine the full ramifications.

Councilor Griffiths said there is so much value in having a full-time employee. If there is an emergency and you have a full-time employee, they know the job and they can respond to an emergency. He went on to say, the other thing he looks at, you have Police and Fire; and he believes Public Works has been short changed. The position has been vacant; the job description needs to be updated, which it has, and I would approve it.

Councilor Gibby indicated I think you can be very short sided. If the City keeps these assets, keeps them from deteriorating, and keeps them maintained, they do well. He said he realizes the City has some constraints; however, the City should proceed with this proposal.

Councilor Jenkins said we should not cut or neglect anything. She went on to say if Mr. Moulding was operating with one or two full-time employees, I would agree with Councilor Griffiths; however, Mr. Moulding has a full crew of employees. Councilor Jenkins inquired if they could look at what some of the costs and numbers would be first. She recalled when she mentioned cutting benefits; Chief Hoaldridge came unglued in Strategic Planning and said no, his employees would rather go without something else. Councilor Jenkins said she is not saying "no"; she is saying if something else makes sense, let's evaluate it that but if nothing else makes sense, then let's proceed with this proposal.

Motion Councilor Gibby moved to approve the job description for Building and Grounds Maintenance Specialist as amended. Councilor Griffiths seconded the motion.

Roll call vote. Councilor Griffiths, Yes; Councilor Gibby, Yes; Councilor Haws, No; and Councilor Jenkins, No. The motion was two votes in favor to two votes opposed. Mayor Burrows voted in favor of the motion. The motion carried with three votes in favor and two votes opposed.

Parks Crew Leader

Public Work's Director Lynn Moulding addressed the Council regarding the amended job description for the Parks Crew Leader.

Councilor Jenkins inquired if there was an error in the date the job descriptions were amended. The Parks Crew Leader was amended 04/06 and the Building and Grounds Maintenance Specialist's effective date is 03/06. Mr. Moulding indicated there was no error; that is when the job descriptions were prepared. Councilor Jenkins inquired if the job description for Building and Grounds Maintenance Specialist was prepared in March, why Mr. Moulding did not bring it to the previous meeting.

It was inquired if there is an actual certification for maintaining playground equipment. Mr. Moulding explained that there is not a certification; however, there is a manual for playground equipment and the City will probably adopt the manual. He explained it is very thorough. He went on to say URMMA does not have any issues, and they are aware of the situation. He noted the City just gets its employees as much training as possible. In addition, URRMA requires the City to have monthly inspections, and they come and make sure the City is in compliance.

Motion Councilor Gibby moved to approve the job description for Parks Crew Leader as presented. Councilor Griffiths seconded the motion.

Roll call vote: Councilor Gibby, Yes; Councilor Haws, No; Councilor Jenkins, No; and Councilor Griffiths, Yes. The motion was two votes in favor to two votes opposed. Mayor Burrows voted in favor of the motion. The motion carried with three votes in favor and two votes opposed.

Compensation Chart

Public Work's Director Lynn Moulding addressed the Council regarding the amended compensation chart for the Building and Grounds Maintenance Specialist and Parks Crew Leader.

Councilor Haws inquired if Mr. Moulding thought he would get an individual at the low-end of the pay range (compensation chart). Mr. Moulding indicated he was hoping to get someone at the low-end; however, if he hired someone that has more skills and can do things that warrant a higher pay, then he could pay an individual at a higher rate.

Councilor Griffiths clarified the Council is approving the pay range and if an individual has the skills, they could be paid within the range. Mr. Moulding indicated that is correct.

Councilor Haws inquired if Mr. Moulding would advertise the job with the entire pay range. Mr. Moulding indicated that he would; he always does.

Motion: Councilor Gibby moved to approve the amended Public Works Compensation Chart with the additions of Building and Grounds Maintenance Specialist and Parks Crew Leader. Councilor Griffiths seconded the motion.

Roll call vote: Councilor Haws, No; Councilor Jenkins, No; Councilor Griffiths, Yes; and Councilor Gibby, Yes. The motion was two votes in favor to two votes opposed. Mayor Burrows voted in favor of the motion. The motion carried with three votes in favor and two votes opposed.

