

Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **November 1, 2005** at 8:00 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  
Randy Daily, Community Development Director  
Lynn Moulding, Public Works Director  
Jan Ukena, City Planner  
Cindi Mansell, City Recorder

Kent Holsten	Alex Pommier
Danny Kilgore	Gary Griffiths

Mayor Burrows called the meeting to order and welcomed those present. Councilor Jenkins offered the Pledge of Allegiance. Mayor Burrows then read a quote by Stonewall Jackson in 1862 during the midst of the Civil War. A Moment of Silence followed.

#### **Open Communications**

Alex Pommier addressed the Mayor and City Council. He explained he is a member of the Northern Utah Frisbee Golfers Association; and they frequent the Frisbee golf course south of the Civic Center. He stated the group has no problem in cleaning up the area, but would make a request for at least one trashcan at the beginning of the course if possible.

Danny Kilgore addressed the Mayor and City Council. He explained the area along I-84 has been a huge hotspot for the popular sport of paintball; however, UDOT has recently fenced off access to the area. He stated another popular spot is the area south of the Civic Center where the Frisbee golf course is. Mr. Kilgore stated he is present this evening to request a place to play; and they would like to continue to play in this area. He stated the group has no other options, and would like to request permission be granted to allow use of the area.

Mayor Burrows stated staff would take these issues under advisement.

#### **Mayor's Report**

Mayor Burrows explained the Youth City Council will host the "Meet the Candidates Night" on November 2, 2005, at the new Senior Center, 4433 South 900 West. He stated this will begin at 7:00 p.m. and encouraged attendance.

Mayor Burrows stated he would like to comment a group of volunteers spearheaded by Councilor Jenkins in completing the river trail fencing and access areas. He stated he was not able to be present, but would like to publicly commend these volunteer efforts.

### **Recorder's Report**

Councilor Jenkins stated she would like to add one item in relation to a Citizen's Recreation Committee to give ideas and direction as to the Community Center. She stated she would like to see proactive encouragement to solicit membership within the City Newsletter. She further discussed the need for a broad and diverse group.

Councilor Jenkins stated it has become typical to host "trunk or treat" events in church parking lots on Halloween. She stated this is a safe, wonderful activity for children. She stated this could be one consideration of the Citizen's Recreation Committee; as to whether the City would be interested in entertaining some type of fun Halloween events or activities. She stated the church was only using parking lots, and she would suggest use of any City facilities or parks.

Councilor Brough stated she would like to request an update on acquisition of the surplus railroad property. Mr. Hansen stated Mr. Brooks continues to work on this project, and he can direct him to prepare an update. Councilor Brough expressed the desire to find out the status of the entire property transfer.

Councilor Brough proposed the idea of a Neighborhood Watch Group for those residents that live near the trail areas. She stated although she feels this to be a good idea, she was told the police were not interested in this type of program.

### **Consent Items**

#### **Approval of Minutes**

Mayor Burrows reported the City Council has before them the minutes as follows: Board of Canvass, Work Session, Regular Meeting, and Closed Executive Session of October 11, 2005; Work Session and Regular Meeting of October 18, 2005. There were no amendments necessary.

**Motion:** Councilor Gibby moved to approve the Common Consent items as proposed. Councilor Brough seconded the motion. The motion passed unanimously.

### **Consideration of Pay Request No. 1 - Advanced Paving & Construction**

Mr. Moulding explained Staff would recommend approval of Pay Request No. 1 to Advanced Paving & Construction for the Cottonwood Subdivision Streets Project in the amount of \$176,870.05 for work completed to date.

Councilor Jenkins inquired as to sidewalk replacement in areas where trees that belong to private homes have buckled the sidewalks. She stated she has noticed these were not done in conjunction with the street project as intended. Mr. Moulding stated these homeowners (2) were sent letters several weeks ago. Councilor Jenkins expressed concern that the City

is aware of this hazardous condition, and inquired if they then become liable because they are aware of the damage yet have not had it repaired.

Mr. Moulding stated he believes there is the need to follow due process. He explained in a typical safety situation, a homeowner would be given 10 days to fix the situation. He stated in this instance, homeowners were granted 60 days because of difficulties associated with acquiring cement contractors. Mayor Burrows expressed concern that knowledge does not cause the City to become liable; and he does not view the City as being the responsible party.

Councilor Hadden suggested the concept of lumping these problem areas together into one basic contract, and then dividing it between those citizens that have this problem. He stated this might result in a cheaper rate and enable these residents to complete the necessary repairs.

**Motion:** Councilor Gibby moved to approve Pay Request No. 1 payable to Advanced Paving and Construction for the Cottonwood Subdivision streets project in the amount of \$176,870.05 for work completed to date. The motion was seconded by Councilor Hadden.

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

**Further consideration of Proposed Ordinance amending Title 10, Chapter 14, Section 12, Nonresidential Development Landscape Requirements**

Mayor Burrows explained this item has been withdrawn.

