
Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **March 2, 2010** at 6:06 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; Dave Hansen, Police Chief; Doug Illum, Fire Chief; Marilyn Banasky, City Recorder; and 33 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 Hunt offered the Pledge of Allegiance. Mayor Burrows read a quote from Thomas Jefferson.

C. Moment of Silence

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

D. Open Communications

Michael Staten reported that after the Ritter Drive town meeting he did a tabulation of concerns expressed and came up with a traffic plan. He explained that he has a civil engineering background where he considers traffic calming alternatives and came up with a one-half lane closure of Ritter Drive on each end. He stated that this would eliminate most of the concerns that were expressed at the town meeting. He reported that it would eliminate the through traffic and also eliminate the need of a left turn from 1500 West to Freeway Park Drive. He knows that this plan doesn't resolve all the concerns as the South Weber traffic would not be able use Ritter Drive to go to Roy and it doesn't take care of turning left on 1500 West going south, which is not as critical. He stated that it reduces the need for a fix on 1500 West and Freeway Park Drive. Mr. Staten reported that he e-mailed his plan to the Council and wanted to see if they had any questions. Councilor Gibby stated that Mr. Staten's plan doesn't allow entry onto Ritter Drive from either end and only from 1500 West. Mr. Staten replied that his plan allows traffic to exit from either end of Ritter drive and enter from 1500 West. Councilor Jenkins stated the information that Mr. Staten provided showed different alternatives for traffic calming measures and that partially closing the road in this way seemed to be the most expensive alternative. Mr. Staten replied that some of the other traffic calming devices are similar in price, but the cost could increase if there are drainage improvements that need to be addressed. Councilor Hunt reported that he appreciates the information as they are dealing with different options and felt the proposal had a lot of good information. Councilor Searle thanked Mr. Staten for his input and thinks there is merit to his proposal.

Kevin Higgs reported that he previously mentioned to Councilor Jenkins that it would be nice to reserve some of the green space on the south side of Riverdale to allow access to the walkway from South Weber Drive so that those residents could use the walkway. He suggested the possibility of sharing the tunnel with the golf course. He discussed the Veteran's Memorial and that it was previously mentioned, that people are upset about it's visibility in the park, but he feels the visibility in Riverdale would far outweigh the one in Ogden. He is concerned about putting it at the city offices as he feels people will walk by and go into the building and not recognize it. He reported that he is concerned with Mr. Staten's proposal for Ritter Drive as there will still be residents that will have no way to get into their driveways, just like in the one-way proposal. He stated that when he was a kid they couldn't back out of their driveway either because of the HAFB traffic and that his dad made a turn around in their yard so they could pull out forward. He inquired if the full road is in failure or if it is failing just at the top. He feels that since the canal break and the road was improved that the entire road is probably not in failure. He stated that he doesn't expect fixing the failure on Ritter Drive at the top will get cheaper and wondered if it is time to fix Ritter Drive now and not just band aid it. He stated that there is an election in June and perhaps this subject ought to be on the ballot to fix Ritter Drive, one-way it, or close it. He reported that he appreciates all their work.

Wayne Higgs reported that he lives on South Weber Drive and studied the proposed one-way westbound and understands there are problems with some residents getting into their driveways. He was wondering if the City could ask Target or Walmart to do a study to see where shoppers come from by using their zip code. He stated that this information could be used to find out where people are coming from that could be using Ritter Drive and try to guess how much sales tax revenue is lost versus how much it would cost to improve the street. He stated that it may be better to improve the street and keep the sales tax dollars.

Dan Draney reported that he has lived on the south side by Golden Spike Park for 30 years and has negotiated Ritter Drive for those 30 years. He is concerned that Ritter Drive hasn't been safe for years and has seen children at risk and cars having a hard time going up the hill in winter, due to ice. He stated that the road was not intended to have this type of traffic and his feeling is to close it off at 1500 West and keep Ritter Drive as a community road. He wondered why the City would create a situation where people will have to pay a \$80 ticket by putting up the barricades. He recommended closing it on one end and make it safe until it can be corrected properly.

