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Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **May 16, 2006** at 6:00 pm at the Riverdale Civic Center, 4600 South Weber Drive.

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

Members Excused: Gary Griffiths, Councilor

Others Present: Larry Hansen, Chief Administrative Officer; Randy Daily, Community Development Director; Stevin Brooks, City Attorney; Lynn Fortie, Business Administrator; Marilyn Hansen, City Recorder; other city staff and approximately 5 citizens.

#### **A. Welcome & Roll Call**

Mayor Burrows called the meeting to order and welcomed all those present. He acknowledged that all members of the Council were present except Garry Griffiths who is out of town and has asked to be excused.

#### **B. Pledge of Allegiance**

Councilor Haws offered the Pledge of Allegiance. Mayor Burrows gave a quote from George Washington.

#### **C. Moment of Silence**

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

#### **D. Information Items**

##### **1. Open Communications**

Vener DeFriez, a new resident from Riverdale, requested a variance for their fence. Ms. DeFriez distributed pictures of the fence to the Councilmembers. She stated that they were completely unaware of the fence ordinance and built their fence following their neighbor's fence. They were not made aware of the ordinance until the posts were put in concrete and the mowing strip had been poured. After they found out about the ordinance, they drove around and didn't think the fence blocked the street any more than the house did. She stated that the fence drops down to 3 feet about 35 feet from corner. She requested that if the Council didn't want to give them a variance, they are hopeful the Council and fencing contractor will compromise with them on a solution to allow them to move the fence back 8 feet in back and 6 feet in front, (one panel). That would preserve the retaining wall and the gate. They would then replace the walls and re-pour the cement pouring strip. The fencing company would finish the project for the original price.

**a. Weber School District 2006 Bond Election Presentation – Nate Taggart**

Mayor Burrows reported that the petitioner for the Weber County School District presentation has requested that they be placed on the June 6, 2006 City Council agenda.

**2. Mayor’s Report**

Mayor Burrows reported that he has received positive comments, including a letter from businesses, concerning the Annual Business Golf Tournament and thanking the City for hosting it.

**a. Consideration of Proclamation declaring May 21-27, 2006 as Christian Heritage School Week in Riverdale City.**

Mayor Burrows read the proclamation, proclaiming the week of May 21-27, 2006, as Christian Heritage School Week in Riverdale. He discussed that the school has a good relationship with the city and noted that there will be a golf tournament and luncheon sponsored by the Christian Heritage School on Monday, May 22, 2006.

**3. City Administrators Report**

**a. Department Information**

Mr. Hansen reported that the monthly report for April was included in the Council packet. He noted the Code Enforcement report has been included in the monthly report and that we are getting a lot of good voluntary compliance from our citizens.

**1. Justice Court Status Report – Judge Michelle Heward**

Judge Heward introduced herself and gave an update on the status of the Justice Court. She stated that she has been the judge since July, 2005 and officially since last fall. She is a professor of Criminal Justice at Weber State University and a lifelong resident of Weber County. She reported that the number of criminal and traffic cases are comparable to last year, but that the generated revenue is up significantly. If the trend continues, revenues will be up \$100,000 over last year. She noted that the State gets a substantial portion of that revenue. Judge Heward stated that they hold court on Mondays at 2 pm and Thursday at 9 am, making court more accessible to the citizens.

Judge Heward reported that they hold the Riverdale Substance Abuse Court on Thursdays. This specialized court is currently only one of two such courts north of Salt Lake City. DUI offenders and those with other substance abuse problems and may be eligible for the program which includes 12-18 months of intensive treatment and supervision by the court. If the offender successfully completes the program their charge is dismissed. She noted that there are currently 23 people in the RSAC program with 3 set to graduate on June 8<sup>th</sup>. Judge Heward stated that the court is an important part of Riverdale City and she and her employees work hard to ensure people are being treated with dignity and respect. Judge Heward suggested that she give the council an update on the courts quarterly.

**b. Employee Recognition**

Mr. Hansen recognized the following employees who have anniversaries in May.

Vicky Barrett	21 years of service
Shawn Douglas	15 years of service
Bonnie Jones	8 years of service
Tracy Bessinger	8 years of service
Sheila Mitchell	6 years of service
Ilean Jensen	1 year of service

Mayor Burrows and Mr. Hansen presented Shawn Douglas with a certificate of appreciation for his 15 years of service.

