
Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **February 2, 2010** at 6:04 p.m. at the Riverdale Civic Center, 4600 South Weber River Drive.

Members Present: Bruce Burrows, Mayor
 David Gibby, Councilor
 Shelly Jenkins, Councilor
 Don Hunt, Councilor
 Norm Searle, Councilor
 Alan Arnold, Councilor

Others Present: Larry Hansen, City Administrator; Steve Brooks, City Attorney; Lynn Moulding, Public Works Director; Randy Daily, Community Development Director; Dave Hansen, Police Chief; Marilyn Banasky, City Recorder; and 14 citizens.

A. Welcome & Roll Call

Mayor Burrows called the meeting to order and welcomed all those present. He noted that all Councilmembers were present.

B. Pledge of Allegiance

Councilor Gibby offered the Pledge of Allegiance. Mayor Burrows read a quote from Peter Bulkeley.

C. Moment of Silence

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

D. Open Communications

LuAnn Farr reported that the Emergency Preparedness and Health Fair will be held March 25, 2010 at the Riverdale Community Center. She stated that there will be a blood drive at 3:00 p.m. and that the booths will be open from 5:00 to 8:00 p.m. She stated that she would like Riverdale City to have a booth at the Fair and for the City Council to be there and suggested having the attendees fill out some kind of concern card or possibly do a survey on any problems there are in the City. Her second idea was to also have a drawing every 20 minutes and have the City give out something like a tomato plant.

Don Farr stated that his wife has been doing this for seven years and that in the past three years she has taken the attendance from 300 people to 800 people. He reported that last year Weber State University students participated in the Fair, but that his wife is doing it herself this year so that vendors can sell things and people can buy emergency items at the Fair for their homes and vehicles as this wasn't allowed when Weber State University participated. Mr. Farr stated that he feels the City and the City Council need to think about emergency preparedness in this community and that he has been selling emergency things to other cities and reported that they all have an Emergency Preparedness Plan. He stated that Riverdale does have somewhat of a plan but that he feels the City is not prepared. He explained that he wants to see the City Council meet with the Planning Commission and start developing ideas to get prepared and that he feels that more of the City's money should be spent on Emergency Preparedness.

E. Presentations and Reports

1. Mayor's Report

Mayor Burrows reported that there will be a ribbon cutting ceremony for the Washington Terrace Civic-Senior Center on Tuesday February 9, 2010 at 7:00 p.m. with a community open house from 4:00 to 8:00 p.m. He stated that he received a voice mail message from a woman who lives in the Mountain View Apartments thanking the Riverdale Police Department for their participation in delivering food and gifts to people in need during the Christmas season.

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

None

F. Consent Items

1. Approval of meeting minutes from:

January 19, 2010 Work Session

January 19, 2010 Regular City Council

- 2. Set a public hearing for February 16, 2010 to declare certain personal property as surplus to the needs of Riverdale City.**
- 3. Review and comment by February 10, 2010 on Ordinance # 754 amending Title 10, Chapter 8, Agricultural Zone.**

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

Call the Question:

The motion passed unanimously.

G. Action Items

1. Consideration of Ordinance #753 creating the Cutrubus Subdivision #2 located at approximately 1300 W. Ritter Dr/5235 S. 1150 W.

Randy Daily reported that this request adjusts lot lines and removes unneeded lot lines to create two contiguous parcels in the A-1 zone. He reported that the Planning Commission has reviewed the subdivision plan and recommends approval.

Motion: Councilor Gibby moved to approve Ordinance #753 creating a subdivision located at approximately 1300 W. Ritter Drive in the City of Riverdale, Weber County, and providing for severability and an effective date. Councilor Hunt seconded the motion.