Don Higgs reported that he has an idea to present. He stated that the handout that was distributed at the Town Meeting showed that there are less than 2,000 cars a day that travel on Ritter Drive. He explained that if the 2,000 cars appeared there 2 hours in morning and 2 hours at night, that would be 4 hours or 240 minutes, which figures out to 8 cars per minute in one direction or the other. He stated that if that is separated out by direction that would be 1 car traveling on Ritter Drive every 15 seconds. He reported that if they are backing out of a driveway it will take them a lot longer to look both ways and back out than 15 seconds. He suggested that the residents who have trouble getting out of their driveway, would pour a section of concrete to come out of their driveway forward, they could be up to the 25 mph in 6 seconds and wouldn't have any trouble. He recommended that the City make any future developments have people come out frontwards from their driveway.

Detra Waikart lives on Highland Drive and reported that there has been a vacant piece of property that has been weed infested by the entrance to Riverdale City. She stated that there is a proposal to put two homes on that property that is 19,500 square feet and that in the years past is an artesian well. She is

concerned about putting two houses on that property as she feels it would be very difficult to pull out of because it is a curved road and has two stop signs. She stated that she hasn't seen anyone making any lines or digging holes to see about the water and is concerned that if someone built a house it would cause flooding on other property or the house would have water problems. She knows this will be addressed next week, but wants to bring up her concerns now and hopes other people will notice these discrepancies and take a closer look at the property and proposals.

Jaunett Porter reported that she is the Riverdale Band's director was disappointed when the Amphitheater/Veteran's Memorial was tabled. She would love to showcase what the band is doing and it is her hope that the Amphitheater can be acted upon and moved forward.

Kevin Higgs stated that it was previously discussed that there is no evidence that the Amphitheater will be used, he feels that if they build it, they will come.

Gary Griffiths reported that he is a huge supporter of the Riverdale Band and feels we need to do whatever we can to support them. He stated that when he was on the Council they discussed that the Amphitheater would be a place to go and enjoy the band, but when he saw the plans he was dismayed as it was more of a picnic bowery. He stated that if they are going to build one, it needs to be done right like Layton City's where it can highlight the band. He feels that the band needs to have input to help create the amphitheater. He reported that he appreciates the information that he received from his GRAMA request on accident counts on Ritter Drive. He stated that he was talking to UTA employees, and Riverdale residents and they mentioned the reason that UTA bus service was stopped on Ritter Drive was due to environmental and safety conditions. He feels they need to take a hard look at the structure of that road. He stated that the counter the state put in at SR60 and Ritter showed the annual average of cars is 3,000 and wondered if Mr. Higgs would do a recalculation based on 3,000 cars. He thinks the overall concern is the safety of the motorists and residents in the area and felt that Mr. Staten presented an interesting idea. Mr. Griffiths reported that he also supports the Veteran's Memorial and can't wait until they can give the veterans their due.

Don Higgs reported that if they add another 1,000 cars to his calculation there would be another one-half again as many cars and would double cars from 8:00 a.m. to noon. He stated that if everyone was congregated into the 4 hours period it wouldn't be that many cars.

Scott Evans lives on 5050 South by Golden Spike Park and drives a school bus. He can see the people complaining if they have no other way out of there if the road is closed. He reported that as a bus driver, closing the road will inconvenience them but would greatly improve safety. He stated that he seldom sees local people run through bus lights because they know the children. He thinks the answer is to close the west end of Ritter Drive.

Pat Crezee reported that she has two issues: 1) turning on Ritter Drive at 1500 west is horrible when making the right hand turn as you are in the other lane of traffic; 2) turning left off 1500 West onto the frontage road. She is afraid there will be a bad accident there as people gun it to make the light.

Janet Deschamp lives on Ritter Drive and agrees that road does need to be looked at. She stated that the inconvenience hasn't bothered her a bit because of the decrease in traffic. She feels that there is a safety issue and thinks Ritter Drive should be closed at the top and put in a break-away gate for emergencies.

Scott Evans suggested using 4 way stops to stop traffic and put a stop sign coming down Freeway Park Drive to make them stop coming down.

Mike Davis reported that he lives on the bottom of Ritter Drive and from a selfish standpoint, feels that the proposal submitted by Mr. Staten, is a great idea. He stated that the problem is that everyone down on South Weber drive will be diverted to the subdivision to the south or north of him. He thinks they should shut it down or do Mr. Staten's idea.

