
Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **February 16, 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; Lynn Fortie, Business Administrator; James Ebert, Police Lieutenant; Doug Illum, Fire Chief; Marilyn Banasky, City Recorder; and 8 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 Jenkins offered the Pledge of Allegiance. Mayor Burrows read a quote from Sir William Blackstone.

C. Moment of Silence

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

D. Open Communications

None

E. Presentations and Reports

1. Mayor's Report

Mayor Burrows reported that the Strategic Planning meeting will be held on Saturday, February 20, 2010, beginning at 8:00 a.m. at the Community Center. He stated that the Town Meeting regarding Ritter Drive that will be held February 24, 2010, will also contain a public hearing.

2. Administrator's Report

a. Department Information

Larry Hansen discussed the department information.

b. Employee Recognition

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

<u>Employee</u>	<u>Length of Service</u>	<u>Department</u>
John Anderson	13 years	Fire
Nolan Geilmann	11 years	Police

Steve Hodges	10 years	Business Administration
Michael Albee	9 years	Fire
Scott Fannin	9 years	Fire
Brody O'Connor	9 years	Fire
Joel Pippin	6 years	Police
Jamie Boots	4 years	Police
Ben Jensen	3 years	Police
DerRell Slagowski	1 year	Senior Center

c. Staffing Authorization Plan

Larry 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:

February 2, 2010 Work Session

February 2, 2010 Regular City Council

2. Report on Condition of the Treasury for the month ending January 31, 2010.

Lynn Fortie went over the report for the month ending January 31, 2010.

3. Adopt Resolution #2010-02 endorsing Richard K. Brimhall's guest commentary in the February, 9, 2010 Standard Examiner.

Mayor Burrows reported that there have been a number of accidents on the off-ramp from I-15 to I-84 going over the bridge and that this issue was addressed through a guest commentary written by Richard K. Brimhall in the February 9, 2010 edition of the Standard Examiner. He stated that this Resolution will be forwarded to UDOT and all applicable agencies so that they can include Riverdale's comments with others to get this situation remedied.

4. Review and comment by February 24, 2010 on Resolution #2010-03 regarding prayer in City Council meetings.

Motion: Councilor Gibby moved to approve the consent items including adopting Resolution #2010-02 endorsing Richard K. Brimhall's guest commentary in the February, 9, 2010, Standard Examiner and all other items. 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.

G. Action Items

1. a. Hold public hearing to declare certain personal property as surplus to the needs of Riverdale City.

Police Lieutenant, James Ebert reported that they are requesting to surplus four vehicles. Steve Brooks addressed the request to donate the SCBA's to Bridgerland Applied Technology College. He reported that State law has strict guidelines regarding donations from a City. He explained

that if a donation is included in the regular budget process, the donation can be given, but if it wasn't included during that process, a public hearing must be held and the Council must make a finding that it serves some corporate purpose. He stated that the donation must be a benefit to the City. Councilor Gibby inquired if they can be surplus and then bid on like any other surplus item. Mr. Brooks replied that they could. Councilor Gibby inquired if the training that Bridgerland is offering has any value. Mr. Brooks replied that the Council could determine if that had value. He stated that it has been done in the past with guns and ammunition from the Police Department as the City gets value from that trade. Councilor Jenkins inquired as to the strength of Bridgerland and wondered if they would still be in business when the firefighters needed training. Mr. Brooks replied that he doesn't know anything about them and would require something in writing that there is an agreement that binds them and contains waivers for liability issues.

