
Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **December 15, 2009** at 6:04 p.m. at the Riverdale Civic Center, 4600 South Weber River Drive.

Members Present: Bruce Burrows, Mayor
 David Gibby, Councilor
 Doug Peterson, Councilor
 Gary Griffiths, Councilor
 Shelly Jenkins, Councilor
 Don Hunt, Councilor

Others Present: Larry Hansen, City Administrator; Steve Brooks, City Attorney; Lynn Moulding, Public Works Director; Randy Daily, Community Development Director; Lynn Fortie, Business Administrator; Dave Hansen, Police Chief; James Ebert, Police Lieutenant; Doug Illum, Fire Chief; Marilyn Banasky, City Recorder; Councilor-elect Norm Searle; Councilor-elect Alan Arnold; and 11 citizens.

A. Welcome & Roll Call

Mayor Burrows called the meeting to order and welcomed all those present. He noted that all Councilmembers were present except Councilor Peterson who will join the meeting in progress.

B. Pledge of Allegiance

Councilor Griffiths offered the Pledge of Allegiance. Mayor Burrows read a quote from William Henry Harrison.

C. Moment of Silence

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

D. Open Communications

Judy Herrera reported that the issue with Granite Construction Company flooding their home has not yet been resolved. Her granddaughter read a letter from her mom stating that their belongings have all been lost due to water damage. Ms. Herrera explained that her daughter had stored her things in their basement as they didn't have a residence at the time, and when the flood came their belongs also got ruined. Mayor Burrows reported that he talked with UDOT last week and reminded them that this situation hadn't been taken care of yet.

Marion Griffiths reported that she appreciates the changes to Ritter Drive. She stated that she doesn't know what the numbers are but knows that things are calmer and quieter. She stated that she doesn't know of any accidents on Ritter Drive during the last snow storm and personally appreciated the attention to Ritter Drive.

Carl Cook reported that they have noticed a difference on Ritter Drive and that it now feels like a residential neighborhood again instead of like a highway. He stated that he appreciates the Mayor and City Council for listening and determining the best thing.

Alan Arnold reported that he has two issues. He requested that the Council consider holding off on awarding the bid for the splash pad in order to evaluate where to place it to best serve the City. He suggested placing it in the park south of the Civic Center along with a BMX and skate park so it could be a flagship park for the community. He reported that he drives Ritter Drive every day and that the change hasn't been that big of a deal. He expressed concerns with the intersection of 1500 West and Freeway Park Drive as it is often blocked and no one can turn left onto 1500 West. He suggested placing a stop sign coming down Freeway Park Drive to allow the 1500 West traffic to turn left. He stated that he would also like to see a street light at 1500 West and Freeway Park Drive as it is very dark at that intersection.

E. Presentations and Reports

1. Mayor's Report

Mayor Burrows read letter from Frank White, who is a crossing guard at Christian Heritage School, regarding the support from the police force and thanked them for being there as school starts and ends to ensure the traffic slows and keeping the children safe. Mayor Burrows reported that the Employee Christmas luncheon is tomorrow at noon at the Community Center and that the Utah League of Cities and Towns Elected Officials Day is on January 27, 2010.

a. Presentations to Councilors Peterson and Griffiths

Mayor Burrows presented Councilor Griffiths with a Certificate of Appreciation and a clock for his work as a Councilmember from January 2006 – December 2009.

2. Administrator's Report

a. Department Information

Larry Hansen discussed the department information. He reported that the sewer repair on 1150 West was done by the Public Works Department at a low cost to the City.

b. Employee Recognition

The following are employees whose anniversary date falls in the month of December.

Employee	Length of Service	Department
Lynn Moulding	30 years	Public Works
James Ebert	18 years	Police
Chris Stone	17 years	Business Administration
Stephanie Bishop	8 years	Fire
Matthew Slater	8 years	Fire
Joey Clark	5 years	Police
Cameron Beck	4 years	Fire
Matthew Hennessy	4 years	Fire
Chad Wilson	4 years	Fire
James Robinson	4 years	Fire
Jared Hawkes	1 year	Fire
Stephen Stenquist	1 year	Fire
Zachary Winkler	1 year	Fire
Brian Wood	1 year	Fire

c. Staffing Authorization Plan

Larry Hansen discussed the report.

