

Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **June 7, 2005**
at 6:00 pm at the Riverdale Civic Center, 4600 South Weber Drive

Members Present: Bruce Burrows, Mayor
Nancy Brough, Councilor
David Gibby, Councilor
Stan Hadden, Councilor
Stacey Haws, Councilor
Shelly Jenkins, Councilor (arrived at 6:50 p.m.)

Others Present: Larry Hansen, City Administrator
Lynn Fortie, Business Administrator
Lynn Moulding, Public Works Director
Randy Daily, Community Development Director
Wayne Hoaldrige, Public Safety Director
Doug Illum, Fire Chief
Stevin Brooks, City Attorney
Jan Ukena, Planner
Cindi Mansell, City Recorder

Eileen Barron	Steve Hicken	Frances Kosakowsky
Mark Roginske	Carly Brown	Cassi Ricks
Dave Harris	Cody Purkiss	Joe Purkiss
Bruce Nelson	Brent DeYoung	Blaine Parker
Randall Wilson		

Mayor Burrows called the meeting to order and welcomed those present. He then offered the Pledge of Allegiance; read a quote; followed by a Moment of Silence.

Introduction of Boy Scouts

Mayor Burrows welcomed Boy Scout Troop #285. Cody Purkiss introduced himself, his brother Joe Purkiss, and his scout leader Bruce Nelson.

Open Communications

HAFB Environmental Update

Steve Hicken addressed the Council, stating he would like to provide the Hill Air Force Base environmental update. He introduced Project Manager, Mark Roginske; and Frances Kosakowsky, Public Affairs; and others present for moral support. Mr. Hicken stated he appreciates the annual opportunity to come and brief the City Council.

Mr. Hicken stated he understands that a number of Councilors recently toured HAFB and received a briefing update from Bob Elliott. He stated he does not intend to repeat information, but would just like to briefly refer to the project in general. He referenced the illustrative map, and areas of groundwater contamination. He stated these areas have not historically changed a lot over the years.

Mr. Hicken stated historically, there have been three areas and three systems operating; one on base and two off. He explained the goals have recently been met on the pond surface water, and the project team is currently working to dismantle and remove equipment from this area. He stated this is the same property under consideration for development.

Mr. Hicken stated generally speaking, considerations in the off base area have continued to decline. He stated the one well on the north arm continues to be flat, including low concentration; which may exist for some period of time before a decline is seen. He stated on the base, concentrations are declining slightly. Mr. Hicken stated these are almost the same level when treatment began in 1989; there has not been good progress on base, but great progress off. He stated the bottom line with systems is that there are still decades to go with regards to treatment; however, the team is here for the long term and plans to continue to treat the groundwater. He stated they will continue to work with Riverdale, and are open to suggestions and any concerns.

Mr. Hicken stated the primary purpose this evening is to update the Council on the indoor air sampling. He explained part of the investigation phase is to determine if people are being exposed to chemicals; and the air in homes has been tested to determine if chemicals from the groundwater have been entering the homes. He stated the goal is not only to determine exposure, but at what level; and extensive air sampling has been conducted over the past two years.

Mr. Hicken explained 108 residents who live over the top or in the vicinity have been contacted; of which, 49 agreed to sampling. He stated either non-detects or chloroform were found. He explained chloroform is a different type of chemical found in groundwater; did originate on HAFB; and is also a byproduct of the City's water system. He stated the EPA has not set a level or action limit for chloroform in the air; however, it is an important function of keeping the water safe and is separated out from other chemicals.

Councilor Gibby inquired as to those residents who do not allow sampling, with Mr. Hicken stating some people do not consider this to be an issue of importance, and some simply do not want to know. He stated plans for the future include sampling in that same area, along with continuing to send out notices and updates. He stated the project pays for systems install into the homes as well as maintenance.

Mr. Hicken stated an Information Fair for South Weber and Riverdale residents is being held June 16, 2005 from 5:00-7:00 p.m. at South Weber Elementary. He encouraged attendance, stating much greater detail will be provided and experts will be on hand to answer all types of questions. He stated this will involve an open house format, and invitations will be sent to residents.

Mayor Burrows thanked Mr. Hicken and the other staff for their continued dedication, updates, and information. He stated this has proven to be a positive experience since this first surfaced; and the amount of time and effort that has gone into education and information is tremendous.

Inquiry was raised as to the plume that affects the residents on South Weber Drive. Mr. Hicken explained Operable Unit 4 does not cross South Weber Drive and is located mostly on the hillside. He stated this has not been included on the report; however, air sampling has been conducted on two homes in that area and both were non-detect. He stated this area is a very minor player compared to the other areas.

