

Minutes of the Work Session of the Riverdale City Council held Wednesday, September 28, 2005, at 5:05 p.m. at the Riverdale Senior Center.

Members Present: Mayor Bruce Burrows  
Councilor Nancy Brough  
Councilor David Gibby  
Councilor Stan Hadden  
Councilor Stacey Haws (arrived at 5:25 p.m.)  
Councilor Shelly Jenkins

Others Present: Larry Hansen, Chief Administrative Officer  
Randy Daily, Community Development Director  
Lynn Moulding, Public Works Director  
Stevin Brooks, City Attorney  
Cindi Mansell, City Recorder

Mayor Burrows called the meeting to order and welcomed all those present. He explained the work session had been amended; and there is now the need to consider an additional item in regards to the proposed consideration of Planning Commission member appointment.

#### **Planning Commission Member Appointment**

Mayor Burrows explained he had conducted interview of seven individuals: David Gailey; Garth Heiner; Bart Stevens; Mike Bailey, Jason Christensen, Norm Searle; and Alan Arnold. He stated when Sheila Noe resigned and was replaced; that position then moved from the north to the south side of Riverdale. He stated although he hates to have to make the appointment in effort to create a balancing effect, he does feel the need for representation of citizens on the northern side.

Mayor Burrows stated he would like to recommend the name of Bart Stevens for appointment to the Riverdale City Planning Commission.

**Motion** Councilor Gibby moved to recommend approval of the appointment of Bart Stevens to the Planning Commission as proposed. Seconded by Councilor Jenkins. The motion passed unanimously.

#### **Property disconnect proposals**

Mr. Hansen explained as Riverdale got into right-of-way acquisition discussions with UDOT, issues surfaced relative to both Danene's Dance Studio and the Pink Flamingo being located in Washington Terrace City. He stated there are issues relative to the widening of 300 West that would have caused business problems for land acquisition; and possibly, hanging up the entire project.

Mr. Hansen stated the only thing to come up with was the minimum accommodations necessary lot wise/boundary wise to allow those two to remain in business. He stated although this may result in impacts to several backyards, this is a minor compromise and the project cannot be completed until this gets approved.

Mayor Burrows explained the purpose this evening is for information only; as action could be taken on the next regular agenda.

Mr. Daily provided illustration of the disconnect area proposal; and explained this would remedy the section of road in front of these properties in question. He stated the City will not be responsible for property that is not part of Riverdale and which cannot be controlled.

Councilor Jenkins expressed concern as to the need to provide a buffer to the residents; stating those residents that live in Riverdale will have Washington Terrace controlling them. Mr. Daily explained the property owners still own land in this area. He stated approximately 41 feet would be disconnected; and the road widening would cause relocation of the drive-up window. He explained there is the need for road widening; however, then Danene's would have no place to park and the convenience store would have no room for a drive-up window.

Councilor Jenkins expressed concern as to the feelings of the residents in this area, as she feels it will impact Riverdale residents over a Washington Terrace deal. Mr. Daily explained the Planning Commission rendered denial of the proposal. He stated they have no trust, but something has to be done.

Inquiry was raised as to whether Washington Terrace City wants 300 West widening. Mr. Hansen stated the proposal has been negotiated with UDOT, engineers, and Washington Terrace; and remains the most practical answer to getting 300 West widened.

Mr. Moulding then illustrated the affected Combe property area, stating this consists of 16.0658 acres. He referenced storm drain as well as sanitary sewer issue and service. He explained that Mr. Combe has indicated he has an agreement for tie-in with Riverdale City; however, staff is unable to locate such an agreement. He stated there is apparently no agreement with Washington Terrace for additional hookups.

Inquiry was raised regarding the potential of the boundary adjustment isolating a section of Riverdale City to the north and creating an island. It was stated the petitioner has indicated he could keep a two-foot strip of property connected to the rest of the dwellings to the north. Mr. Moulding stated Mr. Frost, petitioner, wants to build in this area but Riverdale does not want to install sewer, water, or storm drain. He discussed special regulations for booster pumps, water pressure considerations, ideas and options. He expressed concern the area barely meets flow standards in this area now.