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

a. **Review of campaign/ULCT Conference feedback for future discussion**

Mayor Burrows reported that the Recorder's Report includes campaign and Utah League of Cities and Towns feedback. He stated that staff will go through them and look at things that can be done immediately, if needed, and the rest will be reviewed at the next Strategic Planning session.

F. Consent Items

1. Approval of meeting minutes from:

November 12, 2009 Strategic Planning

November 17, 2009 Work Session

November 17, 2009 Regular City Council

November 17, 2009 Closed Executive Session

2. Report on Condition of the Treasury for the months ending October 31, 2009 and November 30, 2009.

Lynn Fortie went over the reports for the months ending October 31, 2009 and November 30, 2009.

3. Accept the 2010 City Council annual meeting schedule.

4. Review and Comment by December 30, 2009 on Ordinance #750 amending Title 5, Police Regulations, Chapter 4, Animal Control.

Councilor-elect Searle reported that Don Bradfield came to the last Planning Commission meeting to address the City Council regarding kennel permits and asked if he would be allowed to address the Council as he arrived late. Don Bradfield reported that he tried to get his dog licenses but was told that he couldn't get a kennel license. He asked the Councilmembers what they are going to do with those who want kennel licenses and can't get one. He stated that his animals stay in the house with him and are part of the family. Lt. Ebert spoke with Mr. Bradfield outside of the meeting and explained the proposed changes to him.

Motion: Councilor Gibby moved to approve the consent items. Councilor Griffiths seconded the motion.

Call the Question:

The motion passed unanimously.

G. Action Items

1. Review and Consideration of Ritter Drive status.

Mayor Burrows reported that the changes to Ritter Drive have a 90 day review period and this is the first installment to receive information. Lynn Moulding reported that he estimates the amount already spent to make Ritter Drive one-way is approximately \$3,000. He stated that he did have Traffic Engineer Bill Baranowski advise him on the proper way to sign and mark the road, which he has done. Mr. Moulding also recommended putting up "Do Not Block the Intersection" signs at the intersection of 1500 West and Freeway Park Drive as that has been a problem. He reported that they received the signs yesterday and should have them up shortly to help with that situation. He stated that all the signs and barricades were put up on December 2, 2009. Councilor Jenkins inquired if Mr. Moulding had heard from Robinson Waste to see if the change had impacted garbage pick-up and asked Mr. Moulding to explain the snow plow situation. Mr. Moulding replied that he did get in touch with Robinson Waste and they indicated that his driver didn't find the changes to Ritter Drive

to be a problem. He stated that Mr. Robinson initially thought it would be difficult turning around in traffic but there wasn't any traffic. Mr. Moulding explained that there is a problem with turning the snowplow trucks around on Ritter Drive when it is slippery. He stated that they can no longer plow the entire street and turn around where it is convenient and that they now need to send up a smaller truck to do the detail work. Councilor Griffiths stated that on some of the one-way roads in Salt Lake they have a pick up truck with a plow to take care of situations like that and that would allow the big trucks to turn on 1500 West. Mr. Moulding replied that they have considered that but the small trucks are busy with the cul-de-sacs. He explained that the eastbound lane is OK but the trucks have to go twice going westbound. Councilor Hunt inquired if there are possibilities with the State to fix the intersection at 1500 West and Freeway Park Drive. He suggested putting in a stop sign. Mr. Moulding replied that they can not put up stop sign for eastbound traffic without putting one up for southbound traffic because someone making a left turn could get hit unless they are also stopped. Councilor Hunt inquired if there could be a stop sign on Freeway Park Drive for eastbound traffic. Mr. Moulding replied that there could be a green light on Riverdale Road and traffic could hit them. He stated that putting a stop sign on Freeway Park Drive would create more traffic congestion. Lt. Ebert reported that they are talking about making an intersection at 1500 West and Freeway Park Drive and that UDOT will not allow an intersection to be created there as there are safety concerns as and not enough room for traffic to que if there are stop signs. Mayor Burrows stated that UDOT won't allow a roundabout there for the same reason. Lt. Ebert stated that the City would need to engineer the intersection and buy property. Councilor Hunt suggested placing a stop sign on Freeway Park Drive to affect eastbound traffic on Freeway Park Drive just prior to Riverdale Road. Mr. Moulding replied that would increase traffic accidents if they did that.

