
Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **August 1, 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
 Gary Griffiths, Councilor
 Doug Peterson, Councilor

Others Present: Stevin Brooks, City Attorney; Randy Daily, Community Development Director; Jan Ukena, City Planner; Lynn Moulding, Public Works Director; Marilyn Hansen, City Recorder; other city staff and approximately 9 citizens.

A. Welcome & Roll Call

Mayor Burrows called the meeting to order and welcomed all those present. He reported that Larry Hansen is out of town.

B. Pledge of Allegiance

Councilor Jenkins offered the Pledge of Allegiance. Mayor Burrows gave a quote from Thomas Jefferson.

C. Moment of Silence

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

D. Information Items

1. **Open Communications**

a. Update on HAFB's Environmental Restoration Program and cleanup in Riverdale by Mark Roginske.

Mark Roginske from Hill Air Force Base gave an Environmental Restoration Update to the City Council. He distributed a handout outlining the contamination area and the planned groundwater investigations in Riverdale. Mr. Roginske pointed out that the chemical TCE has contaminated the groundwater and that the area of contamination starts on Base and extends into Riverdale. He explained that two treatment systems have been installed and working since the late 90's as groundwater extraction systems. He also noted that there are eight off base monitoring wells to help determine what this contaminated area looks like. Councilor Gibby asked what the life of this material is. Mr. Roginske explained that it is probably going to take 30 years or more to clean up this area. He reported that in 2006 and 2007 they will be implementing Planned Groundwater investigations. In 2006 they will collect 21 groundwater samples from 7 direct-push sampling locations in Riverdale on the City streets and install 6 monitoring wells on 1150 West to better evaluate treatment system performance. In 2007 they will collect up to 36 groundwater samples from 12 direct-push sampling locations in Riverdale on City streets and

private property and install permanent monitoring wells at locations based on the investigation results.

2. Mayor's Report

Mayor Burrows reported that there will be a Town Meeting on August 9, 2006 at the Senior Center beginning at 7:00 p.m. He noted that this meeting is open to the public.

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

Councilor Jenkins asked if it is a moot point to keep the East Bench Trail Access item on the report as the property owner is not willing to allow access and no funding has been allotted for this item. Mr. Daily reported that it was left on the Recorder's Report in case Council wishes to pursue funding for the purchase of the easement. He explained that the owner is not interested in allowing access. Councilor Jenkins asked if there was a way to calendar this item for a more reasonable time to consider funding, perhaps at budget time, rather than have it sit on this report for a year. Mr. Daily asked if the Council would want a study done to see what residents would use a trail access on the East Bench. Councilor Jenkins discussed that this could be a question on the next survey. Mayor Burrows stated that this item could be discussed at the next quarterly Strategic Planning meeting.

Councilor Jenkins inquired about the donated land and "Welcome to Riverdale City" signage item. She indicated that this item may not need to remain on the report, but that an update could be given to the Council. Ms. Ukena indicated that she wasn't sure about the Roy sign, but the other two are scheduled for the 15th and they are working with Mr. Moulding to get the stones placed. Councilor Haws suggested that this issue be discussed at the quarterly Strategic Planning meeting and discussion could be held regarding future funding for capital projects to make more signs.

Councilor Jenkins stated that the Recorder's Report indicated that a response has been received from Washington Terrace on the Utilities – Combe PRUD Issues item. She inquired as to what was their response and was it in reference to just the Combe property or other agreements. Mr. Daily explained that they met with Washington Terrace and went over the letter and their request for agreements regarding utilities, sewer, storm drainage and water. He indicated that Mr. Moulding is working with Washington Terrace and the Combe Pines engineer. Mr. Moulding stated that Norm Frost asked if the detention basin for storm water could be eliminated from the project. He reported that there are some valid reasons to do that but he wants to talk to the City Attorney and consult with engineer on this proposal first. Mr. Moulding stated that this issue is one that has been keeping them from moving forward. Councilor Jenkins asked if we are talking about the handshake agreements with Washington Terrace or are we just talking about Combe Pines right now. Mr. Moulding stated that it is up to the developer to decide which way he wants to go with utilities. There is some benefit to the Terrace to cooperate with them but that costs the developer more money or he can opt to go a shorter distance with the utilities and not cooperate with the Terrace. Mr. Daily explained that Norm Frost has given Washington Terrace a check to perform a study on an unused water tank to see if it is a benefit to Washington terrace or can he get water from it for his development in Riverdale. He explained that this item will probably be brought before the City Council to decide which is more beneficial to Riverdale regarding servicing the property with water. Councilor Haws stated that there might be some confusion. He noted that when they first started discussing the Norm Frost development there were questions about the subdivision to the north of his property that the sewer and storm drains that ran into Washington Terrace's storm drain and sewer systems. Councilor Haws thought the issue was that Mr. Moulding could not find the agreements between Riverdale and Washington Terrace and that those connections could not be made and this was to solidify those

issues and see if those connections were agreed to between the Cities. Mr. Daily indicated that this is still a work in progress and that there are still things that need to be resolved to move forward.