Call the Question:

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

2. Consideration of Ordinance #755 creating a two lot subdivision located at approximately 5419 South Weber Drive.

Randy Daily reported that this ordinance creates two parcels with two separate Tax ID numbers as well as a common area that will be governed by an association with CC & R's. He stated that the

Planning Commission has reviewed the subdivision plan and recommends approval. Councilor Jenkins inquired if they could look at the CC & R's. Steve Brooks replied that a copy can be provided to the Council, but that the City doesn't get involved in the writing or approval of them. Councilor Jenkins stated that the surrounding property owners told her the property was originally subdivided 40 years ago from the Ritter property and that the sewer laterals weren't identified at that time. She wondered what the City's process is when properties are subdivided to identify underground utilities so that this problem is avoided in the future. Mr. Daily replied that if the City is aware of an underground utility, a private or public utility easement is required and recorded. Councilor Arnold inquired what the total square footage of the lot is. Mr. Daily replied that the lot is 16,122 square feet. Councilor Arnold inquired how the property is deeded. Mr. Daily replied that the County has reviewed this subdivision and that the upper and main floors of these units will be recorded as separate.

Motion: Councilor Gibby moved to approve Ordinance #755 creating a two lot subdivision located at approximately 5419 South Weber River Drive in the City of Riverdale, Weber County, and providing for severability and an effective date. Councilor Hunt seconded the motion.

Councilor Jenkins reported that it was discussed in the Work Session that they take a second look at the Infill Lot Ordinance and that she would be in favor of bringing that ordinance back. Mayor Burrows stated that could be taken up during Discretionary business.

Call the Question:

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

H. Discretionary Items

Larry Hansen reported that there are some items that came up during the campaign season as feedback from citizens in various areas in the City. He stated that the first one has to do with the requirement of having all the residents who are hooked into the City's utility systems pay base fees and rates year round even if they are gone for part of the year, such as snowbirds. He explained that previously the Council felt that it was fair and proper to bill the residents the base rate year round, whether they were home or not, due to the financial requirements to operate and maintain those systems. He stated that each fee supplies revenue to Enterprise Funds that stand on their own in respect to revenues and expenditures. He reported that they felt it was equitable and fair for everyone who participates in the system to pay the base rates, but that it is in the control of the Council to make those decisions. Mayor Burrows stated that the only exception that has been made by the Council is when an individual is deployed to military service and that they are then given a temporary waiver for the fees for the time they are actively deployed. Councilor Jenkins stated that she contacted some people who are affected by this and they are happy that the City doesn't charge a connect or disconnect fee, but they said the City hasn't always charged for water and garbage. She stated that they wondered if they are not using the service, why that couldn't be metered differently for the water and garbage. Mr. Hansen stated that the system is still in use and the residents are hooked into the system and the City still incurs costs as there are costs common to the City that are borne by all the households. Councilor Gibby stated that he looks this issue at part of being a citizen of the community - to participate in the infrastructure and pay the base rate. Councilor Jenkins stated that the City never adopted the infrastructure of private developments and wondered what was their responsibility to the system. Mr. Hansen stated that he would agree on the surface but it takes a trunk line to get water to them and takes other lines to provide services to City buildings and amenities

that are for public use. Councilor Arnold stated that he thinks that City government is to bring services to the community and feels a resident should have the ability to shut it off. He stated that sales taxes and property taxes pay for the sewer trunk lines and the water and if someone some one leaves for six months and shuts off their service, then they need to weigh the monthly cost versus a re-hook up fee. Lynn Moulding reported that the City doesn't have a disconnect fee and only charges a fee if the City turned off the service for non-payment. Councilor Arnold feels there should be a vacation fee but if a resident requests that their utilities be shut off he feels that should be treated like cable TV or the newspaper and that they shouldn't be billed for it. Mr. Hansen explained that sales tax and property taxes do not fund the Enterprise Funds but that those revenues go into the general fund and are not used for utilities. Councilor Searle stated that he thinks it is important that they are consistent with neighboring communities and wondered if any of them offered an opt out option. He stated that he thinks it would be extremely difficult to manage people coming and going and suggested placing a time frame on how long the service will be shut off for on the option to discontinue service. Mayor Burrows stated that they could provide that information and suggested looking at St. George and other surrounding cities. Councilor Arnold reported that he is in favor of a hook up fee. Councilor Jenkins stated that she would be in favor of looking at other communities to see what they do. Councilor Gibby suggested implementing a shut off and re-connect fee and charging the resident a reduced rate while they are gone to maintain the system. Mayor Burrows stated that they will bring information back at Strategic Planning under Public Works or through the Consolidated Fee Schedule. Mr. Hansen suggested handling the fee through the Consolidated Fee Schedule.