I-15 New Ogden Weber Expansion Project

Brent DeYoung, I-15 New Ogden Weber (NOW) Expansion Project Director, addressed the Council and stated he appreciates the opportunity to introduce the project which will have impacts to residents in the Riverdale Community. He introduced Eileen Barron, who works for the engineering consulting firm which UDOT has hired.

Mr. DeYoung stated he would like to discuss progress, scope, impacts, schedule, and other relative issues. He stated this project is the reconstruction project for I-15 that begins where the I-84 and I-15 ramps come together; and extends northward past 12th Street up to 2700 North. He explained the goal of the project is to successfully deliver within the fixed budget.

Mr. DeYoung stated the project began with \$180,000,000 as established by Centennial Highway Funds many years ago. He stated in 2001, the environmental impact study of that corridor was began; and completed in fall of 2004. Funding was recently approved in the last legislative session and construction funding established to begin the project in 2006. He stated the goal is to improve the roadway safety, increase capacity, replace aging facilities, pavements, structures, as well as bring the project up to current safety standards and accommodate traffic capacity out to year 2030.

Mr. DeYoung stated there are many deficiencies within the project limits, and as a result during the development of the scope of the project it as determined the available budget would not accommodate all the improvements needed throughout the entire section. A Community Council Steering Committee was developed to determine priorities and progress through this process; and including the 31st, 24th, 21st, and 12th Street intersections. He stated the project will include additional lanes and go as far as it can with the available funding.

Mr. DeYoung stated other improvements include noise walls and intelligent transportation features such as overhead message boards, closed circuit cameras, and sensors in pavement for monitoring and studying safety. He stated aesthetics will also be considered. He stated request for qualifications were sent and a listing of qualified proposers developed. He stated they are hoped to deliver with a design build method, and the goal is to hire a design builder to be able to design and construct the project and who can deliver more quickly and make that selection based upon the best value rather than the low bid process.

Mr. DeYoung stated with this scenario, the scope can be developed and costs based upon funding established that will enable selection based upon the best value basis. He stated the hope is to deliver as much scope as possible within the budget, in a quick and efficient

method, and at an accelerated schedule in effort to get this project out in the timeframe given.

Mr. DeYoung stated he is excited about the project, which will provide nice needed amenities to I-15. He stated he hopes to include installation of sound walls and other innovative solutions as far as smart transportation solutions. He further discussed the hope to eliminate some merging lanes and tight radius areas, specifically at the 12th and 31st Street interchanges. He stated if funding will allow, the project will try to get as many additional lanes as far north as possible.

Mayor Burrows stated Riverdale has been told "NO" so many times in regards to sound walls, and some of the comments have been that a sound wall in this area was impossible because of the embankment and the possibility of creating a more hazardous than helpful situation in accidents. Mr. DeYoung stated there are concerns with noise walls, and it is more difficult to place these in areas with high embankments. He stated it is possible and they are effective. He stated there are issues to study in developing the noise wall standards, and attempt is made for placement as far off the roadway as possible yet still be able to achieve the goal. He further discussed widening I-15 in the shoulders to accommodate a wall further off the highway to assist in traffic and improve effectiveness. Discussion followed regarding the possibility of a concrete barrier being placed in front of the noise wall.

Councilor Gibby inquired as to the hazardous situation created by the overpass on 4400 South; including traffic and no culmination for foot traffic because of the narrowness of the overpass. Mr. DeYoung stated whenever UDOT replaces structures; they try to accommodate pedestrians as well as vehicles, unless the bridge is on an interstate. He stated that particular bridge is not part of this project and not included in the scope of this project; but could possibly be accommodated at the time when it is replaced.

Inquiry was raised as to timeframe to rebuild structures, with Mr. DeYoung stating the project will begin in 2006 and he would anticipate completion in the fall of 2008. He stated 31st Street will involve a two-year period, as it is necessary to allow traffic to flow in both directions. He stated normally, it is possible to demolish and reconstruct a structure within one construction season. Discussion followed relative to pedestrian options for 31st street, with Mr. DeYoung stating pedestrian options are still being considered to connect the trails in this area. He stated there is not currently a real pedestrian corridor that passes across the 31st Street structures from east to west.

