
Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **August 19, 2008** at 6:07 p.m. at the Riverdale Civic Center, 4600 South Weber River Drive.

Members Present: Bruce Burrows, Mayor
David Gibby, Councilor
Don Hunt, Councilor
Shelly Jenkins, Councilor
Gary Griffiths, Councilor
Doug Peterson, Councilor (Participated via telephone)

Others Present: Larry Hansen, Chief Administrative Officer; Steve Brooks, City Attorney; Randy Daily, Community Development Director; Lynn Moulding, Public Works Director; Dave Hansen, Police Chief; Doug Illum, Fire Chief; Marilyn Hansen, City Recorder; other city staff and 9 citizens.

A. Welcome & Roll Call

Mayor Burrows called the meeting to order and welcomed all those present. He noted that all Councilmembers were present and that Councilmember Peterson will be participating via telephone.

B. Pledge of Allegiance

Mayor Burrows offered the Pledge of Allegiance. Mayor Burrows read a quote from Chief Justice, John Banister Gibson.

C. Moment of Silence

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

D. Open Communications

Mark Openshaw reported that he is running for the Utah House of Representatives and that he has visited each City Council in his district. He stated that Riverdale is his home community.

E. Presentations and Reports

1. Mayor's Report

Mayor Burrows reported that Friday, August 22, 2008, will be the Bring Your Kid to Work Day, where employees will have the opportunity to bring their children or grandchildren to work and spend the morning with them doing activities and visiting various City departments. He stated that later that same day the employee summer party will be held at the Roy Aquatic Center for employees and their extended families. He reported that he went on the tour of the I-15 NOW project. He stated that Representative Brad Dee has been working on getting the additional funding for the Riverdale Road Project.

2. Administrator's Report

a. Department Information

Larry Hansen discussed the report.

b. Employee Recognition

Larry Hansen recognized the following employees whose anniversary date falls in the month of August.

Employee	Length of Service	Department
Lynette Limburg	22 years	City Administration
Dave Griggs	14 years	Fire
Dean Gallegos	13 years	Fire
Tracy Morning	13 years	Fire
Allen Miller	12 years	Fire
Norm Farrell	10 years	Public Works
Bart Poll	10 years	Public Works
Dennis Miller	8 years	Public Works
Clara Johnson	4 years	Business Administration
Mike Junk	4 years	Court
Kay James	3 years	Business Administration
Tamara Jones	1 year	Crossing Guard
David Kingsley	1 year	Fire

c. Staffing Authorization Plan

Mr. Hansen discussed the report.

- 3. Recorder’s Report (*Review status of Council requested follow-up items*)
None

F. Consent Items

- 1. **Approval of meeting minutes from:**
August 5, 2008 Council Work Session
August 5, 2008 Regular City Council

Motion: Councilor Gibby moved to approve the consent item. Councilor Hunt seconded the motion.

Call the Question:

The motion passed unanimously.

G. Action Items

- 1. **Consideration of final site plan for Tony Divino Toyota.**

Randy Daily reported that the Planning Commission has reviewed the final site plan and recommended approval for development of the property. Councilor Jenkins inquired about the approval from UDOT regarding the placement of the driveway for this development. She stated that she has concerns with continuing to approve developments when there are still snares for the developers and thinks it would be cleaner if those approvals could be done on the front end. Mr. Daily reported that UDOT has informed him that they specified the driveway location and it is his hope is that it will remain where it is on the site plan. Tony Divino stated that when he first talked to UDOT they wanted the driveway as close to the west wall as possible and now they have pushed it as far east as they can. Councilor Gibby asked Mr. Divino how far he can proceed without that input from UDOT. Mr. Divino replied that they can proceed quite a bit. He explained that the parking

and lighting may change but the building placement will be fine. He also noted that it won't change the overall total landscaping.

Motion: Councilor Gibby moved to approve the final site plan for Tony Divino Toyota located at 705 West Riverdale Road. Councilor Jenkins seconded the motion.

Mr. Daily noted that the address of the new development will be 727 West Riverdale Road.