Rainer Such reported that he lives on 1250 West and is also a bus driver. He stated that since road has been closed he hasn't had one person run the lights and feels it is safer for the kids to go on Ritter. He feels the issue is at 1500 West and the frontage road and thinks a stop sign and a turning lane would make a difference. He thinks it would be great if the Council just closed Ritter Drive.

Sharon Harrop reported that she lives next to Golden Spike Park and has been a resident of Riverdale for 34 years. She cautioned the Council that they don't let the tail wag the dog. She stated that when people buy a home they have free agency to buy it and sell it and doesn't believe that people should say backing out is a problem. She feels they turned Riverdale upside down to do this and to her Ritter Drive is an important road heading to Roy.

Marian Griffiths reported that her family has lived here for 14 years and they enjoy it. She has seen the good and best come from Riverdale but at the Town Meeting she saw and heard things to make her think hard and feel sick. She was surprised at what was directed to neighbors and friends and felt the disrespect from elected officials to each other was embarrassing.

Connie Sherman reported that she lives on Ritter drive and stated that they don't have cars just in the morning or evening, but that it is a constant stream of cars. She stated that she has a neighbor who has a circular driveway who still has a problem getting out of it. She stated that they also have the right to get out of their driveways.

Sterling Bennion reported that he has been frustrated with what he heard since the last meeting. He stated that it was brought up to put a light at the top of the intersection to get off Ritter Drive and whether it is one-way or not, the cars need to get off there to the frontage road. He feels the idea of a light is just completely overlooked. He too is worried about the intersection of 1500 West and Ritter Drive. He thinks that putting in speed bumps on Ritter Drive is a crazy idea as it creates a hazard. He thinks the road needs to be improved and has been put off far too long. He encouraged the City to do all they can to connect the road from Falcon Hill at 5600 South in Roy and hook onto South Weber Drive as quickly as possible.

Orelene Higgs reported that she doesn't know how many people are aware of the history of Ritter Drive, but it is the old Lincoln Highway and was the main road through Riverdale many years ago.

Bobby Jones reported that he has lived in Riverdale since 1970 and raised six kids on 1150 West. He stated that the road into HAFB was worse than Ritter and that he had to know where his kids were for two hours in the morning and two hours in the evening as that speed limit was 45 mph. He knows and cares about the people in the city and knows something needs to be done to make it somewhat better.

Dan Draney discussed the Veteran's Memorial. He stated that he heard discussion about the Veteran's Administration being involved and making a memorial that would include all of Northern Utah, possibly

south of the Civic Center. He thought that was a great idea to have that in Riverdale is that setting is unique in its visual qualities because of the river. He knows the area isn't developed yet but that could be a wonderful place for the band to go also.

E. Presentations and Reports

1. Mayor's Report

Mayor Burrows reported that he received communication back from Darin Duersch, Region Traffic Engineer from UDOT, regarding the Resolution the Council passed asking for more signage on I-84. Mr. Duersch indicated that they will be upgrading the existing warning signs to include embedded LED flashers to increase visibility and work with trucking interests to promote safe loading practices to minimize the likelihood of loads shifting. Mayor Burrows reported that a representative from the Weber-Morgan Health Department made a presentation at the WACOG meeting and reiterated their position that the ordinance that they put in place has all the teeth necessary to enforce the outdoor smoking policy. Mayor Burrows stated that he feels it is good that they are considering the Resolution supporting the Health Department's outdoor smoking policy and that it also shows support of the Riverdale Elementary CAT kids. Mayor Burrows reported that Riverdale City was awarded a RAMP grant in the amount of \$100,000 for the splashpad and that could help offset the costs for the Amphitheater/Veteran's Memorial as it would free up money that was budgeted for the splashpad.

2. Update on the status of the Infill Lot Ordinance changes

Mayor Burrows reported that this update was given during the work session. He stated that the Planning Commission discussed the ordinance and chose not to take any further action.

F. Consent Items

1. Approval of meeting minutes from:

February 16, 2010 Work Session

February 16, 2010 Regular City Council

February 20, 2010 Strategic Planning

Councilor Jenkins requested a change to the February 20, 2010 Strategic Planning minutes where she discusses adopting the Weber-Morgan Health Department ordinance and the Riverdale Elementary CAT kids.