Mr. DeYoung discussed the previous denial of noise walls, stating there used to be a Type II noise policy. He stated because of the reconstruction, the area now qualifies for a sound wall. He stated he could provide additional details after the Sound Engineers come and take measurements. Councilor Brough stated the safety issue is huge. Councilor Gibby stated he would like to see an extension all the way to the bridge on I-84. Mr. DeYoung stated although that section of ramp will not be reconstructed, he will try and accommodate as much as possible. Further noise ordinance discussion followed.

Councilor Hadden inquired what else is being done at the 12th Street Intersection, because they have already been working on it for several years. Mr. DeYoung stated the intersection at 12th Street and 1900 West was completed several months ago. He stated this project would entail complete reconstruction of the 12th Street intersection, and explained it is best to leave the layout to the design builder in this type of situation.

Councilor Hadden inquired as to the concept of a 10-year guarantee, with Mr. DeYoung stating this has been done in the past, however, are very costly. He stated specifications to monitor and construct have been developed in the past, and this has been a topic of discussion for some time. He stated most sections require maintenance within 10 years of placement, and in the past, they have taken the approach to do oversight inspection into the work and have not incorporated extended agencies.

Mayor Burrows and the City Council expressed their appreciation to Mr. DeYoung and this update. Mr. DeYoung distributed a handout of facts about the project, and referenced www.udot.utah.gov/15 NOW website for updated information.

Open Communications

Blaine Parker addressed the Mayor and Council with a concern about the noise walls. He stated a couple of years ago; he attempted to jump through the hoops to promote noise walls. He stated he received a survey letter one day; and it was supposed to be turned in the next day. He stated everyone wanted a sound wall; however, there was no way to return by the deadline.

Randy Wilson, local builder, stated he would like to see traffic slowed down coming from Weber Canyon where I-84 comes into I-15; and the resulting choke point and dangerous situation at the 31st Street. Mr. DeYoung stated the need to bring merge lanes up to current standards has been identified as one of the area deficiencies.

Mayor's Report

Mayor Burrows referenced the recent article in the Explore Section of the Standard-Examiner in relation to the new kayak amenity on the river.

Recorder's Report

Ms. Mansell referenced an inadvertent deletion for follow-up on Job Descriptions to be placed back onto the report.

Councilor Brough inquired as to response from the Army Core on any kind of trail access on the north. Mr. Brooks stated he did speak with the Mayor about making some contacts. He explained he is hesitant to do anything himself because of fear of reaction; and would hate for his actions to prove counterproductive. Councilor Brough stated she had sent a letter requesting information for constituents, and has also received no response.

Consent Items

Approval of Minutes

Mayor Burrows stated that the Council has the minutes from the May 14, 2005 Strategic Planning; May 17, 2005 Work Session and Regular Meeting. Several corrections were distributed and noted.

Report on Condition of the Treasury - April 30, 2005

Mr. Fortie explained April was a typical month, and he would like to briefly review the highlights. He referenced General Fund revenues and expenditures; including the \$850,000 draw against the bonds, of which the majority of expenditure was for the Senior Facility. He stated the backhoe purchase is included under motor pool. Mr. Fortie addressed the year-to-date difference within General Fund, stating some is Class C road funds and some is General Fund.

Motion: Councilor Gibby moved to approve the common consent items, as amended. Seconded by Councilor Hadden. The motion passed unanimously.

Further consideration of City Logo

Mayor Burrows stated the Council has the color charts that are available for the proposed City Logo change in their packets. Discussion followed regarding various options, with members stating they liked Option #289 because of the dark blue natural fade to lighter. Councilor Jenkins stated she likes this option, because without going to black type, she feels it will be bold and dark enough to provide a nice reproduction and for the City name to stand out. There appeared to be consensus for this option. Mayor Burrows stated staff will move forward.

Ordinance #645 amending Chapter 10, Commercial Zoning

Public Hearing

Mrs. Ukena explained the purpose this evening is to conduct public hearing and consideration of a proposed ordinance providing for amendments to Title 10, Chapter 10, Article A, Section 4, Uses: (Commercial Zones - C-1, C-2, and C-3), and specifically reviewing permitted, conditional, and not-permitted uses.

Mrs. Ukena explained staff determined the need for consideration of uses in the commercial zone was felt following the apartment request in the waterslide area. She stated upon closer inspection, undesirable uses were noticed; as well as many outdated items. She referenced the proposed strikethrough and highlighted uses; stating the process also included definitions for retail goods establishments and retail service establishment to be added to commercial. All retail uses would be considered under these two categories.