Amended Motion: Councilor Gibby moved to change the address from 705 West Riverdale Road to 727 West Riverdale Road. Councilor Jenkins agreed.

Call the Question:

The motion passed unanimously.

2. Consideration of Resolution #2008-36 approving quit claim deeds to facilitate development at approximately 705 West Riverdale Road.

Randy Daily reported that this resolution will approve the City quit claiming a portion of land to Mr. Divino in exchange for a quit claim of some property that appears to be in the road on 700 West. Councilor Jenkins inquired if the address should also be changed from 705 West Riverdale Road to 727 West Riverdale Road on the documents. Mr. Brooks stated that the addresses should reflect 727 West Riverdale Road.

Motion: Councilor Hunt moved to approve Resolution #2008-36 approving a Property and Quit Claim Deed exchange to facilitate development of property located at approximately 727 West Riverdale Road. Councilor Griffiths seconded the motion.

Roll Call Vote: Councilor Peterson; Aye, Councilor Jenkins, Aye; Councilor Griffiths, Aye; Councilor Hunt, Aye; and Councilor Gibby, Aye. The motion passed unanimously.

3. Consideration of Ordinance #711 creating a two lot subdivision located at 498 Cherry Drive.

Randy Daily displayed an aerial map of the property to be subdivided and reported that the property owners are in the process of selling the house and want to divide the improved area to go with the house and make the other lot a separate piece of property. He reported that this request has been reviewed by the Planning Commission and doesn't impact the subdivision at all. He explained that he is not requesting a rezone of the property from A-1 to R-1-10 because the R-1-10 zone dictates what the property owner can and can't do. Councilor Gibby inquired if the non-residential lot could be buildable in the future. Mr. Daily replied that a portion of the lot is hillside property but that some of the area is flattened out below. He stated that because part of the property is currently zoned A-1 they would need to re-zone it if they wanted to build on that property.

Motion: Councilor Gibby moved to approve Ordinance #711 creating a two lot subdivision located at approximately 498 Cherry Drive in the City of Riverdale, providing for severability and an effective date. Councilor Hunt seconded the motion.

Roll Call Vote: Councilor Jenkins, Aye; Councilor Peterson; Aye, Councilor Griffiths, Aye; Councilor Hunt, Aye; and Councilor Gibby, Aye. The motion passed unanimously.

4. Consideration of Resolution #2008-37 approving an Interlocal Agreement with the Second District Juvenile Court for the Graffiti Removal Program.

Police Chief Dave Hansen reported that the cost of this agreement increased \$250.00 over last year as their costs have increased. He stated that the program works well because so many cities participate in it.

Motion: Councilor Gibby moved to approve Resolution #2008-37 approving an Interlocal Agreement between Riverdale City and the Utah State Second District Juvenile Court relating to Graffiti Removal. Councilor Jenkins seconded the motion.

Councilor Peterson inquired if the contract addresses how quickly they should respond to clean up the graffiti. Chief Hansen replied that it doesn't. Councilor Peterson inquired as to how long it usually takes for a response. Chief Hansen replied that it usually takes a couple of days, but if they are in the area, sometimes it can be taken care of the same day.

Roll Call Vote: Councilor Peterson, Aye; Councilor Griffiths; Aye, Councilor Hunt, Aye; Councilor Gibby, Aye; and Councilor Jenkins, Aye. The motion passed unanimously.

5. Consideration of Final Payment and Final Balancing Change Order for the Trail and Box Culvert under Parker Drive.

Lynn Moulding reported that this project is complete and the contractor is asking for final payment. Councilor Jenkins inquired if they were able to do a better job at smoothing out sections and sealing them. Mr. Moulding replied that there were two joints in the bottom of the tunnel that he had them smooth out and they regouted some of the joints. Councilor Jenkins reported that she has quit walking through the tunnel as it is turning into a bathroom. Mr. Moulding replied they are aware of that and hopes that additional foot traffic will help with that issue or it will just become a maintenance issue.