2. Set public hearing for March 16, 2010 to consider vacation of right of way at 1500 West to 1275 West connector through the Cinedome property.

This item was withdrawn from the agenda at the petitioner's request.

3. Consideration of appointing Councilor Jenkins as advisor to the Youth City Council.

4. Review and comment by March 10, 2010 on Ordinance #756 amending Title 10, Chapter 14, Section 12 – Nonresidential and Residential Development Landscape Requirements.

5. Review and comment by March 10, 2010 on Ordinance #757 amending Title 2, Chapter 4, Board of Adjustment.

6. Set a date for a joint meeting with the City Council and Planning Commission to review the A zone along with the General Plan.

The joint meeting was set for April 6, 2010, to begin right after the City Council meeting.

Motion: Councilor Gibby moved to approve the consent items and set the date of April 6, 2010, for the joint City Council and Planning Commission meeting to review the A zone along with the General Plan. Councilor Hunt seconded the motion.

Call the Question:

The motion passed unanimously.

G. Action Items

1. a. Consideration of motion to re-consider action taken by City Council on February 24, 2010 concerning the flow and travel of traffic on Ritter Drive.

Motion: Councilor Hunt moved to re-consider the action taken by the City Council on February 24, 2010, concerning the flow and travel of traffic on Ritter Drive. Councilor Jenkins seconded the motion.

Call the Question:

The motion passed unanimously.

b. Re-consider action taken by City Council on February 24, 2010 concerning the flow and travel of traffic on Ritter Drive.

Lynn Moulding reported that there has been concern expressed regarding the driveways at 1450 and 1475 West Ritter Drive and that they wouldn't be able to pull in or out if the street is made one-way westbound. He stated that they could get in and out with a small trailer making a left turn going up west bound from one of the driveways, but the other driveway would not accommodate anything other than a small to mid-size car. Mayor Burrows inquired if traffic calming measures such as striping the road to put the travel lane to the north side would help. Mr. Moulding replied that there would still be a bit of a problem concerning getting in and out of those driveways. He stated that traffic calming devices would probably need to be moved east of Wheelers and feels that it would still be difficult. Mayor Burrows inquired about traffic calming barricades that narrow the road. Mr. Moulding replied there are chokers or chicanes that could be put in several locations to slow the traffic down. He suggested looking at 3 to 4 spots on Ritter to do that and recommended the chicanes as he felt they would help traffic from going off the road, such as happened to the Griffiths home.

Councilor Jenkins asked Mr. Moulding about Alternate 9 in the Transportation plan which suggesting realigning Freeway Park Drive to "T" into the newly designed 1500 West. Mr. Moulding replied that the issue would be taking the highest flow of traffic and making them come to a stop and that they usually give preference to the highest flow of traffic which is why UDOT designed Riverdale Road with a new fourth lane at that intersection. Councilor Jenkins inquired if reducing the speed on Freeway Park Drive would we improve safety at that intersection. Mr. Moulding replied that he doesn't think that would necessarily help. Councilor Jenkins stated that the issue of "stricter enforcement" of speed limits has been discussed on Ritter Drive and other roads in the City. She inquired as to what that means based on the size of Riverdale's police force and the fact they can't live on these roads. She wondered if it meant zero tolerance, or issuing a ticket for 5 mph over the speed limit. She stated that she doesn't want a perception that the officers are doing anything wrong, but doesn't want the perception that all the road problems can be fixed by strict enforcement. Police Chief Dave Hansen reported that the department has 13 patrol officers that cover all of Riverdale