Discussion followed regarding the listing of possible uses, and permitted zones. Councilor Gibby inquired as to why art and artists supply store are lined through. Mrs. Ukena inquired as to the need to individually list uses when they are included under retail sales and services. She inquired as to the scenario wherein a request is made for a use that is not included on this list. She stated staff felt there is no need to list every possible type of

sale or service, but to simplify. Further discussion followed regarding uses such as lodge, liquor store, tattoo parlor, etc.

Councilor Brough stated conditional means something can develop if certain criteria are met. She stated in her mind, there are many locations where it would be better to have some uses as conditional rather than permitted because certain criteria need to be met in the C-3 zones. Inquiry was raised as to whether there are C-1 zones within the City, with Mr. Daily stating the zone had uses but C-1 zones do not now exist.

Councilor Brough inquired if CP-2 zones are considered a precursor into mixed use or not. Mr. Daily discussed his desire to keep these separate and distinct. Mrs. Ukena stated she feels mixed use is an entirely other zone. Councilor Brough expressed concern if some C-3 uses should be made conditional to fit with adjacent parcels. Mrs. Ukena stated this has not been changed. Councilor Brough inquired if it would be advisable to have some be conditional uses so as not to have incompatible uses located next to each other. Mr. Daily explained any time a use changes and is a conditional use - a petitioner will have to go through the process of application and review. He stated uses are now allowed with conditions.

Councilor Brough stated perhaps conditions would be good on some items that show as permitted under C-3. Mr. Daily stated many of these issues would involve conditional use application and approval process. He stated as things become more and more compressed in the land area left to develop, the Council may want to instill conditions rather than just permit uses. Discussion followed regarding different categories, with Mr. Daily stating there are not many C-2 areas. He discussed the developer agreement with overlay concept, stating that is most likely how staff will proceed with other areas to develop.

Councilor Jenkins inquired as to the removal of linen supply services, with Mr. Daily stating most of those are within the manufacturing setting. He discussed the intent not to show conditional because of the need to make certain the business did not turn into some type of cleaning supply operation. He stated it is unknown as to whether this would fit into a commercial area.

Mayor Burrows explained a public hearing is necessary to receive comments from the citizens of Riverdale concerning proposed ordinance changes. He then opened the public hearing for public comments at approximately 7:13 p.m. He affirmed proof of publication.

Motion There being no public comment, Councilor Gibby moved to close the Public Hearing at 7:14 p.m. Councilor Hadden seconded the motion. The motion passed unanimously.

Councilor Brough stated she has concerns with C-3 uses, and some C-2 uses; specifically amusement enterprises. She stated she would think the desire would be for an indoor theater in C-2 to be conditional because of traffic issues. Councilor Gibby inquired if most of the C-2 and C-3 areas are overlapped by RDA areas, with Mr. Daily stating there is a significant amount. Councilor Gibby stated he feels like there is already a significant amount of oversight and protection associated with the RDA areas. Councilor Jenkins

stated this is a good point, however, the RDA areas are so woven that there are parcels riddled throughout that are not RDA; and including the area on the south end of the City. She stated unfortunately, conditions protect by installing the provision for CP-2.

Mayor Burrows inquired if this is creating an undue problem for the City and the developer to place conditional uses on all these areas. Mrs. Ukena stated there has not been issue, but issues such as landscaping, parking, fire issues, traffic, etc. will have to be dealt with. She stated just because it is a permitted use does not ensure it. Councilor Jenkins stated, as land becomes more scarce, it becomes difficult to determine what someone may consider a prime piece of real estate.

Councilor Brough stated by saying a use is conditional does not say it cannot happen - but does state there may be conditions to ensure a use will work in the overall area. She stated she feels it is important to have the ability to have conditions to allow these uses. Mayor Burrows inquired as to whether the desire is to single out each one and ask for conditional uses - or proposing conditional uses be placed into existing C-2 zones. Mrs. Ukena referenced specific uses to be changed, including more conditional than what is listed.

Councilor Brough expressed concern to assume the RDA has oversight; as the RDA does not last forever either. Mr. Hansen pointed out the RDA areas do have a sunset date. Councilor Brough stated she feels the goal should be to try to have a well-functioning community and labeling something as a conditional use it basically seeing what needs to be done to make it work. She stated she feels it is smart for the City to be responsible to include more things to be conditional to facilitate negative impacts on surrounding areas.

