

Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **September 20, 2005** at 6:00 p.m. at the Riverdale Civic Center, 4600 South Weber River Drive.

Members Present: Bruce Burrows, Mayor
Nancy Brough, Councilor
Stan Hadden, Councilor
Stacey Haws, Councilor
Shelly Jenkins, Councilor

Member Excused: David Gibby, Councilor

Others Present: Larry Hansen, CAO
Wayne Hoaldrige, Public Safety Directory
Lynn Moulding, Public Works Director
Randy Daily, Community Development Director
Lynn Fortie, Business Administrator
Stevin Brooks, City Attorney
Michelle Douglas, Deputy City Recorder

Jessie Szalay	Norm Frost	Ted Combe
Glenna Combe	David Combe	Garth Hiner

Mayor Burrows called the meeting to order and welcomed all those present. He acknowledged that all members were in attendance; with the exception of Councilor Gibby, who is out of town and excused from the meeting. He noted that Ms. Mansell was excused as well. Councilor Brough offered the Pledge of Allegiance. Mayor Burrows then read a quote written by John Adams from October 7, 1818; followed by a Moment of Silence.

Mayor's Report

Mayor Burrows reported that Thursday evening, September 22, 2005, the Senior Center would be hosting its open house from 5:00 p.m. to 8:00 p.m. In addition, the following Wednesday evening, September 28, 2005, the Youth City Council would be hosting Meet the Candidate Night from 7:00 p.m. to 9:00 p.m.

Mayor Burrows informed the Council that last week at the Utah League of Cities and Towns Annual Conference, on Tuesday, September 13, 2005, the legislative policy meeting took place. Mayor Burrows went on to explain some of the events that were going on with the Utah League and the "Hold Harmless" situation.

Finally, Mayor Burrows indicated that as of yet, he does not have a new Planning Commission member appointment. He then provided the Council with a list of Planning Commission candidates and informed them he would be conducting interviews. Mayor Burrows presented the following individuals as interested in serving on the Planning Commission: David Gaily, Jason Christensen, Alan Arnold, Michael Bailey, Norm Baker (his name was submitted but he is not interested), Norm Searle, and Bart Stevens.

City Administrator's Report

Department Information

Mr. Hansen indicated that he would like to make a brief comment regarding the "Hold Harmless" comment Mayor Burrows discussed during the Mayor's Report. He explained what they are talking about is the state sales tax distribution. He went on to explain the current sales tax is 6.6 percent and the distribution is as follows: 1% of the 6.6% is local sales tax and is returned to the point-of-sale city via a 50/50 formula; 50% of it based on the actual point-of-sale, the remaining 50% based on the population of the city as a percentage of the state based on the population of the city as a percentage of the state population, with a "Hold Harmless" provision that the 50% population distribution would in no case be less than half of the 50% due to a city's population size. Thus, the formula provides a guaranteed 75% of the local 1% sales tax under the hold harmless provision.

Mr. Hansen stated the hold harmless provision of the distribution has come under fire by the State Legislation. Mr. Hansen explained that the State Legislature turns to the League of Cities and Towns so the League has a Legislative Committee and they have been working on this for years and there 12 cities identified by the ULCT that benefit from the "Hold Harmless". Mr. Hansen indicated that the proposed amendments would be very adverse to our community. Mr. Hansen proceeded to distribute additional information about the proposed changes; including a draft of a proposed amendment of the ULCT resolution favoring a phase-out of the hold-harmless provision.

Councilor Hadden inquired if any study has been assembled to determine the loss of personnel, which could occur. Mr. Hansen indicated that in looking at fiscal year 2003, the loss of revenue to the City would be \$880,000 under the proposed tax reform package, which is rather substantial. Mr. Hansen noted the City would have to scale back in terms of services. Councilor Hadden inquired again, do you have any numbers in personnel cuts. Mr. Hansen said not at this time. Mayor Burrows added they are trying hard at this time.

Councilor Haws said one of the things that might be explained, as it was explained to him, which was before the changes, the local option was 3/4 of a percent (and all of that 3/4 of a percent went to point of sale). However, when they increased to a full percent, they went to a 50/50 distribution. Mr. Hansen said that was the Legislative intent. Mayor Burrows stated in reviewing the past, it has been "hold harmless" and now they want to do away with it because it is a different group of Legislators.