including Riverdale Road. He stated that these officers handle traffic as well as crime. He stated that they have been focusing on Ritter and the fact there is a barricade that people are driving around. He explained that was being enforced by way of warnings and then citations which jammed up the courts. Councilor Hunt stated that it was previously discussed to place a stop sign on 1500 West. Mr. Moulding replied that they would have to make it a three-way stop as traffic coming off Riverdale Road have the right of way and those coming off 1500 West would think they have the right of way and it would cause accidents. Councilor Hunt inquired if it is a better route to leave it as is. Mr. Moulding stated that he would want a traffic engineer to look at that. Councilor Hunt reported that he had a difficult time participating electronically at the Town Meeting and that Councilor Jenkins talked about having a study done. He stated that he is concerned that there are options that they may or may not be aware of and hopes they can find an answer. Mayor Burrows asked Mr. Moulding if he obtained an estimate of cost to evaluate just the top portion of Ritter Drive and/or 1500 west. Mr. Moulding replied that when the Council voted to make Ritter Drive one-way he didn't pursue that. Mayor Burrows stated that he thinks that information still needs to be gathered. Mr. Moulding reported that part of the criteria he needs to know to gather bids, is what areas they will be studying. Councilor Jenkins stated since they now have a new road in the street inventory and feels there are things that need to be added to the Master Transportation Plan. She feels that the Master Transportation Plan needs to be updated like the General Plan and would hope that they are able to establish a scope and get consensus for the study. A discussion was held on different options at the 1500 West and Freeway Park Drive intersection. Mayor Burrows reported that UDOT still plans on reconstructing that intersection to the west going into Roy, but that he didn't know the exact specifications.

Councilor Arnold stated he feels that something has to be changed tonight and that when he made the motion to make Ritter Drive one-way westbound he thought it was a good compromise. He reported that Mr. Brooks discussed in the work session that if they decide to vacate the road, they would need to have findings of fact in order to do that. Steve Brooks reported that UCC 10-9a-609.5 outlines vacating a street and requires three things: 1) hold a public hearing, which was done last week; 2) find that good cause exists for the vacation; 3) find that neither the public interest or any person will be materially injured by the proposed vacation. He stated that he is most worried about #3 as he feels it easy to show that a person is materially injured if they are forced to take another route because of vacating the road. Councilor Arnold stated that Ritter Drive is one of our lifelines not only for sales tax but to emergency vehicles to operate and function. He thanked Mr. Staten for the information he brought forth. He thought it was phenomenal, even though he disagrees with it. Councilor Searle stated that after listening to open communications, he feels that no one will be happy regardless of the decision. He reported that at first glance he didn't like Mr. Staten's proposal, but that as he looked at it, he feels is not a bad option and should be looked at. Mayor Burrows discussed the possibility of a charette for the residents, City Council and experts so they can all get together in a meeting and have discussion. He stated that they can leave the changes to Ritter Drive place and redirect staff to not take action until they make up their mind and receive the traffic study information.

Motion: Councilor Gibby moved to rescind the motion passed at the previous Council meeting on February, 24, 2010, and that the Council look at various options and have Mr. Moulding consider the impact at the intersection of 1500 West and Freeway Park Drive and look at the proposal submitted by Mike Staten; and leave Ritter Drive status quo until such time that the Council has had time to consider the other options and see what the cost and scope of a study would be and how effective it would be. Councilor Searle seconded the motion.

Call the Question:

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

Councilor Jenkins stated that she wants to have professional advice and wants that added to the motion. She feels that even though there is a cost involved to have a study, she believes that it will be valuable. Councilor Hunt inquired if Wilbur Smith who did the 2004 study or if Mr. Baranowski will be consulted. Mayor Burrows reported that they will ask for that. Larry Hansen stated that he appreciates the desires of the Council to get professional guidance on a difficult situation but is concerned at the cost as the Wilbur Smith Master Transportation Plan cost \$50,000 in 2004. He stated that if the Council regards the Wilbur Smith Plan as something more than advisory then they may want to go back to Mr. Smith to provide an update with stipulations relative to the additional scope. He stated that they could also include in the scope: Mr. Staten's proposal; 1500 West; the potential vacation of the connector road between 1500 West to 1275 West with the possibility of the new Larry H Miller dealership; the existing change on Ritter Drive; the intersection of Ritter Drive and Freeway Park Drive; the UDOT design of 1500 West and Riverdale Road and their preference to allow the flow of through traffic to have priority of traffic north on Freeway Park Drive. He stated that they could also include a charette process to hold public meetings and ask for public involvement and request that Wilbur Smith or Mr. Baranowski give responses to those things. He suggested having staff prepare a Request for Proposal (RFP) to go to bid to any qualified traffic engineer and have them review the segment of the Wilbur Smith Plan that includes Ritter Drive, Freeway Park Drive and 1500 West as another piece of the scope of the project. Councilor Gibby requested that the study include a cost associated with any suggested solutions. Councilor Arnold reported that he wants something changed and personally feels that the way it is set up now, is chaos. Councilor Jenkins also wants to make certain that the findings that Mr. Brooks referred to is covered in the study. Mr. Moulding inquired if 700 West should also be added to the study. He stated that he and Chief Hansen were wondering if it would better to vacate what is going on with Ritter Drive now, so that when they do the engineering study they will have better information to draw from.

