

Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, July 19, 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

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  
Jan Ukena, City Planner  
Stevin Brooks, City Attorney  
Connie Daily, Police  
Randy Koger, Fire  
David Ermer, Fire  
Karen McIntosh, Police  
Trent Bills, Police  
Kevin Fuller, Police  
Benito Juarez, Police  
Cindi Mansell, City Recorder

Tony Stewart	Jaunett Porter	Lisa Robinson
Norm Searle	Kurtis Keele	Angela Keele
Patty Ermer	Robert Cooper	Matthew Idema
Orren Brown	Sarah Morris	

Mayor Burrows called the meeting to order and welcomed those present. Councilor Gibby offered the Pledge of Allegiance. Mayor Burrows read a quote from Abraham Baldwin; followed by a Moment of Silence.

**Open Communications**

**Riverdale City Band - Trophy Presentation**

Jaunett Porter addressed the Mayor and City Council and introduced fellow band members: Kurtis Keele; Angela Keele; Lisa Robinson; and Sarah Morris. She explained that the Riverdale City Band recently competed in the 4<sup>th</sup> of July parade and won first place. She proudly presented the trophy to Mayor Burrows.

Mayor Burrows stated he is extremely happy to accept this trophy on behalf of the band as well as the City. He congratulated this group on their hard work, stating they sound

phenomenal. He also expressed thanks for their representation at other community activities; stating this type of volunteer service is invaluable.

**Pavilion Policies & Cinedome Property Appearance**

Tony Stewart addressed the Mayor and Council with concerns about the pavilion policies as established. He stated there appears to be confusion in regards to the deposit; and whether it is necessary to remit two deposits when booking a pavilion for both blocks of time (or the entire day). He explained his group reserves a pavilion once a month; and sometimes are charged a deposit for each session or just once for the entire day. Mr. Stewart expressed the need for policy clarification; and expressed further concern as to the cleanliness of the pavilion. He stated he had thought the purpose of the deposit was to provide for cleaning; yet at times, he has had to clean it himself because it has been dirty.

Mr. Stewart further stated he has been coming into Riverdale for years; and inquired what is going on with the Cinedome property eyesore. He stated he feels this area should welcome people to Riverdale; and could possibly be a nice adult ball diamond. Mayor Burrows explained this is private property, yet the city continues to work on some possibility for development.

**Mayor's Report**

Mayor Burrows reminded those present of the Employee Picnic tomorrow afternoon at the Senior Center at 5:00 p.m. He stated arrangements have also been made to provide tickets for the Raptor's Baseball game; and he hopes that all can attend.

Mayor Burrows explained the Central Weber Sewer District has signed off on the river crossing and has made final payment to Whittaker Construction. He stated if necessary, there is still a possibility they may need to come back to provide additional revegetation.

**Administrative Report**

**Employee Recognition**

Mr. Hansen explained he would like to recognize the following employees and years of service:

- |                  |                |          |
|------------------|----------------|----------|
| • Connie Daily   | Police         | 21 years |
| • Randy Koger    | Fire           | 15 years |
| • Karen McIntosh | Police         | 10 years |
| • Trent Bills    | Police         | 10 years |
| • Tony Perfetto  | Police         | 8 years  |
| • Kevin Fuller   | Police         | 7 years  |
| • Trent Thompson | Police         | 7 years  |
| • Mickie Layton  | Community Svs. | 6 years  |
| • Benito Juarez  | Police         | 5 years  |

Mayor Burrows and Mr. Hansen expressed their appreciation and presented certificates and service awards to those employees present.

### **Department Information**

Mr. Hansen explained the monthly report continues to address requests to inform the City Council as to happenings within each department. He stated there is one new addition included in the monthly report entitled Code Enforcement detail. He stated he appreciates staff for working together to engage this new process.

### **Announcement - New Fire Captain**

Chief Hoaldridge and Chief Illum approached the Mayor and Council. Chief Illum stated the process for selecting a new Fire Captain has just been completed; and he would like to make introduction of David Ermer and his wife, Patty. He offered congratulations to Mr. Ermer, stating he has been employed with Riverdale part-time for 9 years; has been working full-time with Roy City as a trainer; is a CPR Instructor for the US Navy Reserves; and obviously, has been continuously employed as a firefighter/EMT. He further discussed Mr. Ermer's education, professional development, and certifications.