Discussion followed regarding the Washington Terrace hillside development ordinance, with Mr. Daily stating he would guess there would at least be the requirement for geotech studies. He stated based on cost estimates and taxes, Mr. Frost would desire to remain in Riverdale. Councilor Jenkins inquired as to the potential for a reciprocal agreement with Washington Terrace, stating the road would be an advantage to their city. Mr. Daily stated that is an RDA area and things are done differently. Councilor Jenkins expressed concern that this development may impact Riverdale residents and not those in Washington Terrace.

Mayor Burrows discussed the need for consideration as to financial considerations, as well as to whether or not this boundary adjustment is in the city's best interest.

Mr. Hansen stated Combe's have been residents of Riverdale for decades, owned their property for years, and made upgrades. He stated apparently, there is now the desire by the property owner to cash out through a private developer (Norm Frost).

Further discussion followed relative to pending legislative sales tax issues; the potential to develop this area as a PRUD; funding to come from Class "C" road funds, etc. Mr. Hansen stated he feels most hook-up and permit fees would be one-time; and typically, the developer would bear the burden. Discussion followed regarding the pending 55 homes not being a financial incentive to Riverdale.

Mr. Daily stated he does feel there is a way to fit these homes into current operating standards. Councilor Haws suggested requiring the developer to absorb the utility initiation fee. Further discussion regarding the requirement to bring water to the job site, along with the fact the ability to sell hinges on these types of critical decisions.

Councilor Brough stated it is not in the city's best interest to have a resulting peninsula or island; or variances to create such a problem.

Mayor Burrows inquired as to advantages of keeping this property in the City of Riverdale. Councilor Jenkins addressed the opportunity for Riverdale to expand its residential base. Discussion followed regarding the fact there has been no development on the east bench for over 50 years; and do those residents even feel connected to Riverdale as it is. Councilor Jenkins stated she sees this as development potential.

Mr. Moulding stated the burden would initially be upon the developer to make the utilities work; but would include costs to the city relative to maintenance on the pump and generator. Inquiry was raised as to the potential for the pump to go down; with Mr. Moulding stating this could result in this area being without water for up to six months. The Council expressed concern as to the potential of taking away from the Southcrest residents already.

Mayor Burrows stated Riverdale is in bargaining mode and trying to get an agreement worked out. He stated there is potential for water and/or sewer connection agreements with Washington Terrace; and inquired if it is possible for Riverdale to make some type of concession on parking, etc. Councilor Jenkins stated she feels some kind of deal between Washington Terrace is optimum. Mr. Hansen stated he does not see the role of Riverdale as being to place themselves in the middle of this issue. Mayor Burrows stated the developer does not hold the cards that Riverdale holds; and discussed the potential for alternative negotiations with Washington Terrace.

Mr. Hansen stated administratively to this point, the Terrace envisions their development from Adams Avenue wrapped around the hillside and tying the area together. He stated he would be surprised if the Terrace would be receptive to these ideas as discussed.

Councilor Gibby suggested perhaps a boundary disconnect is not the option, and that some kind of accommodations should be worked out one way or another. Mr. Hansen stated the Council is now aware of issues associated and can now negotiate and utilize whatever "chips" they may have.

Councilor Hadden discussed the water pipeline function, and inquired if there were a way to determine the best point to install a booster pump, backup generator, pumps, etc. Mr. Moulding stated the sewer situation is rough, and the developer may have to make an agreement individually with the sewer provider. He stated they would be utilizing Washington Terrace's pipe; and it is unknown if they have an existing agreement.

The Council felt it is difficult to make a decision, until they have provided consideration to all options.

Mr. Hansen suggested another angle being in that if Unity is permitted to do something south of the Civic Center, they have expressed desire to cross the tracks in this area. He stated whether an overpass or alternative method, there may be the ability to change things on this south end if adequate thoroughfare is developed. He stated in terms of looking at whether Riverdale should encourage Combe to find the long-term possibilities, one must provide consideration to the stakeholders and community benefit. He stated he sees this as an opportunity to tie into the East Bench; thereby making that property contiguous to the City rather than creating an island in that same area. Mr. Moulding stated he feels this to be possible, but not probable.