Councilor Jenkins referred to the business license report. She inquired why there were renewals this late in the year. Mr. Daily explained that some businesses do not renew when they are supposed to and Staff has to work with them to get them to renew their business license.

Employee Recognition

Mr. Hansen honored Sergeant Don Anderson with 23 years of service with the Riverdale City Police Department. In addition, he recognized Karen Dille with six years and Collin Winget with two years both with Community Services.

Recorder's Report

Councilor Jenkins indicated that she would like to review a few items on the Recorder's Report. She questioned where they were at with the General Plan review. She noted that priorities had been

placed on the RDA; however, she questioned if Staff has not moved forward with the General Plan review since the RDA process has been finalized. Mr. Daily explained they have moved forward with the General Plan. There would be some public hearings coming forward.

Councilor Jenkins referred to the 700 West/Riverdale Road area. She clarified that the Mixed-Use Ordinance had been approved by the Council. Mr. Daily indicated that the Ordinance was approved. It was questioned why the item was still on the Recorder's Report. It was thought the item could be removed.

Councilor Jenkins referred to the Code Enforcement job description. She questioned the feasibility of the Council writing the job description. She inquired if Human Resources should be responsible for that. It was noted that there are two departments involved with that job as well.

Councilor Hadden mentioned the placement of mail drop boxes in Riverdale City. Mr. Daily explained that he spoke to the post office and the City can request mail drop boxes. However, the gentleman at the post office said the City does not have a location in Riverdale that is appropriate. He went on to explain most locations are in front of large office complexes.

Mayor Burrows questioned if the post office said Mail Boxes Etc (the UPS Store) is part of the problem. Mr. Daily indicated this is not the case. Mr. Hansen said it's a bureaucratic response. They don't want to use the labor to stop and check the post box.

Mr. Daily stated that they talked earlier about a mail drop box at the senior center and one by the Riverdale Mobile Home Estates Park on 1050 West. When he asked the post office about the placement of boxes, the gentleman blew his ideas out of the water. He explained that you have to have so many pieces of mail a day to keep the box. Mr. Daily indicated that he thought the senior center would be a good location. Councilor Jenkins added just to east of the senior center there are businesses, which would be a reasonable location. Mr. Daily said he is willing to follow the Council's direction. The Council indicated that it would not be a bad idea to formally request the post office for the placement of mail drop boxes.

Councilor Brough indicated that she would like an update on both river trail accesses from the Army Corp of Engineers. She noted that the last noted update was legal submitted a formal request for action. She went on to say she would like to know every-other-week where they are at with this specific item. Mr. Moulding explained they started on the irrigation, and he hasn't heard back on the fencing materials as of yet. He went on to explain the bridge on the southern access is being handled as a scout project and approximately 80 percent of the value is being donated.

Consent Items

Approval of Minutes

Mayor Burrows indicated the Council has the Strategic Planning minutes of August 27, 2005; and the Work Session and Regular minutes of September 6, 2005 for the Council's approval. He noted that one revision has been submitted for the September 6, 2005 Work Session Minutes.

Report on Condition of the Treasury as of June 30, 2005; July 31, 2005; and August 31, 2005

Mr. Lynn Fortie indicated that the report covered the months of June, July and August. He noted that he would only discuss the month of August unless the Council had specific questions regarding June or July. Mr. Fortie informed the Council that the Auditors finished their audit and they would be coming to the October 11, 2005 meeting.

Mr. Fortie referred to the net income of the RDA, which is \$149,874 in the negative. He explained the reason it is in the negative is because he has already made the transfer for the loan pay back. He went on to explain the sewer fund is also a negative number, most of which was paid to Central Weber Sewer. Mr. Fortie explained 50 percent of the budget for Central Weber Sewer has been paid. Finally, Mr. Fortie referred to the Information Technology Fund. He noted that the City purchased a lot of computers at the beginning of the fiscal year.

Motion Councilor Brough moved to approve the consent items with the one amendment for the September 6, 2005 Work Session minutes. Councilor Hadden seconded the motion. The motion passed unanimously.

Purchase of Breathing Fill Station

Chief Illum was present at the meeting to discuss the purchase of a breathing fill station for the Fire Department. Chief Illum reminded the Council that during the Council's Strategic Planning meeting, they discussed the fact that the one the Fire Department currently has is out of date and they do not use it because they cannot guarantee it will put safe air in the firefighters self-contained breathing apparatus.