Motion: Councilor Jenkins moved to have staff prepare a Request for Proposal for a traffic study with an overview of the scope of the study to include items such as: 1500 West; the potential vacation of the connector road between 1500 West to 1275 West with the possibility of the new Larry H Miller dealership; the existing change on Ritter Drive; the intersection of Ritter Drive and Freeway Park Drive; the UDOT design of 1500 West and Riverdale Road and their preference to allow the flow of through traffic to have priority of traffic north on Freeway Park Drive; Aunt Nancy's Assisted Living Center; and the Mike Staten proposal; the criteria should

also include reviewing the 2004 Wilbur Smith study and looking at the legal issues of vacating a road; and then bring it back to the City Council. Councilor Gibby seconded the motion.

Call the Question:

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

2. a. Consideration of motion to re-consider action taken by City Council on February 16, 2010 concerning the speed limit on 700 West.

Councilor Arnold reported that he thinks that 30 mph is a very appropriate speed on that road with the bike lanes, but with what he understands of the lack of resources from the Riverdale Police Department to handle the increase in speed, he would withdraw the petition to have that back on the agenda.

Councilor Searle reported that he has had nothing but favorable comments on the 30 mph speed limit and hasn't had anyone against it. He stated that he is still in favor of a test period of the 30 mph. Councilor Jenkins reported that she has heard from people who are in favor of the increased speed limit as long as it is enforced but she stated that Riverdale police officers can't just sit on that road. She feels that 25 mph is a standard speed limit for residential areas. She also discussed that the speed limit signs on Parker Drive are different depending on which way traffic is traveling. Councilor Gibby reported that he has had several residents call and congratulate him that the speed limit was increased to 30 mph and that he is sad it is going back down to 25 mph. He stated that if we are expecting people to drive 33 mph but post the speed limit at 25 mph, we are sending the message that we don't enforce our laws. Councilor Arnold stated that he brought it forward because he also got the same calls and spent time Saturday calling people in the area. He reported that with the exception of two people, it was unanimous that they wanted the speed limit at 30 mph, but when he told them that enforcement would be at 33 mph, they wanted it back to 25 mph. He stated that he would be happy to go to 30 mph if that was enforced, but if traffic is going 38 mph, he thinks that is too fast. He stated that the residents also felt that the Council should have some approving power and that the Risk Management Committee should forward recommendations. Councilor Hunt stated that he didn't have a problems with the speed increase, but thought it was a bad precedent to set. Mayor Burrows reported that the Council does have the ability to make policy. He stated that on one hand, they are saying they value studies but will ignore them in one area and look at them in another. He explained that the Wilbur Smith and UDOT studies say that 700 West could be 30 mph and that the Risk Management Committee took those two studies into account. He recommended implementing what the Risk Management Committee asked for and try it for 90 days to see what happens and then determine what to do with it. He recommended adding 700 West to the Ritter Drive study as the earlier comments stated that the studies are old and should be updated. Councilor Arnold stated that taking the speed limit from 25 mph to 30 mph to study it, is the opposite of what should happen; just like keeping Ritter Drive closed. Councilor Jenkins stated that if the traffic engineer feels that area needs to be added to the scope, then they will be professionally advised to do that. She stated that nationally, the speed limit for a residential area is 25 mph. Larry Hansen reported that staff wants to be cooperative and that the Wilbur Smith study was conducted when Ritter Drive was being used as it has been historically, as was 700 West which was 25 mph. He stated that he is receiving mixed signals in regard to the studies and

finds it inconsistent to look at 4400 South with an elementary school and 12,000 to 14,000 cars per day traveling on it and not consider that a residential street.

b. Re-consideration of action concerning the speed limit on 700 West.

No action was taken as item 2(a) was withdrawn.

3. Consideration of Resolution #2010-04 adopting amendments to the Riverdale City Personnel Policies & Procedures Handbook.