Discussion followed regarding the indoor theater, with Councilor Brough expressing concern as to the masses of people coming and going. She stated she would propose making indoor theaters a conditional use in C-2 zones. Councilor Jenkins questioned as to whether the Council would want to consider everything in C-1 or C-2 be none or conditional. She suggested making everything in C-2 conditional because C-3 is much more high density business districts of the City. She stated C-2 is more of a transitional area and uses above that would want to maintain compatibility within the area. Mr. Daily stated he does not see a problem with this concept. Councilor Jenkins stated she feels this to be a cleaner solution. There appeared to be Council consensus to making all uses in C-2 conditional.

Further discussion followed regarding C-3 uses, with Mr. Daily offering explanation that even if a permitted use had to go through the process as far as site plan review; requirements are still built into the system even for a permitted use. He stated these are requirements that have to be met in order for any business to come to Riverdale City. He stated if these become conditional uses, then only the existing building would have to go through the entire conditional use process.

Councilor Jenkins raised the scenario of having a body repair shop in the middle of the Wal-Mart development. Councilor Gibby stated he does not see the use for additional regulations. There appeared to be consensus for automotive uses to be conditional.

Mayor Burrows referenced the concept of placing conditional uses on some of C-3 zone uses, and inquired as to those who are in favor of going through the list in C-3 and singling out some uses for conditional use. Further review of the list took place; including automobile uses. Mr. Daily stated staff is not looking at conditions as being restrictive, but the city allowing provisions with existing properties rather than new. He stated this is a matter of the conditions, but has been handled in the past through the site plan process. Councilor Gibby stated staff already provides consideration of most issues, and inquired why additional requirements would have to be included as part of the ordinance. Councilor Jenkins discussed the concept to "recommend" and not "insist".

Further discussion followed regarding automotive uses in C-3, with the Council determining there are some C areas that are right next to residential in quite a few places and there would want to be conditions. The Council discussed Christmas tree temporary lot sales, with Mrs. Ukena stating these are only conditional if they include a temporary building. Discussion followed regarding hours of operation, with Councilor Jenkins stating that would matter regardless of a building or not. The Council discussed temporary sales, with the determination being to remove Christmas tree sales. Mr. Daily stated these can be handled under seasonal sales.

The Council addressed linen supply service, and whether or not this should be a conditional use. Councilor Gibby stated he would have a hard time seeing this as a problem, as building a big plant would be looked at and scrutinized anyhow. There appeared to be consensus to place conditional use on linen.

Discussion followed regarding RV Sales and Service, and whether this would be appropriate for conditional use. Councilor Gibby stated these are huge lots but not huge amounts of traffic. Councilor Brough stated she would argue this kind of use depends on location, and Councilor Gibby stated there is not a location in Riverdale to squeeze in such an establishment. Councilor Jenkins stated it would be hard for the City Council to second guess what someone may consider to be a good location. Councilor Gibby stated he still does not see RV lots as being an issue in Riverdale.

Mayor Burrows discussed RDA control in these areas for a period of time; stating hopefully, these areas will be built out before the RDA sunsets. Councilor Brough stated if this is a concern there may need to be some type of conditions put into these areas. There appeared to be consensus.

Councilor Haws inquired as to motorcycle sales and service, with Councilor Brough stating these should be a conditional use in a C-3 zone. Councilor Jenkins stated there are C-3 areas that sit right next to residential. The need to place conditional use on motorcycles was determined.

Mr. Hansen stated the first page of uses lists motorboat sales and service as well. He expressed concern they are permitted in this location and conditional in others. Councilor Jenkins questioned as to the benefits to staff with these uses being conditional. She stated mixed use was considered across the board and included latitude; she stated

conditional is adding latitude in a different way. Mr. Daily stated staff is attempting to make the process work as simply as possible without ignoring ramifications. Councilor Brough stated she feels conditional use provides the ability and tools for the Planning Department and Planning Commission to ensure decent development. Mr. Daily offered clarification this would not affect development unless something changes.

Motion Councilor Jenkins moved for approval of Ordinance #645 amending Chapters under Title 10, Zoning and Subdivision Regulations, namely Title 10, Chapter 2, Definitions, to add two new definitions to the existing definitions and Chapter 10, Commercial Zones, to enact regulations that eliminate and/or add certain uses in Commercial Zones; as amended with changes to C-1, C-2 and C-2 as specified; and changing all uses in C-2 zones to conditional. Councilor Brough seconded the motion.

Further discussion followed regarding the listing of uses, with Councilor Haws referencing tire sales and service and whether or not this is conditional. Mr. Daily stated nothing is perfect and this provides staff a starting point.

Motion Councilor Jenkins moved to amend her original motion to also include tire sales and service as conditional. Councilor Brough agreed to amend the motion as proposed.