Chief Illum informed the Council that the breathing fill station is a L.N. Curtis and it is a Maco air compressor, which meets all current National Fire Protection Association standards as well as current Occupational Safety and Health Association standards. In addition, the station will fill the new fire truck's breathing apparatus as well. Chief Illum went on to explain the life expectancy of the breathing fill station is 15 years and it has a one year warranty. He said that he tried to get the warranty extended to two years; however, L.N. Curtis indicated that the station would not need to be serviced for six years. He noted if the Council approves the purchase, he will need a purchase order to purchase the breathing fill station.

Chief Illum indicated the Fire Department's budget is \$40,000 and the breathing fill station came in under that amount. However, they will need some incidentals - such as, they will need to rewire the fire station to accommodate the new breathing fill station. It was inquired what would need to be serviced in six years. Chief Illum explained that L.N. Curtis has a truck that would come out and service the station for a couple hundred dollars.

Motion Councilor Brough moved to approve the expenditure of funds in the amount of \$30,569 for a Breathing Fill Station to L.N. Curtis. Councilor Jenkins seconded the motion.

Councilor Haws inquired if the Council was approving the purchase order or the purchase. It was explained once an item is approved by the Council the department has the authorization to purchase it; however, on any item over \$25,000, it still comes back before the Council for approval of payment.

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

Resolution No. 29-2005 approving the Interlocal Agreement with the Utah State Second District Juvenile Court for Graffiti Removal Service

Public Safety Director Hoaldrige was present at the meeting to present the annual contract for juvenile graffiti removal services. He informed the Council for fiscal year 2005/2006 he has \$2,000 budgeted and the contract is for \$1,500.

Motion Councilor Haws moved for approval of Resolution No. 29-2005 Authorizing Execution of an Interlocal Cooperative Agreement with the Utah State Second District Juvenile Court to Provide Graffiti Removal/Clean-up Services within Riverdale City. Seconded by Councilor Hadden.

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

Final Pay Request and Balancing Change Order for Parker Drive Trail and Parking Lot Payable to Post Construction in the amount of \$36,634

Public Works Director Moulding informed the Council that this is the final pay request for the trail parking lot.

It was inquired when they would take the barricades down that are blocking the parking lot; and it was noted that people are already utilizing the parking lot. Mr. Moulding said they would be talking the barricades down on Thursday, September 22, 2005. He said the reason they were still up is because they did not want people on the parking lot and in the dirt, which is what they are doing.

Mr. Moulding explained the Division of Wildlife Services will be in the area soon to put up a fence. Mrs. Brough inquired if Mr. Moulding thought that would keep motorized vehicles out of the area. Mr. Moulding said if there is a problem, they could move the whole assembly down to block off the area. Councilor Jenkins questioned if they could do that anyway. Mr. Moulding suggested that they play that by ear and see how it goes. Councilor Brough asked if they could install a post in the middle of the trail opening. Mr. Moulding indicated there are manufactures that make that kind of device; however, they are quite expensive, and he believes they could do something cheaper.

Motion Councilor Brough moved to approve the final pay request and balancing change order for the Parker Drive Trail and Parking Lot payable to Post Construction in the amount of \$36,634. Councilor Hadden seconded the motion.

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

Pay Request No. 1 and Project Summary for Roundabouts payable to Poulson Construction in the amount of \$78,063.97 for work completed to date

Public Works Director Moulding informed the Council this request is the first pay request for the two roundabouts on 4400 South. He went on to explain all the utility work has been completed and the contractors are prepping the curb work this week.

It was inquired if the contractors are still on schedule. Mr. Moulding indicated that they are about one day behind. Councilor Jenkins questioned if there is a late penalty in the contract if the contractor does not finish the project on time. Mr. Moulding said there is; the contractor would be penalized about \$150 a day.

Motion Councilor Brough moved to approve the Pay Request No. 1 and Project Summary for the Roundabouts payable to Poulson Construction in the amount of \$78,063.97 for work completed to date. Councilor Hadden seconded the motion.

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

Resolution No. 30-2005 authorizing execution of an amended 300 West Project cooperative/construction engineering reimbursement agreement and fund match expenditure in the amount of \$173,142

Public Works Director Moulding informed the Council that he brought this item to the Council as an update with where they were at in regards to the 300 West Project. He went on to say the cooperative agreement went to UDOT and they did not need the 10 percent contingency. Therefore, they removed it from the overall amount the City needed to pay up front. Mr. Moulding stated he was not sure if the Council needed to do anything with the item.