Councilor Haws suggested a type of backyard approach to Riverdale retail by building a toll road of their own. He offered comparison to the success of the Adams Avenue toll road, stating he feels Riverdale could easily compete with the toll road.

Mr. Brooks suggested a land swap in trading Rohmer Park for the parcel, if the City were then able to get another park. He stated this would create a good clean boundary. Discussion followed regarding the many options available, including the overall acquisition of Washington Terrace. Mr. Hansen stated acquiring this amount of population would still not help Riverdale. Mayor Burrows stated due to population, Washington Terrace residents would have more power during elections. He stated the City would have to switch to district representation.

Mr. Hansen discussed prospects for the south end, stating in the long term there could be great benefit for the community to tie into this area. Councilor Haws inquired why the developer did not take the property all the way down to the railroad tracks, with Mr. Moulding stating he would assume the developer did not want or considered this undesirable property.

Councilor Jenkins inquired as to impact and building permit fees in Washington Terrace, stating she feels expenses could be offset for the developer and it would not be cheap either way. Mr. Daily stated Washington Terrace fees would be double Riverdale fees;

including extra money to pay for those improvements. Discussion followed regarding long-term maintenance costs, with Mr. Moulding stating there are options to bring in as is and they pay the same fees - or create a special service district. He stated he feels this issue should be placed back in the developer's lap to force a determination.

Councilor Gibby suggested asking the developer for realistic numbers and proposals and to postpone a decision. Councilor Jenkins stated hard numbers should not be Riverdale's concern; either the property is wanted - or not - in Riverdale. She stated what is fair to Combe's should be fair to everyone else as well. Mr. Moulding offered clarification the water utilized is Weber District and not well water.

Mayor Burrows stated if Riverdale can adequately provide services to them without a financial burden, and provide the proper service, they should keep the property. He stated there is the need to ensure this is a legitimate possibility before making this statement and then having the developer go further in trying to meet criteria. He stated there is the need to ensure that everything can be provided by Riverdale; and if not, in fairness this needs to be disclosed and the developer not kept in abeyance.

Councilor Haws stated the developer will have to pay the install cost to serve their development - but not Southcrest. He stated the fact is, if they put it in, it then messes up Southcrest. He stated that is a different problem than requiring placement. He stated if this is enhanced by the installation of a booster pump, the City has some obligation to assist in the installation. Councilor Haws stated if a pump is installed and cannot be serviced, it should not be kept in the City. Discussion followed regarding the fine line associated with Riverdale not being able to provide service - yet the developer providing Riverdale the ability to provide service. Mayor Burrows stated if these residents are going to be kept in the City, are they going to hate staff for keeping them where they could have just had a standard-flow system. He stated the Council must think down the road and ensure provision of the same service as anywhere else within the City. Staff will have to provide information as to whether service can be properly provided or not.

Inquiry was raised as to whether Southcrest will continue to get the services they currently have if the Combe property is disconnected. Mr. Moulding stated there would be no changes to their service. Councilor Haws expressed concern that there is no downside to providing services to Southcrest; yet having a two-foot strip connecting them. Councilor Jenkins stated she does not feel this should be what drives chewing away at the City boundary. She expressed concern that the Combe name is being treated differently just because they are a family presence. Councilor Haws stated he feels the best way to develop that land is in Washington Terrace and not in Riverdale.

Mayor Burrows thanked the Council for the discussion this evening in consideration of all possibilities. He stated information is necessary as to whether this property can be kept and properly serviced in Riverdale; as there is the need to come to a point where the developer can be given sound reasoning and findings of fact to proceed in either direction.

*Riverdale City Council  
September 28, 2005*

With no further business to come before the Council at this time, Councilor Hadden moved to adjourn the meeting. Seconded by Councilor Gibby. The motion passed unanimously. The meeting adjourned at approximately 6:44 p.m.

Attest:

Approved:      October 18, 2005

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Cindi Mansell  
City Recorder

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Bruce Burrows  
Chairman