Fire Chief, Doug Illum, reported that he received a letter from Bridgerland Applied Technology College requesting that the SCBA's be donated to them for training purposes. He explained that the airpicks are not safe and don't meet NFPA codes and can't be used by another fire department. He stated that he has been in contact with different individuals to see if they would purchase them and found that the cylinders have a value from \$30 to \$100 each. He felt that the average price he could get for the cylinders is \$45.00 and then he would have to pay to ship them. He stated that the airpicks themselves have no value. Chief Illum reported that Bridgerland is part of the Utah Fire Rescue Academy and is where Riverdale's firemen receive their training and certifications. He noted that they are State funded through the fire insurance premium. He stated that Bridgerland is offering training in lieu of monetary considerations for the SCBA's as they don't have the money for equipment like this. He stated that the Riverdale firefighters attend training 4 times a year at Bridgerland and that Bridgerland also provides training at the Riverdale Fire Department. Councilor Jenkins inquired if Chief Illum felt he would get more value in trading for training than selling the cylinders. Chief Illum stated that he felt the trade was a better deal. Councilor Jenkins stated that she was OK with the trade as long as there is a legal agreement to establish a value. Mayor Burrows inquired if they would need to hold a separate hearing to trade the SCBA's for training or would the public hearing scheduled for tonight suffice. Mr. Brooks stated that he felt they could go forward if they can make a finding that trading the SCBA's for training will serve a corporate purpose and recommended that Bridgerland sign a liability waiver.

Mayor Burrows opened the public hearing at 6:46 p.m.

No comments from the public were given.

Motion: Councilor Hunt moved to close the public hearing. Councilor Gibby seconded the motion.

Call the Question:

The motion passed unanimously.

The public hearing was closed at 6:47 p.m.

b. Consideration of declaring certain personal property as surplus to the needs of Riverdale City.

Motion: Councilor Gibby moved to declare the property listed as surplus to the needs of Riverdale City, including those items of interest to Bridgerland Applied Technology College that they be allowed to provide remuneration for training for value received for the SCBA's. Councilor Jenkins seconded the motion.

Call the Question:

The motion passed unanimously.

c. Consideration of donating surplus SCBA's to Bridgerland Applied Technology College.

No action was taken on this item as it was taken care of under item b.

2. Review and consideration of Ritter Drive status.

Police Lieutenant, James Ebert, reported that he looked at safety, volume and speed issues for this report. He stated that he put together statistics that show the number of citations and accidents on and around Ritter Drive from December 1, 2008- February 9, 2009 and compared them to December 1, 2009 – February 9, 2010. He stated that there were no accidents since the road was closed and that the citations have substantially increased and he attributed that to enforcing the road closed sign. He reported that from the time the road was closed there has been a substantial decrease in traffic volume. He stated that the last area he looked at was speed and that before and during the road being closed, speeds have not increased. He explained that there is a perceived feeling that speeding is an issue on Ritter drive, but stated that the statistics don't back that up as the speeds were in the 85th percentile of individuals obeying the speed limit. Councilor Jenkins stated that based on the report that Lt. Ebert gave, she feels they accomplished their goal of reducing the flow of traffic on Ritter Drive without increasing safety hazards and feels the trial period has been a success. Councilor Hunt stated that the statistics show there has been no real impact at the intersection at Freeway Park Drive and 1500 West. Lt. Ebert stated even though the data shows no impact as far as accidents or citations at that intersection, he feels the changes just moved the previous traffic problems at the intersection at Ritter Drive and Freeway Park Drive to 1500 West and Freeway Park Drive. Councilor Jenkins reported that previously the traffic backed up at the intersection of Ritter Drive and Freeway Park Drive and made it hard for people to get out of their driveways. She stated that the traffic study recommended having an alternative access, which has been accomplished with 1500 West. She stated that they really didn't close the road but just made it a loop. She explained that she was concerned that there could be problems at the intersection of 1500 West and Freeway Park Drive and is comforted to see that they didn't create any accidents there and solved the problem on Ritter Drive. Lt. Ebert stated that is true as long as the traffic volume stays where it is but if the traffic volume starts to increase he feels they will have the same type of issue at the intersection of 1500 West and Freeway Park Drive as there was at the intersection of Ritter Drive and Freeway Park Drive. Councilor Arnold reported that he was traveling on 1500 West at 5:00 p.m. today and he could not go due to traffic and had to continue on Freeway Park Drive to Ritter to make a left. He understands the things that are trying to be accomplished but is frustrated by the craziness at the intersection of 1500 West and Freeway Park Drive.