Councilor Brough inquired if the 300 West Project would be torn up the same time as the I-15 Project. Mr. Moulding indicated that the 300 West Project is going to be an eight or nine month project and is estimated to start in February (it has not even been out to bid yet). The I-15 Project is a two-year project.

Mr. Hansen noted the amended contract saved the City approximately \$26,000. He explained when UDOT administer these types of contracts, the City has to pay its portion up front. Therefore, it requires the expenditure of \$173,142. Mayor Burrows added there is an amended Resolution, as well as a replacement agreement.

Motion Councilor Haws moved for approval of Resolution No. 30-2005 Authorizing Execution of the amended Cooperative/Construction Engineering Reimbursement Agreement with UDOT. Councilor Brough seconded the motion.

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

Motion Councilor Haws moved to approve the expenditure of funds in the amount of \$173,142 to UDOT for the 300 West Project. Councilor Hadden seconded the motion.

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

Boundary Adjustment with Washington Terrace City and consideration of Proposed Resolution declaring official intent to adjust a common municipal boundary existing between Washington Terrace and Riverdale City at approximately 5450 South 600 West; by disconnecting properties located within municipal boundaries of Riverdale City and the annexation of such property to the City of Washington Terrace

Mr. Daily informed the Council the request before them is to disconnect properties in Riverdale City and convey the properties to Washington Terrace. He noted that the petitioners are Mr. Norm Frost and Ted Combe. The property consists of 16 acres. Riverdale City cannot adequately service the property with utilities. Public Works and the City Engineer recommend the boundary adjustment. Mr. Daily indicated there are numerous issues with the proposal that must be resolved prior to approval of the boundary adjustment and the Planning Commission would not give a favorable recommendation because of the unresolved issues. Mr. Moulding has indicated that a water pressure booster pump is not desirable, specifically from the maintenance and reliability standpoint. Washington Terrace can service the property with all utilities; whereas, sanitary sewer and storm water would be problematic for Riverdale City. Finally, all properties affected by the boundary adjustment remaining in Riverdale City must conform to zoning requirements.

Mayor Burrows indicated this process is not normally a public hearing; however, Mr. Norm Frost and Ted Combe are both present at the meeting.

Mr. Garth Heiner inquired what is meant by the statement that Washington Terrace can service the area; and would Washington Terrace have to use the same pump. Mr. Moulding said he would assume Washington Terrace has reservoirs that are higher than Riverdale City. Mr. Frost added that Washington Terrace has adequate water to service the area.

Mr. Norm Frost addressed the City Council. He explained there were unresolved issues with the Planning Commission and the reason there were unresolved issues is because he did not get anything from the City Planner until the day before the Planning Commission meeting. He went on to say he has since gone through and resolved those issues.

Mr. Frost proceeded to go through the list of issues, which the Planning Commission reviewed during their September 13, 2005 meeting and the City Council received in their informational packet as well. Mr. Frost indicated the first issue is they cannot make the 4-plex parcel more non-conforming. He noted the county plat shows the southern property line of the parcel as 122 feet so he had a new legal description drawn up and they made the boundary on their plat the same.

Mr. Frost stated that the 3,454 square foot parcel on 5400 South is owned by Mr. David Combe and he owns the parcel to the west. He explained they are not changing the smaller parcel; however, it can be combined with the larger one. Mr. David Combe was present at the meeting and he indicated that was not an issue.

Mr. Frost addressed the issue of creating an island to the north. He informed the Council that the parcels to the north are connected to the rest of Riverdale City and it is not creating an island.

Mr. Frost informed the Council that Mr. Ted and David Combe's parcels are included in the boundary adjustment. In addition, all issues have been resolved with the City Engineer. The only engineering issue was the legal description.

Discussion followed regarding issues pertaining to Public Works. Mr. Frost explained that there are certain properties that are not connected to the sewer system. He went on to explain there are three dwellings within Riverdale City that are not connected to public sewer and with the proposed development, they will bring the services down and connect the residences.

It was inquired where the existing sewer ties into. Mr. Moulding explained the sewer ties into a Washington Terrace sewer line, which ties in on the east side of the rail road tracks. Councilor Brough questioned if providing sewer services to the area would be a problem. It was explained that there are approximately six homes in the area and the homes are tied into Washington Terrace's sewer; the same sewer that goes under the rail road tracks.