Payment method for Weber Basin Water contract charges for FY 2007

Public Works Director Lynn Moulding addressed the Council regarding the payment method they would like to utilize for Weber Basin Water contract charges for FY 2007. Mr. Moulding explained the City is charged for two different charges. He noted anyone that is in the district is charged for a particular charge and the City decides if they want to pay for that charge or if they want to have it assessed against its citizens as a levy. Mr. Moulding indicated the amount is approximately \$154,000. He noted in 1999, the amount per resident was \$14.74 from an old property tax assessment he found for his property.

It was inquired what the mill rate was. Mr. Moulding indicated the mill rate was 000195.

Mr. Moulding informed the Council most of the cities, other than Ogden City, have chosen to pay this fee. Councilor Haws indicated he thought the fee was paid out of the General Fund but it is not, it comes out of the Enterprise fund. He went on to say he does not recall the City raising its rates instead of paying it as a tax.

Mr. Moulding explained the City has rarely raised its water rates. He explained the City did not raise the rates; the City modified the structure.

Councilor Jenkins said this would be another thing that would appear on the resident's tax notice. She pointed out the 911 tax will now appear on the resident's tax notice. She went on to say it is disturbing to her that they keep adding items to everyone's tax notice.

Councilor Gibby inquired if the City added a dollar a month to everyone's water bill would the City recoup its cost. Mr. Moulding informed the Council the City has paid for it the last couple of years and it has come out one way or another. He explained that businesses utilized more, so they would pay more.

Councilor Peterson returned to the Council meeting at approximately 9:00 p.m.

Mr. Moulding explained the City has contracted for more water, and he cannot think of a year that it was less than \$100,000. Councilor Griffiths inquired when Weber Basin would inform the City what the amount would be. Councilor Haws indicated the mill rate is supposed to come out when the cities do their budgets; however, it never does.

Motion Councilor Gibby moved for the City to look at its rate structure and cover the Weber Basin Water contract charges for FY 2007 in the City's rate structure and for Staff to come back to the Council with how it finalizes. Councilor Griffiths seconded the motion.

Discussion followed regarding the motion. Councilor Haws pointed out these charges are currently being paid out of the Enterprise Fund. He clarified that Mr. Moulding is not asking the Council to pay for it or put the charges on the tax roles. It was indicated that the Enterprise Fund is sufficient to pay for the charges; however, the Council is talking about "key needs", and looking at the rate structure to make sure it covers the charges and to make sure it covers the City needs. Councilor Haws clarified that would be taken care of during the regular budget process to make sure the Enterprise Fund is sufficient.

Councilor Jenkins indicated the Council is looking at the "health" of the Enterprise Fund. Mr. Moulding said the question is, do we want to continue paying it, and we are going to look at the fee structure to ensure it is healthy. He referred to the paperwork from Weber Basin Water, and he said, the City is going to check the first box, which indicates the City is going to pay the amount due January 2007.

Councilor Peterson said he believes it is less of a tax burden than to tax each resident separately.

Call the Question

The motion passed unanimously.

Status report of the 550 West property acquisition

City Attorney Steve Brooks brought the City Council up-to-date regarding the 550 West acquisition. He informed the Council he received a phone call from the appraiser, and he is expecting another call. He went on to say he had a meeting with The Boyer Company, and he is working on the necessary paperwork. He noted that everything is in the works; it just takes time.

Mr. Brooks reported that the property owner has been very friendly; however, they have not discussed any numbers as of yet.

Resolution 9-2006 providing for the change of the name of the Safety Committee to the Risk Management Committee

City Attorney Steve Brooks addressed the City Council regarding the proposed Resolution to change the name of the Safety Committee to Risk Management Committee. He noted the issue to change the name came up some time ago, and they still have the intent to change some assignments and duties. However, there was a concern to change the name and the proposed Resolution addresses the name change but there will still be some more amendments and updates required.

Motion Councilor Haws moved to adopt Resolution No. 9-2006 providing for the change of the name of the Safety Committee to the Risk Management Committee. Councilor Gibby seconded the motion.

Roll call vote: Councilor Griffiths, Yes; Councilor Gibby, Yes; Councilor Haws, Yes; Councilor, Jenkins, Yes; and Councilor Peterson. The motion passed unanimously.