Roll call vote. Councilor Brough, Yes; Councilor Gibby, No; Councilor Haws, Yes; Councilor Jenkins, Yes; and Councilor Hadden, Yes. The motion passed 4-1.

Building Permit Fee Waiver Request

Randy Wilson addressed the Council and explained he is undertaking a special project for a young man named Gavin Donaldson. He explained he is trying to raise \$60,000 to make his home work for him and his family (Lot #129 - Riverglen Subdivision). Mr. Wilson stated he has contacted local suppliers and subcontractors for support, but must first start with the building permit. He stated he would like to request Riverdale City make special allowance and take into consideration a waiver of the building permit fee.

Concern was expressed as to the establishment of precedence, with Mr. Wilson stating this can only take place if Riverdale can and does have the capacity to do this and would like to. He stated his goal is to help Gavin and his family to either reduce or waive as many fees as possible.

Mayor Burrows stated the Mayor has the ability to waive fees. He stated although this situation would possibly set a precedent, it would not necessarily be bad. He stated he would consider all fee waivers individually, and that he would request the Council to allow himself and administration to consider waiver of appropriate fees where possible. He stated there are some fees that are pass-through fees and not possible for waiver.

Councilor Jenkins inquired as to existing impact fees in that area, as well as approximate amount for waiver. Mr. Daily stated there would be an impact fee for the sewer connection

that cannot be waived; as well as the Central Weber Sewer connection impact fee. He stated he would estimate the building fees would be approximately \$2000.

Motion: Councilor Hadden moved to direct the Mayor and staff to provide consideration to the fee waiver request in show of support towards this special needs project. Seconded by Councilor Gibby.

Councilor Jenkins stated she has a family that lives across the street who has a handicap daughter. She stated they have had to make sacrifices within several portions of their home; and have applied for assistance from agencies. She stated she would worry about setting precedence. Councilor Gibby stated he does not see this to be a problem. Mr. Wilson stated he is simply trying to find a way to save costs in effort to get this family into a home. He stated Gavin is not going to stroll, run, or have a life; but he will have a house. He stated he would only ask for help if the City is in position to contribute. Councilor Brough expressed further concern about precedence. Mayor Burrows stated the vote only indicates a show of support for further consideration.

Roll call vote: Councilor Gibby, Yes; Councilor Haws, Yes; Councilor Jenkins, No; Councilor Hadden, Yes; and Councilor Brough, No. The motion passed 3-2.

Resolution #12-2005 declaring certain personal property to be Surplus

Public Hearing

Mayor Burrows explained a public hearing is necessary to receive comments from the citizens of Riverdale on the proposal to declare that property surplus. He stated the property includes two vehicles: (1) 2000 Ford Crown Victoria; and (2) 1989 Chevrolet Cheyenne Truck. He then opened the public hearing for public comments at approximately 8:16 p.m. He affirmed proof of publication.

Motion There being no public comment, Councilor Haws moved to close the Public Hearing at 8:17 p.m. Councilor Gibby seconded the motion. The motion passed unanimously.

Mayor Burrows referenced the list of proposed surplus property as well as the resolution declaring that property as surplus. Councilor Jenkins referenced the previous agenda item in request of building permit fee waiver. She stated these surplus items are perhaps items the City could gift as items to be auctioned off, rather than just waiving fees. She stated she feels there are other ways less precedence-setting to address charitable requests. Staff offered explanation that City assets cannot be considered as donations.

Motion Councilor Haws moved for approval of Resolution #12-2005 declaring certain personal property owned by the City of Riverdale to be surplus to the needs of said City. Councilor Gibby seconded the motion.

Roll call vote. Councilor Haws, Yes; Councilor Jenkins, Yes; Councilor Hadden, yes; Councilor Brough, Yes; and Councilor Gibby, Yes. The motion passed unanimously.

Consideration of Budget - Fiscal Year 2004-2005

Public Hearing to consider budget amendments to the current budget

Mr. Fortie referenced proposed amendments to the FY 2005 budget; including general fund sales tax revenues; surplus; Fire and Community Services expenditures. He explained that general fund surplus expenditures were discussed during Strategic Planning wherein staff would try to pick up expenses originally budgeted in FY2006 in FY2005. He stated typically, funding would have been transferred for Information Technology and Motor Pool. Inquiry was raised regarding the difference in overall figures, with Mr. Fortie stating \$10,000 difference overall. He stated he did not reference all affected account numbers.