Councilor Jenkins reported that she received several suggestions from residents via e-mail. She inquired if Mr. Baranowski could present the City with ideas of what to do with the intersection at 1500 West. She stated that one comment was placing a yield sign at the top of 1500 West and Ritter Drive instead of a stop sign, as it is difficult to stop and go again due to the slope of the road when it is icy. Mr. Moulding replied that he wouldn't do that unless there was a stop sign on Ritter Drive for eastbound traffic. He stated that if a stop sign was placed there, there would be no need to even place a yield sign there as traffic would be stopped. Councilor Jenkins inquired if a yield sign would be a possibility on Freeway Park Drive. Mr. Moulding replied that he feels that would make a bad intersection even worse and that what it is now is as good as they will get. Councilor Gibby reported that he saw an intersection similar to 1500 West/Freeway Park Drive where they put in a slave light at the secondary intersection that was timed with main light. Mr. Moulding replied that could be discussed. Larry Hansen stated that he feels the "Do Not Block the Intersection" signs should help the intersection and that Mr. Moulding has been working with the traffic engineer for further solutions. He reported that UDOT also has plans for the intersection as they look to finish widening Riverdale Road in that area.

Councilor Gibby reported that the traffic counts speak for themselves as traffic has been cut 3/4 to 1/2. He stated that he thinks some shuffling in terms of driving habits and finding difficulty on 1500 West and Freeway Park Drive may the drop traffic flow even further at the intersection and the problem may alleviate itself as people change their driving habits. Police Chief Dave Hansen stated that they are beginning to see people feeling more comfortable with the barricades and they are starting to go around them. He reported that they have been warning people up to now and are now issuing tickets to those who habitually go around them. Councilor Hunt stated that he had a resident who lives between 1500 West and Freeway Park Drive state that he has to make a U-turn at the paint store if he is traveling North on Freeway Park Drive from 5600 South and wants to turn onto Ritter

Drive, and wondered if he has any leeway to go around the barriers. Chief Hansen replied that he doesn't as they can't give him permission to violate the law. He stated that "Local traffic" means those who live between the signs, not in Riverdale. Lt. Ebert stated that the left turn for eastbound traffic between 1500 West and Freeway Park drive is for those who live between those streets. He explained that others who don't live there aren't supposed to turn left there. He reported that he pulled some more stats from the traffic signs that shows a noticeable increase in traffic on the road from the last statistics as people become accustomed to the road closed signs and ignore the barriers. Councilor Jenkins inquired if the increase in traffic could be due to Christmas traffic. Lt. Ebert replied that the longer the temporary measures are in effect without becoming permanent, people will start to disobey the signs. Mayor Burrows reported that they will continue to monitor the traffic counts and that he may want to hold a charette instead of a town meeting. Councilor Jenkins inquired if there was a time frame for the police to stop giving warnings and begin issuing tickets for going around the barricades. Chief Hansen replied that they will need to move into issuing citations soon. Mayor Burrows reported that they will take these thoughts back to the Traffic Committee and move forward.

2. Consideration of awarding the bid for the Splash pad.

Lynn Moulding reported that he has met with CEM Aquatics and worked through the questions and elements of the splash pad. He recommended awarding the bid to CEM Aquatics.

Councilor Peterson arrived at 7:15 p.m.

Councilor Hunt inquired as to the cost of adding parking stalls at Riverdale Park. Mr. Moulding replied that he doesn't have a current estimate but that it would probably cost about \$50,000. Councilor Jenkins inquired if there were further plans for the property at the south end of the City. Mr. Moulding replied that he hasn't heard anything back from the Army Corps of Engineers. Jenkins reported that the Sear Brown study addressed issues and connectivity of the City with pedestrian and bikeways that were focused around the trail. She feels that the trail system could be used to bring people to the splash pad if it was on the south end and the parking problem could be eliminated. She suggested having the splash pad in conjunction with other amenities in order to make the area a flagship park for the City. She stated that she supports the splash pad but wonders if they should look at the location and additional cost for parking. Mayor Burrows stated that it will be quite some time before that area is developed, not only for parking, but for also doing some of the other things. He thinks the benefit for the most people would be having the splash pad in Riverdale Park as it is centrally located and has the bowery facilities. Larry Hansen reported that the additional local option sales tax revenues will help make up the difference in sales tax revenue that has been lost, but that they need to talk about setting aside some of that sales tax money so they can ensure that when the seven years are up they don't fall off the cliff. He stated that they have budgeted \$500,000 for three years in a row and anticipate developing playfields and other amenities on those 50 acres. He explained that there is also the issue of Unity connecting the road and building the bridge and to begin developing that area now might be premature and misinterpreted, and could potentially jeopardize the local option sales tax money that is currently being received for operational purposes. He noted that the local option sales tax money is not one time money only, but is provided to help with day to day expenses. He reported that he sees Riverdale Park as the City's flagship park and that heavy usage is a good deterrent to mischief and trouble. Councilor Gibby reported that he has concerns with moving the splash pad. He stated that there isn't a lot of people that currently use the area on the south end and without playgrounds there isn't much else for them to do there other than