Motion: Councilor Gibby moved to approve final payment to Stark Brothers Inc. for construction of the Parker Drive Tunnel in the amount of \$51,469.42. Councilor Hunt seconded the motion.

Roll Call Vote: Councilor Griffiths, Aye; Councilor Hunt; Aye, Councilor Gibby, Aye; Councilor Jenkins, Aye; and Councilor Peterson, Aye. The motion passed unanimously.

6. Consideration of Ordinance #712 amending Title 6, Chapter 1, Section 3: Driving Regulations.

Lynn Moulding reported that this ordinance contains the language as requested by UDOT in order to have them place signs restricting Engine Brakes.

Motion: Councilor Hunt moved to approve Ordinance #712 amending Title 6, Motor Vehicles and Traffic, Chapter 1, Traffic Code and Regulations, Section 3C., to amend portions of said ordinance to make changes in the restrictions and use of compression release engine brakes within the city limits; providing for severability; repealing all ordinances in conflict herewith; and providing an effective date upon publication as required by law. Councilor Peterson seconded the motion.

Roll Call Vote: Councilor Hunt, Aye; Councilor Gibby; Aye, Councilor Jenkins, Aye; Councilor Peterson, Aye; and Councilor Griffiths, Aye. The motion passed unanimously.

7. Consideration of Ordinance #713 amending Title 10 Chapter 12: Floodplain.

Randy Daily reported that this ordinance went before the Planning Commission and they recommended rescinding this entire ordinance as this language is covered in Title 10, Chapter 27: Flood Damage Prevention.

Motion: Councilor Gibby moved to approve Ordinance #713 amending Title 10, Zoning and Subdivision Regulations, Chapter 12, Flood Plain Regulations, to delete the entire section of said ordinance; provide for severability; repealing all ordinances in conflict herewith; and providing an effective date upon publication as required by law. Councilor Griffiths seconded the motion.

Roll Call Vote: Councilor Gibby, Aye; Councilor Jenkins; Aye, Councilor Peterson, Aye; Councilor Griffiths, Aye; and Councilor Hunt, Aye. The motion passed unanimously.

8. a. Consideration to untable Ordinance #665.

Motion: Councilor Gibby moved to untable Ordinance #665. Councilor Hunt seconded the motion.

Call the Question:

The motion passed unanimously.

b. Consideration of Ordinance # 665 amending Title 10 Chapter 19: Conditional Use ordinance.

Randy Daily stated this Ordinance was amended to comply with Senate Bill 60. He reported that language was added that was provided by the State in order to come into compliance. Councilor Jenkins stated that when this ordinance was originally tabled she thought there was more detail and inquired if they just opted to make the SB 60 changes. Mr. Daily replied that the only change he made to the ordinance was to remove some of the comments by Larry Hansen. Mr. Hansen stated that when he and Mr. Daily reviewed his comments and the SB 60 language, he decided that his comments were unnecessary in light of state statutes.

Motion: Councilor Hunt moved to approve Ordinance #665 amending Title 10, Zoning and Subdivision Regulations, Chapter 19, Conditional Uses to amend portions of said ordinance to allow certain conditional uses to be reviewed by the Community Development Department; provide additional basis for review; shortens the appeal time; provides for severability; repeal all ordinances in conflict herewith' and provides an effective date upon publication as required by law. Councilor Peterson seconded the motion.

Roll Call Vote: Councilor Jenkins, Aye; Councilor Peterson; Aye, Councilor Griffiths, Aye; Councilor Hunt, Aye; and Councilor Gibby, Aye. The motion passed unanimously.

9. Consideration of Ordinance #714 amending Title 10 Chapter 27: Flood Damage Prevention.

Randy Daily reported that this ordinance contains some grammatical changes and added language under 10-27-3: General provisions; requiring certification from a registered professional engineer demonstrating that encroachments, including fill, shall not result in any adverse impact to adjacent properties. He noted that these changes also update the date of the FIRM map. He reported that the Planning Commission reviewed this ordinance and recommended adoption. Councilor Jenkins

inquired if the ordinance should specify that it is in compliance with the latest FEMA changes and what those dates are. Mr. Brooks replied that he is unaware of any specific requirement to put that in the ordinance and doesn't think it is necessary.