Chief Illum stated seven candidates from existing part-time staff had been interviewed. He stated although they were all well-qualified, Mr. Ermer had presented himself very professionally. He stated it was a tough decision, but he feels Mr. Ermer will be a great asset in regards to his ability to communicate with his peers and taking on other assignments voluntarily. Chief Illum stated Mr. Ermer is also one of the founding members of the Weber County Honor Guard and represents Riverdale City in that manner extremely well. He stated he is excited to have Mr. Ermer on board.

David Ermer thanked the Mayor, City Council, Chief Illum and staff for this opportunity. He stated he is excited, has new ideas, has enjoyed working at Riverdale and hopes to do a great job.

### **NIMS Training Progress Report**

Councilor Haws explained he serves on the Emergency Operations Committee (EOC). He stated Chief Hoaldridge had indicated at a recent monthly meeting that the City has committed to having all department heads taking and passing the NIMS training. He reminded the Council this concept was introduced at the November Strategic Planning Meeting. He stated he wanted to bring this up and encourage all elected officials and department heads to commit to completion of the training as soon as possible. Reference was given to the following website: [www.fema.gov](http://www.fema.gov).

Councilor Hadden stated he had mentioned some time ago that the website in the workbook does not work. He stated although he was told staff would respond; he is still waiting. Chief Hoaldridge stated Lt. Ansley is the contact for assistance.

### **Consent Items**

#### **Approval of Minutes**

Mayor Burrows stated that the Council has been presented the minutes from the Work Session and Regular Meeting of May 3, 2005; and the Work Session of July 5, 2005.

**Motion:** Councilor Brough moved to approve the minutes as presented. Seconded by Councilor Hadden. The motion passed unanimously.

**2005-06 Annual Premium - URMMA**

Mr. Fortie explained he would like to request consideration of the 2005-06 Annual Premium payment to URMMA in the amount of \$40,373.09. He stated some of these charges are relative to the City and some to the RDA; and referenced the schedule illustrating compilation of the premium amount. He stated a list of membership standards, or what is expected as a member of URMMA, is also included.

**Motion** Councilor Haws moved for approval of the 2005-06 Annual Premium payment to URMMA in the amount of \$40,373.09 as proposed. 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.

**2005-06 Annual Premium - Fred A. Moreton**

Mr. Fortie explained he would like to request consideration of the 2005-06 Annual Premium payment to Fred A. Moreton in the amount of \$28,668 and \$25,626. He stated this payment includes the auto physical damage and commercial package; and the premium is only a bit higher than what was paid last year.

**Motion** Councilor Haws moved for approval of the 2005-06 Annual Premium payment to Fred A. Moreton in the amounts of \$28,668 and \$25,626 as proposed. Councilor Gibby 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.

**Resolution #20-05 amending the Riverdale Parks & Pavilions Use Policies**

Mr. Fortie explained the reasoning to amend the Riverdale Parks and Pavilions Use Policies has to do with refunds being issued due to inclement weather. He stated during the process of including this provision, several other things were noticed that required cleanup. Mr. Fortie referenced the various areas of change as proposed.

**Motion** Councilor Gibby moved for approval of Resolution #20-2005 amending the Riverdale Parks and Pavilions Use Policies as proposed. Councilor Brough seconded the motion.

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

**Consideration of Bids/Award of Contract - Cottonwood Subdivision - Project #388**

Mr. Moulding explained the Class "C" Street Projects for 2005 were recently bid; including the Cottonwood Subdivision Project. He stated the low bid was Advanced Paving and Construction in the amount of \$252,252.00; and staff would recommend approval.

Inquiry was raised as to the budget amount, with Mr. Moulding stating the budget actually contains two years (or \$400,000) for Class "C" projects. He explained although he intends to do additional work with the balance of the budget, these type of projects usually hit about \$250,000 each year.

Councilor Jenkins expressed concern as to the condition of roads in this area and scope of the project; and inquired if there are curb, gutter and sidewalk modifications as well. Mr. Moulding explained if there are any corners that do not have handicap ramps; the City is required by law to construct these when undergoing a construction project such as this. He stated the curb and gutter will also be surveyed to see if anything has settled more than an inch and can be replaced. He stated anything less may be a problem, but is still considered as functioning.