Councilor Jenkins said most of these issues go back to Public Works concerns. She said if you put in a booster pump for the water, would it be serving our other residents better or would it only serve this particular development. Mr. Moulding indicated it would depend on where the booster pump was located. He explained if the pump was placed up stream, it would hurt the other residents. Mr. Moulding went on to explain as a utility overall, he has talked to other people; and they have said they are not in favor of booster pumps.

Councilor Jenkins inquired if Mr. Moulding could get the Council more information regarding the booster pumps. Mr. Moulding explained until Mr. Frost gave the City a proposed location, he could only give the Council an estimate.

Councilor Brough inquired about an interlocal agreement for water. She inquired if the City's residents in the area get their water from Riverdale City. Mr. Moulding explained there is an 8-inch pipe that starts at 4800 South, which goes through the Tibbits Subdivision and up a hill. He informed the Council the proposed development would take pressure away from all the existing residents to service the development, and an engineer would have to evaluate it to see if it would even work.

Councilor Brough questioned if there is the potential for any type of interlocal agreement with Washington Terrace for water. Mr. Hansen stated that this issue previously came up and Washington Terrace has indicated that they have no intentions to make any concessions for Riverdale City. He noted that this would be a favorable benefit for Washington Terrace and right now, they are looking to pick this area up.

Councilor Jenkins inquired about the infrastructure on 600 West and if the City owned it. Mr. Moulding indicated that the water line is an 8-inch line that dead ends where the street ends and the City owns it.

Discussion followed regarding the one to two-foot strip that is keeping the City tied together. It was inquired how that would work. Mr. Frost pointed out the larger portion of Riverdale City to the West and explained the small strip would go back behind Mr. Combe's property and the two-foot

strip of property would come across at 600 West and tie in the properties to the north. Mr. Frost informed the Council that he has done this before.

Councilor Haws clarified where the two feet would tie in because the front of the lot fronts on Washington Terrace. Mr. Frost further explained where the two-foot strip would be and how it would come across 600 West, which is located within Riverdale City. He noted the lots to the north are currently tied in to the rest of Riverdale City by Mr. Combe's property and the property behind Mr. Combe's property.

Councilor Jenkins stated the question is do we want to make the situation worse.

Mr. Moulding indicated they could propose an agreement with Washington Terrace to find out if they would maintain the two-foot section of road.

Councilor Jenkins inquired how the process of a boundary adjustment works. Does the City give the property to them? Does the City charge for it? Mr. Moulding informed the Council that they could give the property to Washington Terrace.

Councilor Brough stated she is trying to see where the roads were going and how they were going to get into the proposed area. Mr. Frost presented the Council with the proposed development and how the development would align with Washington Terrace's existing roads.

Mr. Frost informed the Council that the hardest part is they started eight months ago to try and work everything out. However, he was told Riverdale City did not have the services to develop the property.

Mr. Frost proceeded to further explain the Public Works issues. He noted that Mr. Ted and David Combe's water would be disconnected from Riverdale City's water and reconnected to Washington Terrace. He added that the homes in the area currently on septic tanks will receive sewer and they will bring the sewer to the homes (not at the homeowner's expense). Mr. Frost said there is a water main currently on 600 West, and they will do what ever the City wants them to do with the line. Finally, there are water and sewer lines that cross the property lines, and they will reform it so they have easements.

Mr. Frost explained there is one section of property behind the 4-plex property, which was accidentally left out of the first boundary description. He informed the Council he has a new legal description which includes the property.

Councilor Jenkins questioned Mayor Burrows if he would consider it to be feasible where the Council has had this packet with this much information for only three or four days and the developer has been working on the project for months and the Council has just been brought into the loop at this point. She went on to say she has quite a few Public Works questions and concerns as to what they can do to improve other parts of the water infrastructure for the east bench. Councilor Jenkins inquired if the Council could conduct some type of work session where they could clear up some of these issues, feasibility, costs, and liabilities that have a lot to do with what they have seen so far.

Mayor Burrows stated the only thing he would suggest, if that were her desire, would be to table the agenda item and have Mr. Molding prepare some feasibility and costs because that tells him Councilor Jenkins is looking at keeping the property in Riverdale City and finding ways to accommodate services. Mayor Burrows inquired if he were hearing Councilor Jenkins correctly.