use the trail system. He feels that the splash pad will receive a tremendous amount of use and thinks it is premature in planning amenities on the south end. He stated that if they try to move the splash pad now it would delay the project, and in delaying it they might miss an opportunity and cause a great number of people to believe that they don't mean what they say. Councilor Griffiths stated that they need something to draw people down here and can't think of a better focal point. He reported that he is concerned about Riverdale Park as it seems so cramped and parking is an issue. He stated that the City's green space is getting limited and thinks they need to start spreading things out a little bit. He stated that the Riverdale Police Department is there and with security cameras he doesn't think vandalism would be an issue and that the splash pad would enhance the pathway. Councilor Peterson inquired as to how long it would take before the property on the south end would be ready to put in any amenities. Mr. Moulding replied that part of the issue in relocating the splash pad is the rebuilding of the restroom at Riverdale Park where the equipment for the splash pad would be housed. He stated that the restroom would also need to be moved down also and they would have to build a much larger parking lot as there is currently a much smaller one there. He reported that they would need to add 150 parking stalls on the south end instead of just 30 parking stalls at Riverdale Park. Mayor Burrows stated that there is also no culinary water down here. Mr. Moulding replied that would be part of the problem as well as a lot of design and placement issues. He stated that it is premature to consider placing amenities in that area without a master plan and design for a park to fit everything in, which can't be initiated until the Army Corps of Engineers tells the City what they will allow them to do.

Councilor Peterson stated that he is concerned that they have been looking at this type of a project since he was elected. He reported that he hates throwing away the time and effort that has been put into this project and doesn't want to disregard the work staff puts in to do things like this. He feels if it doesn't get done now, it may be delayed indefinitely. He inquired how many people the splash pad could accommodate. Mr. Moulding replied that it is designed for 75 people to use at one time, which is double the one at South Ogden. Councilor Peterson stated that even if the splash pad is maxed out he doesn't think parking is the problem. He stated that he doesn't see a real issue of putting it at Riverdale Park. He stated that it is a nice amenity and has had participation from the community and staff and would hope to move ahead on this. Councilor Hunt inquired as to the cost to maintain it. Mr. Moulding stated that he received information from the company that makes the equipment and they estimated \$20,000 a year for a year round park. Councilor Hunt inquired as to where the money will come from. Mr. Hansen replied that it would come from the Parks budget from the General Fund. Councilor Peterson asked if \$13,000 was a good estimate. Mr. Moulding stated that he thinks it would be half that or \$6,000 - \$7,000. He reported that the cost to maintain the grass as \$1,150 per acre per month and with the cost of water it is \$13,000 per month. Councilor Jenkins stated that there is a lot of activity on the south end and feels that this would be a draw. She reported that by placing the splash pad on the south end, it might eliminate some parking problems with kids riding bikes on the trail. Mr. Hansen stated that at some point in time the 50 acres will be able to add to the community and enhance what they have, but he is concerned that if they proceeded with trying to get a good master plan for the area before knowing what Unity and the Army Corps of Engineers are going to do, they will be wasting time and energy. Councilor Gibby stated that if they decide to put it down here it will delay the project 3-5 years or possibly indefinitely. He stated that without master planning it, they will probably put it in the wrong place. He reported that they keep making promises to the community that they will do things and then they back down. He explained that they had a lot of the community ask for a pool and this was their answer.

Motion: Councilor Gibby moved to award the bid of \$271,284.71 to CEM Aquatics for the construction of a splash pad and install a UV treatment system for \$16,995.00. Councilor Peterson seconded the motion.