Councilor Haws inquired if this project is just confined to the Cottonwood Subdivision Project. Mr. Moulding stated there is one other little corner in front of JC Hi-Hat that is chipped up from the snowplows and wherein a piece of the gutter and water box must be replaced.

**Motion** Councilor Gibby moved for approval of the bids and award of contract to Advanced Paving and Construction in the amount of \$252,252.00 for the Cottonwood Subdivision - Project #388 as proposed. Councilor Hadden seconded the motion.

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

Councilor Jenkins referenced the area where the sidewalk ends off the east side of 700 West to the condominiums. She expressed the need for continuity so that the children will not have to cross the streets any more than absolutely necessary. Mr. Moulding stated this was allowed many years ago, so the development was not required to install sidewalks. Councilor Jenkins suggested consideration of continuing this sidewalk at the City expense. Mr. Moulding explained the routing plan for the school illustrates the children crossing the street. He stated he could run the numbers to bring forward at Strategic Planning.

Mayor Burrows stated he could also talk to the School District as far as routing in front of the elementary school. He stated it would be good to complete research, including numbers and a potential routing plan. Chief Hoaldrige explained the routing plan is only prepared once a year for elementary school age children. The need for the most current version was suggested.

Further discussion followed regarding the seniors walking to the new Senior Center; with the suggestion being given to possibly provide striping, signage, etc. as well.

Councilor Hadden explained a routing plan is based on what is available rather than what they would like. Councilor Jenkins stated before 4400 opened up the children did get to ride the bus that went to Riverdale Elementary; and expressed concern that the District seems to follow the trail of shortest distance so as not to have to provide the service.

**Resolution #21-05 authorizing a Technical Forensic Services Interlocal Agreement**

Chief Hoaldridge explained periodically, the technical forensic services agreement needs to be renewed. He gave a brief background, stating this service was originally offered through Weber State University. He stated eventually a valued consolidated local law enforcement service was created; and the rest of the entities paid money for a share of the consolidated effort. He stated over the years, it has become necessary to have an experienced professional group to perform the services necessary as to what needs to be done on the scene relative to the technical aspects of the crime. Chief Hoaldridge stated staff would recommend approval of the Agreement as proposed.

Discussion followed regarding the types of services as provided through technical forensic services. Councilor Jenkins stated she has heard many positives about the program and feels the CSI Team would love to visit the City and provide a presentation.

Councilor Haws inquired as to the proportioned billing rates, with Chief Hoaldridge stating this is based on calls for service as well as population. Mayor Burrows stated changes have come about that really need to be looked at relative to billing procedures. He explained those who chose not to participate in the agreement pay up to \$150 per hour. Chief Hoaldridge stated he feels this interlocal agreement to be the most economical solution.

**Motion** Councilor Brough moved for approval of Resolution #21-2005 authorizing execution of an Interlocal Cooperative Agreement for the provision of Technical Forensic Services as proposed. Councilor Gibby seconded the motion.

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

**Proposed Amendments to the Public Hearing Process**

Mr. Daily offered explanation that per new State Law SB-60, Part 5, Land Use Ordinance; the Planning Commission is required to hold a Public Hearing and the City Council a Public Meeting. He stated the current ordinance does not require the Planning Commission to hold a Public Hearing, but just a Public Meeting; as the City Council holds the Public Hearing. Mr. Daily stated it is recommended to amend the ordinance to have a Public Hearing in Planning Commission and a Public Meeting in City Council.

Mr. Daily stated this will allow the Planning Commission to listen to what the public desires and make recommendations to the elected officials. The City Council can then discuss the recommendations from the Planning Commission without fear of public clamor. He stated holding two Public Hearings is unnecessary, not required by State Law, and would require the City to double the fee for rezones. He stated therefore, Staff would request authorization to draft a process to pursue said amendment as proposed.

**Motion** Councilor Gibby moved to amend the public hearing process and to direct staff to draft an ordinance and follow the process for considering the changes of State Law in regards to Public Hearings. Councilor Jenkins seconded the motion. The motion passed unanimously.