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

**E. Consent Items**

1. Consideration of the December 20, 2005 Regular City Council, April 25, 2006 Joint Planning Commission and City Council Work Session, May 2, 2006 Council Work Session and May 2, 2006 Regular City Council meeting minutes.

Mayor Burrows reported the City Council has before them the minutes of the December 20, 2005 Regular City Council, April 25, 2006 Joint Planning Commission and City Council Work Session, May 2, 2006 Council Work Session and May 2, 2006 Regular City Council meeting minutes. He stated that Councilor Haws discovered that the December 20, 2005 Regular City Council minutes had never been approved by council.

2. Report on the Condition of the Treasury as of April 30, 2006  
Mr. Lynn Fortie, Director of Business Administration, presented the report on the condition of the treasury.
3. Consideration of Business License Applications  
Mayor Burrows reported the City Council has before them the business license applications from January 1, 2006 through May 9, 2006.

**Motion:** Councilor Gibby moved to approve the Common Consent items as presented. Councilor Peterson seconded the motion. The motion passed unanimously.

**F. New Action Items**

1. Department of Legal Services

- a. **Consideration of exercise equipment injury claim at Senior Center.**

City Attorney, Steve Brooks stated that Pat Hurst was injured on the treadmill at the Senior Center. This claim was turned over to Utah Risk Management Mutual Association (URMMA), who denied the claim and stated that the City was not liable for the accident. The city's Risk Management Committee reviewed the claim and denied it based upon URMMA's denial letter. Ms. Hurst was informed of the Committee's decision. Ms. Hurst then contacted her dentist to see if he would work with her to reduce the bill and checked with Social Security to see if they would pay anything. Ms. Hurst was informed by her dentist that he would not come down on the bill and Medicare doesn't pay for dental work. Her secondary insurance, AARP only pays if Medicare pays. Mr. Brooks stated that the claim then came back to the Risk Management Committee to consider the possibility of a humanitarian payment, but the Committee felt that wasn't within their jurisdiction. Ms. Hurst is now appealing to the council.

Councilor Jenkins asked if the \$6,267 is specifically for the dental restoration work and nothing beyond that. Mr. Brooks replied that there is nothing padded in the request. Ms. Hurst had 6 root canals done, which is partly why the dentist won't reduce the bill any further.

Pat Hurst spoke to the City Council. She stated that she and her husband are the managers of the Riverdale housing at the Senior Center. Both of them are retired and prior to coming here she was a nurse and had 30 years experience as a long term care administrator. She said she is well aware about injuries on the job and people filing and that she has never filed an application for any type of injury of any kind. She reported that she has walked on the treadmill many times before and never had a problem. That day, the treadmill just took off and actually tore the shoes off of her feet. She lost her balance and struck her mouth on the back end of the treadmill. Ms. Hurst did send Mr Hansen a note stating that she thought Medicare might do something, but they don't pay any dental bills. She also went to AARP, who is her secondary insurance, and they denied it also. They won't pay unless Medicare pays first and that is why she has come before the City Council for help.

Councilor Jenkins stated that this isn't the first time Council has been presented with things that are clearly not at the fault of the city, yet there are damages in property or physically that occur to people. Her recommendation is to be on the side of the humanitarian effort to try to see what assistance they can provide in these circumstances.

**Motion:** Councilor Jenkins made a motion to look at the medical costs of Ms. Hurst and with appropriate forms, being managed through Administration, to help Mrs. Hurst with her medical bills of \$6,267.00 through the Redevelopment Agency and have the Redevelopment Agency Board consider this item. Councilor Gibby seconded the motion. The motion passed unanimously.

Mr. Hansen noted that funds are available in the Senior Center budget to provide for this claim through the Redevelopment Agency.

Councilor Peterson inquired if Jeanette Hall had checked to see if there were any recalls or problems with treadmill. He asked if the treadmill is still in use and was there a malfunction. Mr. Fortie stated that there had been no claims filed on these treadmills. Councilor Peterson stated that most treadmills have a cord attached that can shut off the treadmill if the cord is pulled off from the person. Mr. Hansen stated that there are tethers on the new treadmills. The treadmills in the Senior Center are old treadmills that were moved there from the Community Center and do not have tethers. Councilor Peterson asked if it was wise to have treadmills without tethers at the Senior Center. Mr. Hansen replied that they tried to put newer treadmills in the Senior Center, but they wouldn't fit through the door. Councilor Jenkins stated that she would like to see the treadmills without tethers replaced with treadmills with tethers that will go through the door.