Councilor Jenkins expressed the need for thorough consideration before looking at disconnecting the property and making certain this is the appropriate thing for everyone involved. The way it appears now, it looks like its being driven by one purpose and is it really the goal of everyone. Councilor Jenkins stated she believes it would be prudent for the Council to take these steps. She added that it is not a pro or a con either way. She expressed the desire for more (information).

Mayor Burrows questioned if the issue is just water. Mr. Moulding indicated that it is water and sewer. The City would have to go to Washington Terrace or have the developer put another line in under the railroad tracks to the sewer district. Mayor Burrows indicated that he thought the City is already feeding into that line. Mr. Moulding informed the Mayor and the City Council that he has never seen an agreement from Washington Terrace. If the City were to add capacity to that, an agreement would have to be established. Mr. Moulding added that he is not aware of the capacity of that line.

Mayor Burrows inquired if Mr. Moulding would have the ability to acquire the requested information by the Council's next meeting. Mr. Moulding said that he thought he would be able to obtain the requested information.

Mr. Frost informed the Council just from the time he gave Mrs. Ukena the petition to amend the municipal boundary, it has already been a month and a half. He went on to say then they have to go through a series of hearings. Mr. Frost said he is just suggesting the Council could change their mind in that period of time.

Mr. Frost stated that he understands what the Council is saying; however, the Resolution could be started and then it could be stopped. Councilor Jenkins noted the City would have to publish a public hearing. Mr. Frost said he would pay for the public notices. Mr. Hansen indicated they would not like to give a favorable or unfavorable recommendation at this time. At this time, he is inclined to get with Staff. He went on to say there are not only the issues with infrastructure; there is the issue with creating an island to the north and issues with residents that feel isolated as it is. Mr. Hansen stated we need an opportunity of nailing this down and making a determination with Washington Terrace to see if they are inclined or not inclined to make an agreement with Riverdale. He noted they may or may not be willing.

Mr. Hansen said obviously there is a pubic process; however, with all due respect, this is not an insignificant issue. Mayor Burrows added his recommendation would be to table the item until the Council's October 11, 2005 meeting. He expressed to Mr. Frost that he would hope this is not severely problematic.

Councilor Haws referred to the road on the south end of the proposed development; and he inquired who would be putting that road in. Mr. Frost indicated that Mr. Stephens would be putting in that

particular road. Councilor Haws said with having that road come from Washington Terrace, would that have an impact if the property were not annexed. Mr. Frost stated he does not have a problem with coming to Riverdale City; however, he was told the area could not be serviced by Riverdale City.

Mayor Burrows inquired what the timeline for the boundary adjustment would be if the Council was to wait and approve the resolution in three weeks. Mr. Daily explained there is frustration for the petitioner. He went on to say you are talking about an extra three-week waiting period. Mr. Frost stated it is problematic at this point.

Mayor Burrows informed Mr. Frost that the City would be expeditious in getting their research.

Motion Councilor Jenkins moved to table the proposed Boundary Adjustment with Washington Terrace City located at approximately 5450 South 600 West. Councilor Brough seconded the motion. The motion passed unanimously.

Mr. Ted Combe and Glenna Combe were present at the meeting. Mrs. Combe addressed the Council. She indicated that she got the impression that Council Jenkins believes the City has an investment in the infrastructure on their property. Mrs. Combe informed the Council that they paid for the water pipes on their property - not the City. Mr. Combe added that it is a mess on their property, and they would like to clean up the boundary line. He went on to say when he moved up there 40 years ago, he had to obtain his water from a cement tank, which had a pump and the pumping type system does not work. Mr. Combe indicated that Washington Terrace said they would take in the property and they can provide the services. Mrs. Combe asked to clarify what the issues are so they could take care of the issues and move forward.

Mayor Burrows explained that sewer is the main issue. In addition, water and storm drainage are all issues as well. Mr. Hansen added that there are Community Development issues that are related, which would be the community to the north itself being an island. Mrs. Combe inquired what Mr. Hansen was talking about. Mayor Burrows explained with the proposed boundary adjustment, it is creating an island out of the South Crest Subdivision because they are taking everything except for the 2-foot strip of land.

Mr. Hansen indicated that those are not the principle issues; but rather utilities, when talking about other issues relative to Community Development and Public Safety going in and out of the areas within the Washington Terrace area. Mr. Hansen explained the only reason this is a question now is to determine whether Riverdale City would find it advantageous to retain the Combe's property in the City. If so, the City would be able to provide services to any development that would develop in the area. Mr. Hansen went on to say with regard to the property, he does not know how many homes plan to be built in the area. However, if all the homes were built out, the City could find it feasible to deliver services.