**Ordinance #650 to conform with Utah State Code (2005 amended); Title 7, Chapter 2, Official Street Map; Title 10, Chapter 1, General Provisions; Title 10, Chapter 4, Board of Adjustments; Title 10, Chapter 5, Rezone Requests; Title 10, Chapter 10B, Planned Commercial Zones; Title 10, Chapter 11B, Planned Manufacturing Zones; and Title 10, Chapter 22, Planned Residential Unit Development.**

Mrs. Ukena explained the City Council had conducted a public hearing and provided consideration to this ordinance at their previous meeting. She stated it has been tabled because it was not disclosed that appropriate process had been followed and a Public Hearing had been conducted before the Planning Commission. Mrs. Ukena explained the public hearing did take place on August 23, 2005; therefore, making this issue legally compliant. She stated there was a question to 10-1-5, Changes and Amendments. She stated a sentence was moved, but the wording not changed. She stated staff would recommend adoption to conform to State Law and bring their ordinance into compliance.

Councilor Jenkins inquired as to Section 10-5-3(b); and inquired as to whether it is correct. Councilor Haws stated he feels this is in regards to the notice to be mailed out by the City Recorder; and copies of the mailing notice will be filed with the Planning Commission and the City Council. Clarification was offered this is different than the public hearing process.

**Motion:** Councilor Gibby moved to adopt Ordinance #650 to conform with Utah State Code (2005 amended); Title 7, Chapter 2, Official Street Map; Title 10, Chapter 1, General Provisions; Title 10, Chapter 4, Board of Adjustments; Title 10, Chapter 5, Rezone Requests; Title 10, Chapter 10B, Planned Commercial Zones; Title 10, Chapter 11B, Planned Manufacturing Zones; and Title 10, Chapter 22, Planned Residential Unit Development. The motion was seconded by Councilor Haws.

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

### **Trail Update**

Councilor Jenkins discussed the River Glen and Cottonwood trail accesses. She stated it was amazing what was accomplished in three hours, and commended the efforts of those residents that use the trail. She stated everyone worked very well together. She stated she would like to particularly discuss the efforts of Mike Argyle, and displayed a rendering for the Mayor and Council to view. She stated this resident is an artist who does a lot of this type of artwork, and he is responsible for his employer donating the steel for the bridge. Councilor Jenkins stated his employer, Jacobsen Construction, should be commended for their generosity.

Councilor Jenkins stated the idea came about that it may be fun to name the trailheads, instead of calling them River Glen or Cottonwood because that may sound territorial. She stated Mr. Moulding had identified the only active water under the bridge as being "Hunter Springs"; and so it is suggested that the Cottonwood trailhead be called by this name. She addressed the design, stating the steel would be red primer, very natural, and aesthetically pleasing. Councilor Jenkins stated Mr. Argyle is also willing to get the construction company he works for to donate the metal; and he will be the artist to logo and print the trailhead name, complete with welding and assembly.

Discussion followed regarding the fact there is not a lot of vegetation at the corner where this sign is envisioned to be located. Councilor Jenkins stated some type of vine or vegetation to accent that end of the trail would be optimal. It was stated there is a nearby water source available.

Councilor Jenkins continued that the other trailhead has a different look and feel. She stated in River Glen people cannot get as close to the trailhead. She stated the sidewalk portion to the trail is rather muddy; and there is the need to get with the developer to get the balance of work done and complete some sort of paving on the other end. She stated the desire is to identify the trailhead from the road, and the name "Creekside Trail Access" has been suggested. She stated Mr. Argyle has suggested some type of metal, metal/log, or wood/metal concept. She stated it was felt that metal would be more enduring, and the sign placement would identify the access rather than being placed right next to the trail.

Councilor Jenkins stated again, all materials would be donated. She stated the request is to accommodate the ability to participate in this project. She discussed the ownership that these residents feel from becoming so acquainted and utilizing the trail is amazing. She stated she feels the naming and trail signage identifiers would continue to foster ownership, and require less work all the way around for the City staff.

*There appeared to be consensus to move forward and accept the overwhelming generosity of these individuals and what they are willing to donate to this community.*

Mayor Burrows encouraged Councilor Jenkins and her group to work with Mr. Moulding to ensure appropriateness. Councilor Haws inquired if appropriate procedure would be to bring forward a resolution to actually name the trailheads. Councilor Jenkins suggested preparation of a "thank you" letter to Jacobsen Construction; and Mayor Burrows stated he would like to honor this company as well as the Riverdale resident.

*There appeared to be consensus to prepare resolution naming the trailheads for presentation at the November 15, 2005 City Council meeting, and for Councilor Jenkins to be able to send invitations to those individuals who were pivotal in this process.*

Mayor Burrows recognized and commended Councilor Jenkins for her time and efforts into this process.

### **Discretionary Business**

#### **Accounting Procedures**

Councilor Jenkins stated she has been attempting to learn and understand the check register. She stated she is not concerned about what money is being spent on, as this is clearly defined. She stated her concern relates to the category of expenditure, particularly miscellaneous.

Councilor Jenkins stated Community Services appears to have multiple categories and detailed item listing to be able to appropriately break out and properly identify expenditures. She expressed concern as to her misunderstanding of this miscellaneous category, and the fact that 25% of the checks written on the October 26, 2005 check register were placed into this category.