## 2. Department of Public Works

### **a. Consideration of completion of Kayak parking lot.**

Mr. Moulding displayed a map of the area for the proposed kayak parking lot. He explained that it is off the same driveway that feeds the house. Initially, a gravel parking lot was discussed, but Mr. Daily, Community Development Director, said that the city's ordinance prohibits gravel parking lots. Mr. Moulding recently ran the numbers and discovered that the parking lot could be paved and fenced and still come in under the budget.

Councilor Jenkins stated that she didn't think it is big enough. She asked if the parking lot could be larger and double the parking stalls. Mr. Moulding informed her that could not be done and stay within the budget. Councilor Jenkins replied that she would rather spend a little more than not have the parking lot large enough. She noted that she recently visited the

area and found that it is broadly used by people outside of our community. She stated that the people do need an area to park and change their clothes and that more than 8 stalls are needed. Councilor Gibby stated it appears that we only need to add 1/3 to the parking lot to double up the parking stalls. Councilor Jenkins requested to see the cost to double the parking stalls.

Mr. Moulding stated another concern is the detention basin and enlarging the parking lot would require some tree removal. Councilor Jenkins stated that she would hate to see the Council be short-sighted on this matter and given the volume of users in the area, there will clearly be a need for more than eight parking stalls. Councilor Gibby asked if the parking lot could be squared up to allow an additional eight parking stalls. Mr. Moulding stated that he will look at the possibility of moving the parking lot to the east or west and adding the additional eight parking stalls. Mayor Burrows asked if he could have those rough numbers for the Saturday work session.

Councilor Peterson stated that he was glad for the river and the amenities, but due to the fact that the State has decided to cut the money our city receives, he is concerned that we are spending more money on services for those outside of our city. Councilor Jenkins agreed with Councilor Peterson, but stated that if we do nothing, our residents take the impact. Mr. Moulding asked if the council wanted to put off building this parking lot for a year to see if they could use some RAMP Tax money. Mayor Burrows stated they could consider that. Councilor Haws asked if the addition could be designed and build at least half of it. Mr. Moulding stated he would get the Council some rough numbers of the cost.

Councilor Jenkins asked if a gravel parking lot might be considered due to the ascetics of the area and that possibly a variance could be requested so that a larger parking lot could be built to meet the needs in the area. Mr. Hansen stated he would check with City Attorney Steve Brooks.

**b. Status report on Well Number 2**

Mr. Moulding reported that they tested three of the upper screens on Well Number 2 and all three have iron and manganese in them. They are going to test the bottom screen tomorrow or Thursday to see if there is iron and manganese there as well. He explained that this was not anticipated and they are very saddened by this development. Councilor Gibby asked if there is enough water in the lower screen if the upper screen is blocked. Mr. Moulding replied that can't be known until they test pump it, but that it is a 20 foot screen and it is possible.

Councilor Jenkins inquired if the test of the bottom screens picks up iron and manganese there as well, what is the recommendation. Mr. Moulding explained that there are a couple of things that can be done. They could lock the doors and use the water rights and not the well or we can drill deeper and hope that we hit clean water. Mayor Burrows asked how deep the well is now. Mr. Moulding replied that the well is 1,085 feet to the bottom. He stated an other option could be to put on a horizontal filter, which is costly and changes the whole method of operation. This would also require training and certification in treatment. We would have to build a building if we wanted to use the well in winter time No building would be needed if this is used just in the summer, but it would require maintenance to winterize it. He stated the best thing to do is to wait and see what comes up on bottom screen testing. Mayor Burrows requested an update on the testing at the May 20<sup>th</sup> Budget Work Session.

3. Mayor

**a. Consideration of Partners in Education Assistance, Riverdale Elementary**

Mayor Burrows indicated that this item has been withdrawn as a letter of request from Riverdale Elementary was never received.

**G. Discretionary Items**

Councilor Haws asked about the time schedule on the Golden Spike Park parking lot. Mr. Moulding replied that it should be completed before June 30, 2006.

**H. Adjournment**

With no further business to come before the Council at this time, Councilor Gibby moved to adjourn the meeting. Councilor Peterson seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 7:11 p.m.

Attest:

Approved: June 6, 2006

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Marilyn Hansen, City Recorder

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Bruce Burrows, Mayor