Larry Hansen reported that there was some question about the City forgetting to do something that they had committed to do, but that the comment was vague. He asked Councilor Arnold for more information. Councilor Arnold stated there was a condominium project that had 40 units and the resident said each one had an individual meter and one for the Association for the outside grounds. They said they had come before the City Council before and worked the problem out and hadn't seen any results. Councilor Arnold said he would find his notes this week and get back with Mr. Hansen with the additional information.

Larry Hansen reported that the last item that was brought to his attention for discussion was sound walls between I-84 and Riverdale Road and 4400 South along I-84. He stated that he recalls in talking with Mr. Moulding that the City had discussions with UTOT who seemed indifferent on them, as long as the City paid for it or could obtain funding. He explained that Representative Brad Dee tried to get funding through the State but was unsuccessful and that when UDOT took a sound measurement, it didn't meet UDOT's threshold. Mayor Burrows reported that UDOT was willing to look at sound walls when they were doing construction of the bridge and had engineers do sound testing. He stated that UDOT come to a meeting and explained that the threshold wasn't met for a sound wall in that area. Councilor Arnold reported that the resident said it had to meet a sound threshold of 65 and that they were at 63. Mayor Burrows stated that he thinks UDOT's threshold is 85. Councilor Arnold reported that the resident also said that UDOT only checked it once. Larry Hansen reported that UDOT estimated the cost of building a sound wall at a rate of \$1 million per mile. He explained that the City couldn't afford to do that and that they failed to get the funding at the legislature. Councilor Arnold inquired if the City has checked to see if things like hedges or trees could be planted to help reduce the freeway sounds. Mr. Moulding reported that UDOT stated that trees and things like that really don't help with sound reduction.

Larry Hansen reported that administration felt that it would be best for the City to hold Old Glory Days on Saturday, July 3, 2010 this year instead of Monday, July 5, 2010. Mayor Burrows stated that it has

been successful when it has been held on a Saturday before when the 4th was on a Sunday. The Council agreed to hold Old Glory days on Saturday, July 3, 2010.

Mayor Burrows stated that if the Council was interested he would like to revisit having the amphitheater ready for the Old Glory Days celebration. He reported that the super structure for the amphitheater has paid for and received. He stated that if it was ready for Old Glory Days, he would really like to see it used for a community play or melodrama to kick off that celebration. He suggested that if the Council is interested he could talk with the contractor to see if they would be willing to put up the amphitheater at the original bid price or see if they needed to begin the bidding process over. Councilor Arnold stated that he would like to see the information before making a decision. Mayor Burrows stated that he will talk to the bidder to see if his price is still valid and have that information for the Council at the Strategic Planning meeting.

Councilor Hunt reported that this request is in conjunction with Councilor Jenkins request to review and revise the Infill Lots ordinance and to do that sooner than later. Mr. Hansen stated that those revisions will need to go back to the Planning Commission. Mr. Daily reported that he can begin the process and thinks has a way to resolve it. Mayor Burrows asked the Council to specifically address their concerns with the present ordinance and forward those for inclusion in the Planning Commission packet.

Councilor Searle inquired about the requirement for CC & R's in the Infill Lot Ordinance as he feels it is required in the PRUD ordinance. Mr. Daily explained that they are required for PRUD's but not for Infill Lots or subdivisions.

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 7:15 p.m.

Approved: February 16, 2010

Attest:

Bruce Burrows, Mayor

Marilyn Banasky, City Recorder