3. Consideration of Ordinance # 754 amending Title 10, Chapter 8, Agricultural Zone.

Mayor Burrows reported that Mr. Daily was at the work session but has been excused from the Council meeting due to illness. He stated that there will need to be a consensus from the Council for changes they want to implement in the ordinance. Councilor Jenkins stated that she would like to identify the Agricultural zones on a land use map and look at what uses may be most compatible with those areas. She suggested taking a conditional use approach to uses in the Agricultural zones. Mayor Burrows inquired if Councilor Jenkins was suggesting looking at the General Plan at the same time. Councilor Jenkins stated that she would like to look at the General Plan as well. Mayor Burrows concurred and stated that he likes the idea of looking at them both. He suggested that they look at this soon in case someone wants to develop in an Agricultural zone in the mean time. Councilor Gibby stated that they should look at the area that is in the flight zone near South Weber Drive to and look at uses that would fit that area such as a miniature golf course. He reported that he also talked to Mr. Daily about the language regarding limiting greenhouse ventures as he feels that the current language would eliminate them. Councilor Arnold reported that he was contacted by a resident today, and after talking with them he feels there are a lot of holes in the wording of the ordinance. He stated that he wants to contact the residents in Agricultural zones and see what their feelings are. Commissioner Searle reported that he knows the Planning Commission worked on this ordinance a lot and had submitted an A-2 zone to the Council which would allow more commercial uses in the Agricultural zones and the Council sent it back to the Planning Commission and said they didn't like that concept. He stated that the Planning Commission held a public hearing, which was very well publicized, and no one attended it. He thinks they can beat this to death and suggested a joint meeting with the Planning Commission and the City Council to make recommendations. Mayor Burrows stated that they should value what the Planning Commission has done and feels it makes sense to consider these changes along with the General Plan. He thinks it would be a great idea to invite the Planning Commission to be in on that review. Larry Hansen reported that the August Strategic Planning session is when the General Plan is reviewed and wants to invite the Planning Commission to that meeting. Councilor Hunt commended the Planning Commission for the work they have done and likes Councilor Jenkins recommendations. He stated that there is a difference between raising chickens for eggs and raising chickens for a commercial venture. **Mayor Burrows asked for consensus to review changes to the Agricultural Zone with the General Plan. Consensus was reached.**

4. a. Consideration of motion to re-consider awarding the bid for the Riverdale Park Amphitheater and Veteran's Memorial.

Mayor Burrows reported that because this item was previously voted down, only someone who voted in the majority can ask for reconsideration of the item. He stated that Councilor Jenkins voted in the majority and has requested that this item be placed back on the agenda.

Motion: Councilor Jenkins moved to consider re-consideration of awarding the bid for the Riverdale Park Amphitheater and Veteran's Memorial. Councilor Hunt seconded the motion.

Call the Question:

The motion passed unanimously.

b. Re-consideration of awarding the bid for the Riverdale Park Amphitheater and Veteran's Memorial.