The Council expressed concern that Community Services expenditures were budgeted at \$3,000; and actual \$58,000. Mr. Hansen explained that this involves pre-spending in effort to avoid impacts to the FY2006 budget. Councilor Haws requested a listing as to these items to purchase from this years budget versus 2006 expenditures; and requested concern the Council may not have seen these items. Mr. Hansen stated he does not feel the Council would have typically reviewed this type of detail. Mr. Fortie explained they would have seen dollars, but not detail.

Councilor Haws stated the Council would question as to expenses totaling \$58,000. Mr. Hansen stated staff will respond on June 21, 2005 with this information; prior to actual budget adoption. Mr. Fortie explained the numbers were included in the original budget as prepared; however, when it became negative, those items were removed. He stated most were capital items that would have been detailed for the Council.

Mayor Burrows opened the public hearing for public comments at approximately 8:31 p.m. He affirmed proof of publication.

Motion There being no public comment, Councilor Gibby moved to close the Public Hearing at 8:31 p.m. Councilor Jenkins seconded the motion. The motion passed unanimously.

Consideration of Budget - Fiscal Year 2005-2006

Public Hearing regarding proposed budget for all funds

Mr. Fortie referenced the tentative budget FY 2006 amendments per budget work sessions. He stated this includes amendments to General Fund, RDA, Capital Projects, Motor Pool, IT; and any other item as discussed for amendment.

Councilor Jenkins inquired as to the \$300,000 revision in budget estimates, with Mr. Hansen stating this is an RDA item involving bond proceeds that should have been drawn down before the end of the year. He stated it all depends on whether Kier submits another request for payment in time. He stated if all bond proceeds are not drawn out, this particular number will represent what remains to be drawn. Mr. Hansen offered clarification that one number indicates expenditure; and the \$300,000 represents the difference in expenditures for funding.

Councilor Brough inquired as to discussion and at what point is appropriate relative to an item included on the amendments log. She stated the Council was provided a great deal of information at the May 14, 2005 Strategic Planning meeting. She stated in keeping with the thoughts of wanting to wait on the Community Center remodeling until the effects of the Seniors leaving is seen; she would like to rescind her consensus vote on the Community Center Lead Clerk full-time position. She discussed costs and concerns with providing benefits, and inquired if her rescission would be seen as an addition to the amendments log.

Mayor Burrows stated he feels this action will seriously handicap the operating ability of that department. Mr. Hansen referenced the incremental difference of the increase in hours from part-time to full-time. He stated this involves a change in benefits because the employee would become eligible for health and dental; and increase in retirement. He stated the increase would not be \$28,500; but more like \$12,000 because there is already a part-time clerk who is scheduled to work between 20-30 hours. He stated this same position would be contemplating change to a full-time position; and would not involve creation of a new position.

Councilor Jenkins expressed concern that in the information on that same day, there was also a job description. She stated she voted "no" because she did not approve a lead clerk position. She stated the director over the Community Services is just that; and the reason given as need to bring this lead clerk up is because of the concept to now share the Director of the Community Center with the Senior Center. Councilor Jenkins stated she would still have questions as to how staffing is going to work; and just how much financial support, from a budget standpoint, would be given to the Senior Center. She expressed concern that she was of the understanding the seniors were going to be provided a center; and they were then going to run it themselves.

Councilor Jenkins stated now there is request for a director over the seniors program as well as a new cook position. She inquired if the director over the Community Center should be shared with the Senior Center; as that person is not a department head. Mr. Hansen stated that individual has worked with the expectation to provide supervision and guidance over the Seniors Program. He stated it has been anticipated all along that program would be picked up and moved; and the only addition has been the part-time cook. He stated it should be fully expected that some of the Community Services workers will have to be utilized to assist with this facility. He stated staff does intend to lean on the Seniors Board; however, the all along intent has been for existing staff to contribute services towards the program move.

Mayor Burrows suggested opening the public hearing, stating this particular item does not significantly affect the overall budget. He stated there is a Closed Executive Session scheduled later on the agenda, and he would suggest the Council could then have any necessary discussion at that time.

Mayor Burrows opened the public hearing for public comments at approximately 8:45 p.m. He affirmed proof of publication.

Motion There being no public comment, Councilor Gibby moved to close the Public Hearing at 8:45 p.m. Councilor Jenkins seconded the motion. The motion passed unanimously.

Mayor Burrows stated the actual budget adoption will take place on June 21, 2005.