Proposed property purchase by Mr. Kent Eskelson

City Attorney Steven Brooks addressed the Council regarding Mr. Kent Eskelson's proposal to purchase city-owned property behind his dwelling. Mr. Brooks informed the Council this proposal has been going on for some time, and he told Mr. Eskelson this is his proposal; and he would not ask for it on his behalf. He went on to say Mr. Moulding has met with Mr. Eskelson as well, and his involvement has primarily been with the "Woods Property". He noted there has been problems with the kayakers; problems such as, changing their clothing and urinating in the area.

Mr. Brooks referred to a letter provided by Mary Tullis, State of Utah, Natural Resources. Mr. Brooks read a portion of the letter, which states:

In order to protect the recreation estate and the State's investment, if the City determines that the proposed sale is the best option, then the property should be sold for at least fair market value and proceeds should be reinvested in improvements of the remaining property. Perhaps proceeds could be used to help defray the cost of installing a toilet at the parking area.

Mr. Brooks said he understood that to mean they had no objections to the sale as long as the City put the money back into the Riverway Enhancement Program.

Public Works Director Lynn Moulding referred to the Eskelson's dwelling on a presented map and an adjacent driveway that goes back into the adjacent area.

Mr. Moulding explained originally Mr. Eskelson wanted to purchase 17 feet behind his home; then he came in with a request to purchase 30 feet. However, now it has changed again, and now he wants to purchase 50 feet.

Discussion followed regarding the proposed parking lot for the kayak park. Mr. Moulding present proposal one for the parking lot, which is to the east of the Eskelson's dwelling. Mr. Moulding present proposal two for the parking lot, which is a layout coming off the road (600 West) heading south of the Eskelson's dwelling. He explained proposal two would not go with Mr. Eskelson's request of 50 feet.

Mr. Moulding presented the Council with photos of the Eskelson's parcel and the surrounding area. He said they could remove some of the trees and put the road in and have a 24-foot road. Mayor Burrows inquired if that proposal has not always been a part of the Master Road Plan.

Mr. Moulding explained the other property owner in the area has a driveway off City property, which is the original Master Road Plan. Mayor Burrows indicated he believes the road should be where the road was intended to be.

Councilor Jenkins inquired if Mr. Moulding knows what the floodplain elevations are in that area. Mr. Moulding indicated he is not sure what the elevations are.

Councilor Griffiths pointed out if Mr. Eskelson took 30 feet and not 50 feet, he should still be okay. Mr. Moulding suggested if the City gave him 50 feet and took a portion of the front corner off; it would still work as well.

Councilor Gibby expressed concern the one thing it does, is put the public right behind his house.

Councilor Jenkins noted the contract for the 17-foot by 140-foot piece of property falls into the railroad property; she inquired what the City would do to tie the railroad property in with the gifted property. She pointed out that Mr. Eskelson would not be able to build on the 30-foot by 95-foot parcel of property. She inquired what the City would require. She went on to say the Eskelson's have a large upper deck, and she does not think it's about "their problem." She believes it's about more property. Mr. Moulding informed the Council Mr. Eskelson said he wanted to build a garage.

Mayor Burrows inquired if they could extend the 90-feet out. Mr. Brooks questioned if the Mayor was suggesting extending the property out into the railroad property 17-feet back. It was noted that Mr. Eskelson would still not be able to build on the property. Mayor Burrows said it would be one contiguous piece if part of the railroad property came over from the railroad. Mr. Moulding indicated the City could sell two parcels, one with restrictions and one without restrictions.

Councilor Gibby questioned if there are uses the City could make of the property; he inquired if there are sufficient uses for the property. In addition, Councilor Gibby indicated that Mr. Eskelson should have property rights of the property, and he wondered if Mr. Eskelson even knows the property is in the floodplain. He thought Mr. Eskelson should look into that.

Councilor Peterson inquired if anyone knows what the value of the property is. Mr. Brooks informed the Council the City is selling the railroad property at .50 per acre. Councilor Peterson indicated the property in question could be utilized to help develop the kayak area.

Mayor Burrows indicated with the property being in a floodplain and the restriction on the property, he doesn't even know if the City would send an appraiser out there to obtain a fair market value. Councilor Gibby indicated that he believes the Council needs to get more information before they make a decision and get some type of fair market value without an appraisal.