Councilor Jenkins reported that they had discussed in a previous meeting re-contacting the low bidder to see if they would still honor it. She stated that she contacted Mr. Hansen and expressed concerns that re-contacting the low bidder may not be the best way to approach this. She reported that her concern is whether or not to keep the Amphitheater and Veteran's Memorial in the same area or split them up. Larry Hansen discussed the Recap of Expenditures that was included in their packets and noted that \$65,949.13 has been spent to date on the two projects and the entire budget is \$186,000. He reported that the City is also committed to Mark H Bott for another \$10,000 for the granite, which leaves ~ \$110,000 to finish the two projects. Councilor Jenkins stated that she feels this is a time sensitive project with a perceived expectation and that they need to find a place for it and do the right thing for the project. She reported that she received feedback from veterans and they weren't enthused about the park location due to noise and the visibility of the site. She suggested considering moving the location of the Veteran's Memorial to the Civic Center courtyard with granite benches and pavers that could be paid for through fundraising. Mr. Hansen reported that there are two planter areas in the front courtyard and are both surrounded by pavers and have electricity. He stated that the low bid was \$99,595 and he is not sure what changing locations would do to the bids as it would require a change order. He explained that there are brick pavers in the courtyard and the community could be engaged to purchase bricks to help fund the memorial. Lynn Moulding stated that the contractor would have to agree to a reduction of the scope of the project but he thinks he might be OK with that. Councilor Gibby stated that he would have no problem splitting it, but wonders if there is enough room at the Civic Center for large ceremonies and if there would be enough cover. Councilor Hunt stated that it would spruce up the courtyard and be a nice addition.

Councilor Arnold stated that he thinks the idea is a good one and accommodating to what is going on but that he is concerned with the Amphitheater. He reported that he walked at Riverdale Park and visited with people about the two projects. He stated that an older couple was excited for the amphitheater and disgruntled with the splashpad being so close to it, and a mom with a young child was excited about the splashpad and didn't care about the amphitheater. He feels that the two of them together don't fit and thinks it is a bad idea. Mayor Burrows explained that the area for the amphitheater was chosen because of the natural curvature of the hill and stated that the amphitheater speakers would be set away from the splashpad. Councilor Jenkins stated that she went over the Sear Brown study which discusses a natural amphitheater and wondered about entertaining a possible location for the amphitheater by the river trail. She expressed concern that Riverdale Park has enough room to accommodate both projects and wants to look at the impact on the park with the splashpad before considering another venue. She stated that all the boweries in the City have power and could be augmented to accommodate speakers. Mayor Burrows reported that in order to have an amphitheater by the river it would require berming and that the Sear Brown study amphitheater that was looked at was to accommodate small presentations on the river or surrounding areas not for productions. He stated that he is not opposed to looking at development in other areas but feels it can and will work nicely as originally proposed. Councilor Searle inquired how far away the splashpad is from the amphitheater. Mr. Moulding replied that it is approximately 300 feet. Councilor Searle thinks placing the Veteran's Memorial in Riverdale Park has merit as many people attend Old Glory Days and would enjoy it. He felt it would be nice to also have a sketch of the overall plan and goal for the South end of the City. Mr. Hansen reported that they will be

discussing Capital Projects and budget items at Saturday's Strategic Planning meeting and the amphitheater and Veteran's Memorial will be a part of that. Councilor Hunt reported that he has had several residents comment on the congestion in the park and is not sure they need both projects in the same park. He stated that he doesn't want to make a decision due to time constraints and wants to take some time to look at the information along with the possibilities of separating it, and talking to the contractor.

Motion: Councilor Gibby moved to table the re-consideration of awarding the bid for the Riverdale Park Amphitheater and Veteran's Memorial. Councilor Searle seconded the motion.

Call the Question:

The motion passed unanimously.

5. Discussion and Consideration of action concerning the speed limit on 700 West.

Mayor Burrows reported that Councilor Jenkins requested that this item to be placed on the agenda and he concurred. Larry Hansen explained that as the Risk Management Committee convenes they look at both responding to incidents and at taking preventative measures. He reported that the City has had previous issues with the speed limit on 700 West and that the Risk Management Committee looked at the previous recommendations regarding it. He stated that the committee looked at 700 West much like 4400 South when comparing the width of the right of way. He reported that they felt it would be a good idea to boost the speed limit from 25 mph to 30 mph and place a speed indicator sign by the vacant lot that the church owns on 700 West.