Motion: Councilor Gibby moved to approve Ordinance #714 amending Title 10, Zoning and Subdivision Regulations, Chapter 27, Flood Damage Prevention, to amend portions of said ordinance to better meet City needs, make changes that conform with current State and Federal law and City procedures and to make needed spelling and grammatical changes; providing for severability; repealing all ordinances in conflict herewith; and providing an effective date upon publication as required by law. Councilor Hunt seconded the motion.

Roll Call Vote: Councilor Peterson, Aye; Councilor Griffiths; Aye, Councilor Hunt, Aye; Councilor Gibby, Aye; and Councilor Jenkins, Nay. The motion passed with four in favor and one opposed.

10. Consideration of Ordinance #715 amending Title 10 Chapter 28: Residential Landscaping.

Randy Daily reported that this ordinance was brought before the Planning Commission and they recommended the changes which includes the allowance for gravel to be considered hard surface for parking. Councilor Peterson inquired if another ordinance stated how much area can be hardscaped. Mr. Daily replied that it does. Councilor Peterson inquired if this gravel would fall under that percentage. Mr. Daily replied that it would. He stated that a property owner can have 40% of an area in hardscape and that doesn't include the actual driveway and sidewalk areas. Councilor Jenkins inquired if allowing parking on gravel is an Environmental Protection Agency issue. Mr. Daily replied that in his mind it was, as far as the possibility of contamination of the ground. He stated that he never prevented anyone from putting gravel down, unless it became a nuisance.

Motion: Councilor Gibby moved to approve Ordinance #715 amending Title 10, Zoning and Subdivision Regulations, Chapter 27, Residential Landscaping; Section 7, Definitions, to amend portions of said ordinance to make changes in the definition of hardsurface; providing for severability; repealing all ordinances in conflict herewith; and providing an effective date upon publication as required by law. Councilor Hunt seconded the motion.

Roll Call Vote: Councilor Griffiths, Aye; Councilor Hunt; Aye, Councilor Gibby, Aye; Councilor Jenkins, Nay; and Councilor Peterson, Aye. The motion passed with four in favor and one opposed.

11. Discussion of amending Title 10 Chapter 16: Sign Regulations.

Mayor Burrows discussed the Planning Commission findings and recommendations on this language. It was their recommendation to define the I-15 corridor and place a moratorium on billboards in Riverdale at this time, until the corridor is defined. Mr. Daily stated that he is not sure if the Council wants to proceed with the proposed changes other than those pertaining to off premise signs. Councilor Jenkins inquired if another public hearing would be necessary if the I-15 corridor is reviewed and defined since there has been a public hearing with specific recommendations. Steve Brooks recommended tabling the entire ordinance until we get the answer from Jody Burnett on some of these issues.

Motion: Councilor Gibby moved to table this item. Councilor Jenkins seconded the motion.

Call the Question:

The motion passed unanimously.

H. Discretionary Items

Councilor Peterson reported that he had a constituent contact him regarding the condition of the bridge just outside of Riverdale’s property on Parker Drive. He asked the Mayor if he would bring that issue up in the local WACOG meeting with Ogden City and the possibility of replacement. Lynn Moulding replied that he contacted Ogden City Street Department and they said they would look into the condition of that bridge.

Councilor Gibby reported that he has had a couple of residents contact him regarding landscape maintenance. He stated that with a hot dry year it is tempting to let yards and landscaping go. He explained that he has driven the City and reported that it isn’t hard to go through a neighborhood to find a couple of homes that have shabby landscaping. He inquired if the Mayor could address this issue and encourage people to maintain their landscaping in the monthly newsletter. Mayor Burrows indicated that he was already drafting a newsletter article to address that issue.

I. Adjournment

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 7:24 p.m.

Attest:

Approved: September 2, 2008

Marilyn Hansen, City Recorder

Bruce Burrows, Mayor