Councilor Jenkins reported that she saw placing the splash pad in the green area directly south of the civic center with parking behind. She stated that she never thought of putting it in the 50 acres and realizes that power and water is a part of it. Councilor Peterson stated that there are an unlimited number of things such as football fields, soccer fields, baseball fields, etc., that could be designed to fit in the 50 acres and that there are too many unknowns right now. He reported that they have a bid and that the kids are excited about the project. He explained that he doesn't want to see it pushed out while these other issues are resolved and is astounded that they are here and second guessing themselves again and hopes they will support it.

Call the Question:

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

3. Consideration of Resolution #2009-38 adopting a Water Conservation Plan.

Lynn Moulding reported that this Plan is required by the State to be updated every four years and that the last update was in 2005. Councilor Hunt inquired about how to get people to conserve water and wondered if limiting the time and days people can water is very effective. Mr. Moulding replied that the results from other cities that have adopted watering restrictions vary, but are always positive. He thinks the more you educate people the more they will conserve. He reported that raising water rates helped as that got people to look at how much water they were really using and reduced consumption. Councilor Hunt wondered if they should adopt an ordinance to penalize people who violate watering times. Mr. Moulding replied that some cities have done that as it is cheaper to get people to conserve than buy more water. He stated that he thinks Riverdale has adequate water rights to meet the City's needs. Councilor Peterson stated that he feels education is the key component and that limiting watering days should also be considered. He suggested maybe the north side of the city waters on even days and the south side on odd days. Mr. Moulding stated that another option is to look at how much green landscaping is required of developers. He reported that the ratio is normally 20% and that could be changed that to allow hardscaping and less Kentucky blue grass. Councilor Jenkins stated that the different soils in Riverdale also need to be taken into consideration as they can retain different amounts of water.

Motion: Councilor Gibby moved to approve Resolution #2009-38 adopting an updated Water Conservation Plan for Riverdale City. Councilor Hunt seconded the motion.

Call the Question:

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 Ordinance #751 amending Title 11, Chapter 1, Section 3: Franchise Agreements; to renew the Comcast of Utah, II Franchise Agreement.

Larry Hansen reported that the renewal of the Comcast Franchise agreement is past due and was previously for a 15 year term. He stated that the original Franchise Agreement was granted to TCI

Cable and that Comcast is their successor. He explained that this is a regulatory control Franchise Agreement as Riverdale City doesn't receive franchise taxes from any entity. He stated that this is non-exclusive agreement with a ten year term. Councilor Jenkins stated that she was surprised that there are areas in the City without Comcast service. Mr. Hansen replied that Comcast has committed to build it out based on the Franchise Agreement and will submit a build out plan.

Motion: Councilor Peterson moved to approve Ordinance #751 amending portions of Riverdale Municipal Ordinance Code, Title 11, Chapter 1, Telecommunications Franchise Agreements by updating the current status, inserting necessary grammatical corrections and providing for severability and an effective date. Councilor Gibby seconded the motion.

Call the Question:

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 purchase of 8.0 acres of land.

Larry Hansen reported that as follow up per instruction from the Closed Executive Session, he has met with the real estate broker and negotiated a tentative contract agreement which was submitted to the Dallas, TX office of the FDIC. He stated that the broker had listed the property for \$299,000 and that he made them an offer, per instructions of the Council of \$200,000 and the FDIC agreed. He recommends approval to close the deal for the \$200,000 purchase price and close on the property before the end of December, 2009. Councilor Jenkins inquired about the closing costs. Mr. Hansen went over them. He explained that he plans to wire the balance due tomorrow morning, if the Council approves the purchase.

Motion: Councilor Peterson moved to approve the purchase of approximately 8.52 acres of land located in the area of 4250 South 550 West, from the FDIC as receiver for America West Bank for \$200,000 plus closing costs . Councilor Gibby seconded the motion.

Call the Question:

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

H. Discretionary Items

Mayor Burrows presented Councilor Peterson with a Certificate of Appreciation and a clock for his work as a Councilmember from January 2006 – December 2009.

Councilor Griffiths reported that he and Councilor Hunt attended a Council Meeting at Layton City and they opened their meeting with prayer. He thinks it would be good as a community to come together in united prayer and recommends that this is brought up as a topic on an upcoming City Council agenda. Mayor Burrows stated that he will take that as guidance to have that item put on a future City Council agenda.

I. Adjournment

With no further business to come before the Council at this time, Councilor Gibby moved to adjourn the meeting. Councilor Peterson seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 8:39 p.m.

Approved: January 5, 2010

Attest:

Bruce Burrows, Mayor

Marilyn Banasky, City Recorder