Mrs. Combe stated from day one Mr. Moulding said the City could not give us water and the City should not continue to delay the boundary adjustment if Washington Terrace can provide services. She went on to say that she and her husband would be leaving town the first part of November and she would like this process finalized before they left.

Mayor Burrows explained that the agenda item would be back before the Council on October 11, 2005. Councilor Brough stated that she did not want to leave the impression that the agenda item would be approved for sure on October 11, 2005. Mayor Burrows clarified that the agenda item would be addressed at that time and has the possibility of being approved on October 11, 2005.

Motion Councilor Haws moved to recess the regular City Council meeting in favor of convening into the Riverdale Redevelopment Agency meeting. Councilor Jenkins seconded the motion. The motion passed unanimously.

The meeting recessed at 7:52 p.m.

The City Council reconvened back into its regular City Council meeting at 8:29 p.m.; following the conclusion of the Riverdale Redevelopment Agency meeting and a short break, which started at approximately 8:16 p.m.

Discretionary Business

Councilor Brough indicated that there are wild rumors going around her neighborhood in regards to code enforcement. She inquired what is going on with the situation. Mr. Hansen explained it is a work in progress and Staff has been dealing with the issue in code enforcement for a few years. He went on to say the City has been placed in a situation where it has to move forward with a court order.

Mr. Brooks explained the individual was ordered in January 2005 to come in compliance. The City then gave her notice to appeal or to go to a higher court. The City then filed a notice to show cause. He expressed that the City tried to get the message out and she neglected it. He added that the Judge said the work will be done and the property owner will pay it back.

Mayor Burrows reiterated that the City has tried to communicate with the property owner; has tried to offer the individual help, volunteerism, and has tried to assist her. However, she has refused it. He went on to say he cannot tell you how many people have tried to help her and help her understand this was a violation. He explained that a week before, they tried to get her to allow volunteers to go and do the work.

Mr. Hansen indicated that the City has also tried to get the family to get an RDA loan, which they would get favorable terms. He said they do not like to be compulsory with people when they can avoid it and they have tried to do better for these individuals. He noted that they have offered to fix the roof; however, they would not allow it. Mayor Burrows indicated they are proud people, and he is not sure if they totally understand. He explained they use to live in a farming environment and it is not a farming environment anymore.

Mr. Daily informed the Council that the male member of the household is very pleased with what is going on.

Councilor Hadden indicated when he is sitting at I-Hop having pancakes, and he looks to the northeast, all he sees is half a building. He inquired what is going on with that and when that situation would improve. Mr. Daily informed the Council his department just received new plans for

that site and within nine months they should be looking at a new building. Councilor Hadden inquired how the building was able to be partially demolished to begin with. Mr. Daily explained it was supposed to be a full demolition; however, the property owner has been trying to get a cross-access agreement with Home Depot.

Closed Executive Session

Mayor Burrows asked for a motion to go into an Executive Session for the purpose of a strategy session to discuss the purchase, exchange, or lease of real property pursuant to Utah Code 52-4-5(1)(a)(iv).

Motion Councilor Jenkins moved to enter into Closed Executive Session for the purpose of a strategy session to discuss the purchase, exchange, or lease of real property pursuant to Utah Code 52-4-5(1)(a)(iv). Councilor Hadden seconded the motion.

Roll call vote. Councilor Jenkins, Yes; Councilor Hadden, Yes; Councilor Brough, Yes; and Councilor Haws, No. The motion passed three votes in favor and one vote opposed.

Minutes of the **Executive Session** of the **Riverdale City Council** held **September 20, 2005** at 8:37 p.m. at the Riverdale Civic Center.

Present:	Mayor Bruce Burrows	Councilor Brough
	Larry Hansen	Councilor Hadden
	Randy Daily	Councilor Haws
	Steve Brooks	Councilor Jenkins
	Michelle Douglas	

Those present discussed the purchase, exchange, or lease of real property.

Motion Councilor Haws moved to close the Executive Session and to reconvene the open City Council meeting. Councilor Jenkins seconded the motion. The motion passed unanimously. The Closed Executive Session meeting closed at 9:11 p.m.

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 9:11 p.m.

Attest:

Approved: October 11, 2005

Cindi Mansell, City Recorder

Bruce Burrows, Mayor