Councilor Jenkins expressed further concern that upon investigation, she learned that the City Council actually approved the miscellaneous line item funding as part of the budget. She inquired as to the purpose, and whether it is for things that come up throughout the year that a department head had not planned for. Mr. Hansen stated obviously, there is an element of uncertainty regarding miscellaneous. He explained that generally, one would hope that miscellaneous would not be material enough to require an appropriation of its own line item in the budget. Councilor Jenkins cited the example of water bottle rentals, stating these are things that appear to be ongoing month-to-month expenses.

Councilor Jenkins further referenced the expenditure for fire department goggles or Community Center T-shirts, stating she cannot see why this was not placed into a proper

category. She offered comparison to her own business and accounting standards that do not recognize miscellaneous funding because it is simply not defensible with the federal government. She stated she feels there are plenty of ways to categorize items; and that miscellaneous just does not look reasonable.

Mayor Burrows stated he would recommend staff prepare a response on this issue and any other items, to enable staff time to respond. Councilor Jenkins stated she would like to inquire why this is done this way; as well as whether procedurally this needs to change or not. She stated she feels this to be the forum to collaboratively review these types of issues; and inquired if there are other members of the Council with similar concerns. ***There appeared to be consensus to provide further consideration to the definition of expense categories, and particularly miscellaneous.***

Mr. Hansen stated he recognizes the sensitivity of items appearing under the miscellaneous classification. He stated this is typically used for smaller, but perhaps recurring types of expenses that may not fit in elsewhere. He suggested Mr. Fortie could take a few minutes to address these concerns at an upcoming meeting.

Councilor Haws suggested perhaps increasing the understanding of some of these things by being line itemed to a more descriptive account. Mr. Hansen stated that would be appropriate if there is enough to merit its own line classification. He stated perhaps some of these items being questioned are merely a matter of improper classification.

#### **Payphone Expense**

Councilor Haws expressed concern that the City is still paying \$58.50 for a payphone in front of the old Civic Center and on property the City no longer owns. He stated there are two pay phones across the street, and he does not understand the expenditure. Mr. Hansen stated this issue has been raised previously and staff is in the process of trying to remedy the issue.

#### **Police Department - Direct TV Subscription**

Councilor Haws raised the issue of the Police Department Direct TV subscription. He stated he has Direct TV, but this expenditure is twice the monthly amount of his; and he would question whether the "palace" package is really necessary. Mr. Hansen stated he appreciates the concerns, and will have the Department Heads prepare a statement of explanation to these items. He stated it is important for the City Council to understand, and this level of knowledge is indeed important to Administration.

Councilor Brough inquired as to why Police need to view television while on duty. Mr. Hansen stated he would guess the need is for news or public information.

#### **Job Description Inquiry**

Councilor Hadden stated he has been asked some questions from seniors concerning the Senior Facility Resident Manager job description.

Mr. Hansen stated if this discussion is in regards to job performance, it should not become a matter of public record at this meeting. He stated this is not the forum to discuss the performance of any employee. Councilor Hadden stated he is concerned with the job description and performance based upon it. Mayor Burrows directed the need for Councilor Hadden to meet with Mr. Hansen; and conduct a Closed Executive Session if necessary.

#### City Employee Training

Councilor Haws inquired as to how many workdays are missed to provide for employee training. Mr. Hansen stated this varies by job, as there are all types of trainings. He stated for instance, Public Safety is required to have 40 hours per year for specialized training.

Councilor Haws stated although the budget includes expenditures for training, he would like to find out how many days per year the City gives up for training. He stated specifically, those attending the FEMA training. He expressed concern as to whether these individuals are designated as people that would be relied upon in emergency situations to man the Community Center. Mr. Hansen stated the Community Center is to serve as a shelter, and it was felt that shelter training sessions with regard to emergency operations to be reimbursed by FEMA would be most beneficial to those employees in attendance. He stated, however, staff can prepare whatever level of detail the Council is interested in receiving.

Councilor Jenkins expressed concern that these are all part-time employees that are not on the Emergency Response Team. She inquired as to their role, stating she can only see the Community Center Director as part of the team. She inquired as to why part-time employees are being sent rather than full time employees. Mr. Hansen stated many other departments send part-time employees to training; and Mayor Burrows stated he would argue that these are long time employees as well. He stated the Community Center Director had intended on attending, but had emergency surgery; a part time employee was then sent in her behalf.

Councilor Jenkins stated training within the Public Safety Department could ensure personnel is trained to the necessary level. She expressed concern to paying wages, backfilling positions while they are in attendance at training, and the fact they are not included in the Emergency Management Team. Mr. Hansen stated rather than debating justifiable or not, staff can respond back relative to the scope of training and provide whatever level of detail is desired.

With no further business to come before the Council at this time, Councilor Gibby moved to adjourn the meeting. Councilor Jenkins seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 9:19 p.m.

Attest:

Approved: November 15, 2005

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Cindi Mansell, City Recorder

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Bruce Burrows, Mayor