Councilor Jenkins indicated this was gifted property to the City for beatification purposes and now the City is finding all kinds of caveats and this person just wants to build a garage. She questioned if the City was just further complicating things.

Mr. Brooks explained to the Council he deals with the sell of the railroad property and he is dealing with this one as well. He went on to say he is trying to keep them separate. Mr. Brooks informed the Council he is not comfortable with restrictions on property; the courts frowns on restrictions on properties.

Mayor Burrows inquired if either Mr. Brooks or Mr. Moulding has heard Mr. Eskelson say Mr. Geilmann said he could purchase the property. Mayor Burrows assigned Mr. Brooks to call Mr. Geilmann and asked him if he indeed told Mr. Eskelson he could purchase the property.

Councilor Griffiths pointed out if Mr. Eskelson cannot build a garage, this might not be an issue. Councilor Haws said he agreed he did not want a full-blown appraisal; however, he would like to get a close estimate.

Councilor Peterson pointed out the property is unimproved; he did not believe the fair market value would be very high. If anything, it would just increase the value of adding it to his existing lot.

Mayor Burrows suggested they could get with the County Appraiser's Office and inquire about the market value.

Councilor Jenkins expressed it would not be fair to sell the property to the Eskelson's. She noted that he should be allowed to develop the property and if he cannot develop the property, the City should not charge him full-market value. In addition, she believes there are a lot of other issues pertaining to this item.

It was noted that the item should be brought back with the items that are unclear and it is prudent the Council find those things out. In addition, it is important the Council has a good idea where the road alignment would be.

Appointment of the members to the Community Center Steering Committee

Mayor Burrows indicated that each Council member had the opportunity to turn in two names by the end of March so they would have a good idea of what they want to do when they go through the budget process. Mayor Burrows asked each Council member to have their names by April 18, 2006.

It was noted some Council member were having a hard time finding members of the community that were willing to serve on the steering committee. Councilor Jenkins indicated she looked in the area she lives; however, if someone is having trouble coming up with a name, she would be happy to suggest individuals that live in the East-Bench Area of the City.

Mayor Burrows added he would like to involve two members of the Youth Government, Start Smart and the Adult Program.

Mayor Burrows noted the appointment of the members of the community Center Steering Committee would be continued to April 18, 2006.

Appointment of the City Recorder

Mayor Burrows stated the name he would like to propose for City Recorder is Marilyn Hansen. He informed the Council Ms. Hansen works for the City of North Las Vegas, and he proceeded to read her biography.

Motion Councilor Gibby moved to ratify the appointment of Marilyn Hansen as City Recorder. Councilor Griffiths seconded the motion.

Discussion followed regarding the motion. Councilor Haws indicated he thought the City had a good group of candidates; however, he believes the process might have restricted the pool or potential candidates and that is why he would be voting no.

Call the Question

Roll call vote: Councilor Gibby, Yes; Councilor Haws, No; Councilor Jenkins, No; Councilor Peterson, Yes; and Councilor Griffiths, Yes. The motion passed with three votes in favor to two votes opposed.

Discretionary Business

Councilor Haws asked Mr. Moulding when they were going to fix the entrance by Subway. Mr. Moulding explained when they demolished the existing buildings in the area, they had to disconnect the sewer and fire line, and they had to tear apart the entrance. Councilor Haws suggested if it is not repaired with a hard surface, they at least try to fix it.

Councilor Peterson referred to the publishing of the City's agendas. He pointed out the publishing of the City's agendas seem to be out of order. Ms. Douglas informed Councilor Peterson the agendas are faxed to the Standard Examiner; however, the Standard Examiner is at liberty to print all of the agenda or only portions of the agenda, which is what they seem to do most of the time. In addition, they publish the agenda in the paper whenever they want. She went on to explain the agenda for this evening's meeting was published in Sunday's paper (April 2, 2006).

With no further business to come before the Council at this time, Councilor Peterson moved to adjourn the meeting. Councilor Jenkins seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 10:00 p.m.

Attest:

Approved: April 18 2006

Michelle Douglas, Deputy Recorder

Bruce Burrows, Mayor