Councilor Jenkins discussed the PRUD Ordinance item. She stated that she didn't know that they had asked for options but had asked for a new PRUD ordinance. Mr. Daily explained that this item was on the Planning Commission agenda to be discussed, but that there were two members not present at that meeting and they felt that the entire Planning Commission should be present for this item. He indicated that most cities around us are rescinding their PRUD ordinances and are looking for an alternate to a PRUD ordinance that will work. The biggest issue that most cities face is what the development becomes in the future and the burdens placed on the Home Owner's Associations. Mr. Daily reported that the Planning Commission is looking for an option to the PRUD ordinance. Councilor Jenkins stated that it looks like it is being driven by staff to see if this ordinance is wanted. She reported that the recommendation was that the City Council will be given an ordinance. Mr. Daily stated that he doesn't want an ordinance just to have an ordinance and that the Planning Commission needs to discuss this item.

E. Consent Items

1. Consideration of meeting minutes from:
July 18, 2006 Council Work Session
July 18, 2006 Regular City Council
2. Consideration of setting a public hearing on August 15, 2006 to vacate West Bench Right-of-Way - 4800 South from 1550 W. to the dead end at I-15; 1550 West from the intersection at Cozydale and 1500 West to the dead end at I-15; Cozydale from 4400 South to 1500 West (Right-of-Way width change).
3. Consideration of setting date, time and location for quarterly strategic planning meeting: Saturday, August 26, 2006, 8:00 a.m. - 12:00 noon, Riverdale Senior Center.

Motion: Councilor Gibby moved to approve the consent items as presented. Councilor Peterson seconded the motion.

Call the Question

The motion passed unanimously.

F. New Action Items

1. Department of Community Development
 - a. **Consideration of Ordinance # 662 adopting amendments to the Business License Code.**
Randy Daily recommended approval of Ordinance #662.

Motion: Councilor Gibby moved to approve Ordinance #662 Amending Under Title 3, Business License Regulations, Chapter 1, Administration to amend portions of said Ordinance to allow approval authority for the City Designated License Assessor and eliminate mandatory Council approval on all Business Licenses except Liquor Licenses; and; providing for severability; repealing all Ordinances in conflict herewith; and providing an effective date upon publication as required by law. Councilor Haws seconded the motion.

Call the Question

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

b. Consideration of re-zone request at 5188 South 1150 West from A-1 to R-1-6.

Jan Ukena, City Planner, stated that a public hearing was held before the Planning Commission to rezone this property and no one spoke against it. Councilor Jenkins inquired as to the property size. Ms. Ukena stated that the original re-zone application was for a small portion of lot 1, then the petitioner asked to re-zone all of lot 1, which is 1.62 acres. Councilor Peterson inquired if there would be access to the lots from 1050. Ms. Ukena replied that there would be no access from 1050 but access will come from 1150 when the subdivision is completed.

Motion: Councilor Gibby moved to approve the re-zone property located at 5188 South 1150 West from A-1 to R-1-6. Councilor Griffiths seconded the motion.

Call the Question

The motion passed unanimously.

2. Department of Community Development

a. Consideration of Resolution #21-2006 approving an Interlocal Agreement between Riverdale City and Weber County relating to Recreation, Arts, Museum and Parks (“RAMP”) Funding for Golden State Park upgrades.

Lynn Moulding, Public Works Director reported that when the Golden Spike Park parking lot project was bid, it came in high and it was decided to leave the landscape portion out of the contract and budget for that and do it ourselves. In the meantime, Shawn Douglas became aware of this funding through RAMP, where just about any City who asks can receive up to \$1.00 per capita of population. We put in a request for this \$8,000 and was awarded \$12,000.

Motion: Councilor Gibby moved to approve Resolution #21-2006 approving an Interlocal Agreement between Riverdale City and Weber County relating to Recreation, Arts, Museum and Parks (“RAMP”) Funding for Golden Spike Park upgrades (noting the change from Golden State Park to Golden Spike Park). Councilor Jenkins seconded the motion.

Call the Question

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

3. Mayor

a. Consideration of appointment, Planning Commission member replacement.