**Proposed Amendments - Landscaping Ordinance**

Mrs. Ukena discussed the need to amend the landscape ordinance for clarification. She explained when going through the ordinances, it was noticed the second line stated the 20% requirement did not include non-buildable onsite and offsite. She stated in talking with Mr. Daily, both agreed the way it reads currently does not make any sense because the non-buildable area is a setback area and why would it not be landscaped. She stated staff would propose to strike that sentence to still allow 20% landscaping.

Councilor Jenkins stated she recalls when this ordinance was written in the Planning Commission, the purpose was to try to get 20% of the site in landscaping. She expressed concern as to how the language got confused. Mr. Daily stated research was conducted, and discussion pertained to wetlands areas not being included as part of that ratio. He stated they exist as an area that is outside of City power to do anything with other than require they be maintained as a wetland area. He stated landscaping is required around those things to make them look better rather than just natural; and that had been counted but the actual area that is wetland was not considered to be landscaping. He stated it was just confusing the way it is written.

Councilor Brough expressed concern with removing the wording because there are areas that cannot be built upon that are not setbacks (such as hillsides or wetlands, etc.) and how to distinguish. Mr. Daily stated protection of hillsides when creating non build areas can be required through beautification. Mayor Burrows stated the major difference is the City is requiring the hillside protection; not the Federal Government or EPA. Councilor Gibby suggested if this wording is removed and it is considered not to count a pond as landscaping. Councilor Haws stated there is still the need for something to indicate things cannot be included in landscaping on which nothing can be built.

Councilor Jenkins stated the Shady Grove wetland area got counted as common area; and she would not want to approve again in that manner as there is no access to a common area. Mr. Daily stated he feels there is an advantage because that is still land owned by Shady Grove. Councilor Jenkins stated she feels this to be a liability; and inquired if this side of the ordinance has been explored - as well as the residential side of landscaping. Mr. Daily stated it has not.

Councilor Jenkins stated there is nothing in the PRUD Ordinance that would prohibit this to be consolidated into development again and this should be dealt with on the many wetlands areas throughout the City. She stated there is the need to deal with certain amounts of recreational areas; and wetlands are not that area.

Councilor Jenkins stated she still feels the need to impose the requirement to make these areas non-buildable. Mr. Daily stated this does not mean that area cannot count as part of the landscaping ratio. Councilor Jenkins stated she feels the entire hillside could provide way above the 20% requirement. Mr. Daily inquired if staff might be allowed to prepare wording that makes sense. He stated if the Council is willing, staff can bring back the ordinance with clarification. He stated staff had felt it simple to remove and still accomplish the same end result as in the landscape ordinance. He clarified this does not count the wetlands, although there is the ability to do so. Councilor Gibby stated the City Council would have to approve a site plan anyhow.

Councilor Gibby inquired if the requirement to put in trees and beautification should be counted, stating if the natural hillside were left alone it would not be called landscaping. Mr. Daily stated not unless an owner makes the property more attractive. Councilor Hadden stated he would argue that, by definition, a body of water is considered landscaping. Discussion followed regarding the concept that a body of water is considered different than a wetland.

Mrs. Ukena explained that wetlands and hillsides cannot be included in the 20% provision. She stated she feels this wording makes more sense than non-buildable. Councilor Haws stated the way it sits would seem that nothing was supposed to be included within the setbacks if any of the lot were ever approved.

At this point, Mr. Hansen stated it is obvious that Title 10 requires amendment and public hearing process. He encouraged the Council to allow staff to work on it and return. There appeared to be Council consensus to direct staff to move forward with the landscaping amendment process.

**Ordinance #647 providing for the creation of a Mixed-Use Zone**  
**Public Hearing**

Mayor Burrows explained a public hearing is necessary to receive comments from the citizens of Riverdale concerning the proposed creation of a Mixed-Use Zone. He then opened the public hearing for public comment at approximately 7:20 p.m. He affirmed proof of publication.

Mrs. Ukena explained the proposed mixed-use ordinance has been reviewed and adjustments made by the Council. She stated in looking at it, staff felt the need for a bit more clarification of several items. She referenced these amendments: such as to remove "etc" and make it specific as far as including standards and adding other items which needed to be included as part of the standard; changing the minimum yard setback front from reasonable to different; and corner change from reasonable to different. Mrs. Ukena stated legal has concurred with the changes as proposed.