Councilor Haws stated he would like to make the point that Mr. Hansen indicated the Community Center position involved a part-time person scheduled to work between 20-30 hours weekly. He stated he is of the understanding that part-time person actually works 30 hours weekly and receives all benefits. Mr. Hansen stated this has been changed. Mr. Fortie stated actually, the position and benefits are funded through the end of the fiscal year. Councilor Haws inquired if this position is dependent upon the full-time position, and if the full-time position went away would the 30-hour position come back. Mr. Fortie stated the position would be less than 30 hours, so benefits would not be paid.

Closed Executive Session

Mayor Burrows asked for a motion to go into an executive session to discuss regarding the character, professional competence, or physical or mental health of an individual pursuant to Utah Code Annotated §52-4-5(1)(a)(i).

Motion Councilor Gibby moved to enter into Closed Executive Session for purpose of discussing the character, professional competence, or physical or mental health of an individual pursuant to Utah Code Annotated §52-4-5(1)(a)(i). Councilor Hadden seconded the motion.

Roll call vote. Councilor Jenkins, Yes; Councilor Hadden, Yes; Councilor Brough, Yes; Councilor Gibby, Yes; and Councilor Haws, Yes. The motion passed unanimously.

Minutes of the **Executive Session** of the **Riverdale City Council** held **June 7, 2005** at 8:49 p.m. at the Riverdale Civic Center.

Present:	Mayor Bruce Burrows	Councilor Brough
	Larry Hansen	Councilor Gibby
	Stevin Brooks	Councilor Hadden
	Cindi Mansell	Councilor Haws
		Councilor Jenkins

Those present discussed the character, professional competence, or physical or mental health of an individual.

Motion Councilor Jenkins moved to close the executive session and to reconvene the open City Council meeting. Councilor Gibby seconded the motion. The motion passed unanimously.

The Regular Meeting convened at 12:20 p.m.

Consideration of City Administrator Contract

Discussion followed regarding the City Administrator Agreement for Employment, as presented. The Council discussed the need to amend 7.2(E); payment of retirement benefits from 12 months to 6 months; in coordination with salary.

Motion Councilor Gibby moved to approve the City Administrator Agreement for Employment for Larry L. Hansen, as proposed, with the six month retirement amendment. Councilor Hadden seconded the motion. The motion passed unanimously.

Justice Court Judge - Interim Appointment

Discussion followed regarding the need for an interim appointment of a Justice Court Judge, pending the recent announcement of retirement by Judge Sandberg. Discussion followed regarding eligible candidates.

Motion Councilor Brough moved to approve the Interim Appointment of Michelle Heward as Justice Court Judge; said appointment not to exceed 120 days from July 1, 2005; and payment in the amount of \$50 hourly. Councilor Gibby seconded the motion. The motion passed unanimously.

Designation of Legal Department - Department Head

Discussion followed regarding pending changes within the Legal Department. Administration made the proposal to appoint Stevin Brooks as the Department Head over the Legal Department.

Motion Councilor Brough moved to approve the appointment of Stevin Brooks as the Department Head over the Legal Department. Councilor Jenkins seconded the motion. The motion passed unanimously.

Consideration of New Position - Public Safety

Discussion followed regarding the proposed enforcement/homeland security/emergency preparedness position with the Public Safety Department. Suggestions were given to utilize in-house positions to perform the workload, such as Animal Control to attempt code enforcement and other staff to write grants and administer homeland security. The Council discussed directing Mr. Hansen to discuss the Request for Proposal with Chief Hoaldrige in effort to make the necessary modifications; as well as explore other options. Discussion followed regarding whether the proposed position is being created out of need versus desire. The Council felt they were not convinced of the need for this position at this time.

Motion Councilor Gibby moved to authorize staff to explore other options; such as internal code enforcement, grant writing and homeland security; and to return with appropriate information at the June 21, 2005 Council meeting. Councilor Hadden seconded the motion. The motion passed unanimously.

Community Center - Lead Clerk Position

Further discussion followed regarding the proposed Community Center Lead Clerk position. Councilor Brough stated she would like to change her consent vote made during the May 14, 2005 Strategic Planning meeting to change the part-time Community Services position to full-time. The Mayor stated this would be entered into the record.

Mr. Hansen stated staff will have to work on the amendments log for adoption on June 21, 2005. He stated staff will return with numbers, as it appears there is agreement on some type of incremental difference.

With no further business to come before the Council at this time, Councilor Gibby moved to adjourn the meeting. Councilor Jenkins seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 12:37 a.m.

Attest:

Approved: July 5, 2005

Cindi Mansell, City Recorder

Bruce Burrows, Mayor