Mayor Burrows stated that Planning Commission member, David Coles, has recently changed employment and has resigned as a Planning Commissioner. Mayor Burrows presented the name of David Gailey to replace Mr. Coles.

Motion: Councilor Haws moved to approve the name of Mr. David Gailey as a Planning Commission member. Councilor Peterson seconded the motion.

Call the Question

The motion passed unanimously.

b. Consideration of appointment, alternate (associate) Board of Adjustment members.

Mayor Burrows reported that due to recent changes in State statutes, members of the Board of Adjustment cannot hear an appeal if that member heard the original case. He stated that we have a member of the Board of Adjustments who is a current Planning Commission member who heard the original case and cannot hear the appeal as a Board of Adjustment member. Mayor Burrows explained that until another person can be appointed as a regular Board of Adjustment member, alternates need to be appointed. Mayor Burrows presented the names of Kathy Eskelsen, a former member of the Planning Commission, and David Coles, who recently resigned from the Planning Commission. He reported that Mr. Daily verified that Mrs. Eskelson was not on the Planning Commission during the time that the issue that may come before the Board of Adjustment was under consideration. Mayor Burrows stated he would like to appoint Mr. Coles as a 2nd alternate, as he was on the Planning Commission during the time that the particular issue was discussed that will probably come before the Board of Adjustment. Mr. Coles was seated the night that the motion to table the item in question was made, but was not present when action was taken on the subdivision and was not part of the discussion or decision. Mayor Burrows stated that he feels Mr. Coles could serve and is recommending that these two individuals be approved as alternates to the Board of Adjustments with Mr. Coles being the 2nd alternate.

Motion: Councilor Gibby moved to approve Kathy Eskelson and David Coles as alternate members to the Board of Adjustment. Councilor Haw seconded the motion.

Councilor Griffiths stated that he still has reservations regarding Mr. Coles appointment. He discussed that even though he was not present to vote on the matter, he was still part of the Planning Commission. Councilor Griffiths still questions Mr. Coles being on the Board of Adjustment because he was on the Planning Commission at the time the matter was heard. Mayor Burrows stated that he appreciates Councilor Griffiths concern and will thoroughly research any possible reservations regarding any conflict, but with consent from Council would like to go ahead with the approval process while being mindful that they don't want to break any State laws. Mayor Burrows indicated he would either withdraw the nomination and with Council's permission, there were a couple of other names that were on the list, but he is not prepared to discuss those at this time. He asked that the Council give advice and consent with the ability to proceed with possible alternatives if there is a need to legally remedy this issue and will bring those back to the Council at a future time. Councilor Jenkins stated that she falls in-line with Councilor Griffiths concerns and if there are other people that don't have conflicts, she would be in favor of moving down the list. She asked if the other candidates had experience with land use issues. Mayor Burrows stated that the Board of Adjustment has strict guidelines set forth by the State of Utah and they do not have to have land use experience. He explained that they are more like a jury. Ms. Ukena stated that the Board will be basing their decision on whether we followed procedure accurately, and if we did not do it accurately, it will send it back to the Planning Commission to correct it. She indicated that Mr. Coles would not sit on the board that night, but Mrs. Eskelson would.

Call the Question

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

Mayor Burrows stated that he will contact additional people to see if they are interested in attending the training with the idea that they may be interested in serving on this Board in the future.

G. Discretionary Items

Councilor Haws discussed the road work that was done in Riverdale. He felt that the traffic control on the project was not very good as 700 West at 4400 South were closed during the morning rush hour on two different days. Councilor Haws discussed that this was not the best timing and the signage for closing the roads as well as the flag people were not in the right places and not helpful. Mayor Burrows reported that construction issues were the number one topic this week. He stated that we could contact the company to have signage placed in advance of construction beginning.

Councilor Jenkins asked for an update on the 300 West project. She indicated that she had talked to someone who worked on the project and they said the project is running behind. Mr. Moulding replied that the project is neither ahead of schedule nor behind schedule. They were planning on having the road closed until September. He stated that the road could be open to traffic earlier, but they can choose to keep it closed until it is done because it is safer for workers. Councilor Peterson stated that he understands that the road will be open to traffic by the time school starts on August 23rd. Mayor Burrows stated that September 1st was always the date. Mr. Moulding explained that September 1st is the date they are shooting for. Councilor Jenkins asked for an update as they get closer to September 1st.

H. Adjournment

With no further business to come before the Council at this time, Councilor Haws moved to adjourn the meeting. Councilor Jenkins seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 7:23 p.m.

Attest:

Approved: August 15, 2006

Marilyn Hansen, City Recorder

Bruce Burrows, Mayor