Mrs. Ukena continued to discuss changes; including placement of the heading under residential; and adding town homes, etc. for clarification purposes. She stated residential setbacks are different; and wording as well as every use being conditional had made her uncomfortable. She discussed not permitted in this zone being defined as sexually oriented business and businesses that are regulated by the sale of alcoholic beverages. She stated consideration of impacts to surrounding areas (such as hours of operation or objectionable odors) would be set by Planning Commission. Mrs. Ukena stated staff would recommend adoption of this ordinance with the amendments as outlined.

**Motion** There being no public comment, Councilor Gibby moved to close the Public Hearing at 7:26 p.m. Councilor Hadden seconded the motion. The motion passed unanimously.

**Motion** Councilor Gibby moved for approval of Ordinance #647 amending Title 10, by adopting a new Article to Chapter 13, Special Use Districts, establishing Conditional Uses of compatible residential and commercial uses - Article G. Mixed-Use Zone (MU) and amending Title 10, by amending Chapter 2, Definitions, by adding pertinent definitions to the City's Zoning and Subdivision Regulations as proposed. Councilor Hadden 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.

### **Strategic Planning Issues**

Mr. Hansen referenced the quarterly Strategic Planning Meeting to be held on Saturday, August 27, 2005; from 8:00 a.m. to 4:00 p.m. He stated staff will try to schedule the meeting to be held at the new Senior Center.

Mr. Hansen stated the agenda bears brief comment to allow staff to properly prepare. He stated staff has not postponed intending to avoid discussion on job descriptions and Council concerns, but would like review particularly identifying or flagging those with which there is issue. He explained all Department Heads will be present, and will be able to answer any questions. Mr. Hansen stated the Council had previously identified 8-10 job descriptions that were more sensitive than others and required discussion.

Mayor Burrows stated the meeting could be shortened if there were not the need to go through every single job description; and only to address those of issue. Mr. Hansen stated although staff does have notes from previous discussion, it would be nice if the Council could provide advance notice to Administration of issues to be raised. Mayor Burrows stated he would suggest that any issues be brought forward to Mr. Hansen's attention by August 1 in order to allow staff to prepare and be able to respond properly.

Mr. Hansen stated this meeting will also entail a brief discussion of the 2005 Annual Citizen Survey. He stated staff will distribute a blank copy of the 2004 survey to serve as a reference point from which to begin discussion.

Mr. Hansen summarized three primary items for accomplishment at this meeting: (1) brief department updates as necessary to make known goals and objectives to complete the work plan for which funding has been appropriated by the adoption of the new budget; (2) job descriptions; and (3) 2005 Annual Citizen Survey.

Mayor Burrows stated should the Council have major items for the upcoming year, he would request these be given to staff. Mr. Hansen stated priorities can be given at any time to enable staff to compile a listing of desired projects.

**Discretionary Business**

**ICE Program**

Councilor Hadden discussed a recent e-mail sent to Chief Hoaldrige that concerns a novel approach to be utilized in the event of an accident. He stated should people be unconscious and notification of family is necessary, there is a plan entitled "ICE" (in case of emergency) wherein the idea is that people that carry cellular phones write a contact in case of emergency included under ICE. He explained this is a wonderful idea that is hoped to be instilled in the citizens of Riverdale; and information will be included in both the City Newsletter and disclosed at CERT training.

**Campaign Disclosure**

Councilor Haws stated he had noticed there is an ambiguity as to the limit of campaign disclosure; and whether the \$50 is included in the reportable or the non-reportable reports. He stated the limit in both of these reports is currently set at \$50 and may cause some confusion. He stated Ms. Mansell already has specific campaign literature prepared for the upcoming 2005 election; however, he would like this item included on the Recorder's Report to be completed at some time following the election.

With no further business to come before the Council at this time, Councilor Gibby moved to adjourn the meeting. Councilor Haws seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 7:34 p.m.

Attest:

Approved: August 2, 2005

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Cindi Mansell, City Recorder

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Bruce Burrows, Mayor