Councilor Jenkins reported that when she read the Risk Management Committee meeting minutes she was concerned at the short length of the meeting and that none of the studies that were provided in the Council's packets were cited. She feels that 700 West is a residential area and is different from 4400 South as it has a 60' wide section and then necks down to 48'. She stated that when she sent her e-mail to Mr. Hansen, she didn't know the committee had acted on it and hoped the Council would have an opportunity to discuss it. She stated that the average speed on the road is 33 mph and they are not being ticketed. She discussed alternatives that the study discussed, such as striping the road to create a traffic calming effect. Councilor Jenkins thinks it is hard to take a speed limit from 25 mph and increase it to 30 mph and then reduce it back to 25 mph as it would confuse motorists. She feels that people are going 30 mph already and now they could potentially go 40 mph and feels the people on that road won't be happy that it is going faster. Councilor Arnold stated that he was curious why it went before the Risk Management Committee and wondered if they had the authority to do this as staff carries out policy and does not set policy. Larry Hansen reported that he isn't aware of other City Councils that get involved in setting speed limits on City streets as that is usually done through the Public Works and Police Departments. He explained that the Risk Management Committee deals with incidents after the fact but also handles preventative issues. He stated that 4400 South has a school and a church on the street, along with residential homes on both sides and has a 30 mph speed limit. He stated that when they looked at raising the speed limit, the staff involved was familiar with the UDOT and Wilbur Smith studies and that both those study's indicated that the speed could be raised above 30 mph on 700 West. He reported that the road functions as a collector road and has a wide right of way which is very similar to 4400 South, except 4400 South has a heavier traffic count. He explained that staff wouldn't implement something if it wasn't supported by professional opinions by those who work at the City and traffic engineers. He reported that there was no intent by staff to overstep their bounds and that they looked at this similar

to changing the speed limit on Ritter Drive, which was done without Council approval. Councilor Hunt reported that the traffic study suggested adding traffic calming measures. Lynn Moulding replied that they have already done that with the striping of bicycle lanes. Councilor Hunt stated that the study lists several other options as well. Mr. Moulding replied that doing anything additional would be quite expensive, so they tried striping the bike lane first. He feels it slowed people down slightly but not significantly. Mayor Burrows stated that they are recommending a 3 to 6 month evaluation period to see what happens. Councilor Jenkins stated that she is in favor of reverting the speed limit back to 25 mph and studying it. Mayor Burrows stated that raising the speed limit was an alternative in the study and feels that keeping it at 30 mph during the trial period is a good idea and then they can make an assessment, much like Ritter Drive. Councilor Hunt inquired as to what data they would be looking for during the trial period. Mr. Hansen replied that they would be looking at speed data like Ritter Drive. Councilor Hunt inquired when the speed sign would be placed on 700 West. Lt. Ebert replied that it is scheduled to be put up in the next couple of days. Councilor Arnold reported that he feels uncomfortable with staff changing the speed limit and thinks a study should have been done. He stated that this is the exact opposite to what is happening on Ritter Drive and he thinks it is important to have information before they jump. Councilor Gibby reported that he seldom sees people going over 30 mph on 4400 South and he feels it is because of enforcement. He stated that he doesn't have a problem either way and if the speed limit is going to be 30 mph it needs to be enforced. Councilor Searle agreed and thinks it ought to be enforced. He stated doesn't know that 30 mph is a bad speed but is concerned that motorists will stay at that speed. Mr. Hansen stated that on behalf of staff there was no intent to usurp any prerogative of the Council on this matter and if the Council feels staff has overstepped their bounds and Council wants to unwind this, it their prerogative. He suggested watching the speed for 3 to 6 months and placing the speed signs on 700 West. Mayor Burrows suggested lowering the speed limit to 25 mph where the road narrows and curves and maintaining 30 mph on the rest of 700 West during the trial period.

Motion: Councilor Jenkins moved to study the speed on 700 West and reduce the speed limit back to 25 mph and take a look at where they are at with the road before they make any future changes. Councilor Arnold seconded the motion.

Call the Question:

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

H. Discretionary Items

None

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 9:02 p.m.

Approved: March 2, 2010

Bruce Burrows, Mayor

Attest:

Marilyn Banasky, City Recorder