Larry Hansen reported that these changes include a disclaimer at the beginning of policy which was recommended as a result of a lawsuit between a city and employees. He stated that the table of contents is being changed to swap Chapter 2 with Chapter 1. He reported that Section 9-2 Annual Leave is being changed to encourage exempt employees to use their annual leave. He stated that the last change adds a new section to the Risk Management Chapter 15-3 Incident Reporting outlining the difference between an Incident and a Reportable Incident as well as how and when to report incidents.

Motion: Councilor Arnold moved to adopt Resolution #2010-04 amending the Riverdale City Personnel Policies & Procedures Handbook. Councilor Jenkins seconded the motion.

Call the Question:

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

4. Consideration of awarding the bid for the Riverdale Park Restroom.

Lynn Moulding recommended going with Saunders Construction who submitted the low bid of \$212,787. Councilor Jenkins questioned the bidders numbers on the restoration and mobilization line items and asked Mr. Moulding if he felt comfortable with the price. Mr. Moulding replied that he did.

Motion: Councilor Gibby moved to award the bid to Saunders Construction in the amount of \$212,787 for the Riverdale Park Restroom. Councilor Arnold seconded the motion.

Call the Question:

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

5. Consideration of payment to UDOT for Riverdale Road sewer/water project.

Lynn Moulding reported that the requested payment of \$416,998.76 represents the work completed to date on Riverdale Road for the sewer/water project and recommended payment.

Motion: Councilor Hunt moved to approve the payment to UDOT in the amount of \$416,998.76 as requested. Councilor Arnold seconded the motion.

Call the Question:

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

6. Consideration of Resolution #2010-05 adopting the Weber-Morgan Health Department No Smoking in outdoor public places policy.

Mayor Burrows recommended supporting the Weber-Morgan Health Department's No Smoking in outdoor public places policy and stated that this resolution also supports the efforts of the CAT kids from Riverdale Elementary. Councilor Jenkins reported that she is glad to see the Resolution and noted that the no smoking policy is posted in the parks and on the trail.

Motion: Councilor Jenkins moved to approve Resolution #2010-05 adopting the Weber-Morgan Health Department No Smoking in outdoor public places policy. Councilor Gibby seconded the motion.

Call the Question:

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

7. Consideration of Resolution #2010-03 regarding prayer in City Council meetings.

Mayor Burrows reported that Councilor Griffiths asked for this item to be considered before he left the Council. He stated that the Council can leave things as they are which means opening the Council meeting with a moment of silence and a thought, or they can adopt the Resolution and open the Council meetings with prayer. Councilor Gibby stated that he feels that they have time for consideration at each and every meeting and says a personal prayer during the moment of silence, but that he doesn't have a problem with public prayer and is sympathetic of the hoops the City would have to jump through to ensure the policy is implemented. He reported that he is in favor of leaving it the way it is. Councilor Jenkins stated that they all have a sense of respect for this type of process but doesn't think it might be the right thing to do unless they find themselves in a different position and the process can be simplified. Councilor Searle stated that after listening to comments from legal and talking with other people, he feels that the moment of silence can be used for personal prayer. He recommended keeping it the way it is. Councilor Hunt stated that he doesn't want to create chaos with something as sacred as prayer and feels that there is ample time during the moment of silence for personal prayer. He requested that the moment of silence be just a little longer. Councilor Searle stated that he felt it would have been nice to have the Pledge of Allegiance and the moment of silence at the Town Meeting last week. Mayor Burrows stated that they could look at having opening ceremonies at all their meetings.

Motion: Councilor Gibby moved to not move on Resolution #2010-03. Councilor Arnold seconded the motion.

Call the Question:

The motion passed unanimously.

8. a. Consideration of untabling the re-consideration of awarding the bid for the Riverdale Park Amphitheater and Veteran's Memorial.

Motion: Councilor Jenkins moved untable the re-consideration of awarding the bid for the Riverdale Park Amphitheater and Veteran's Memorial. Councilor Gibby 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.

Mayor Burrows reported that Riverdale City will receive \$100,000 in RAMP funds for the splashpad and the money that was allocated for the splashpad could be reallocated to another project if they chose to do so. Councilor Jenkins reported that she has had contact with some veterans who are in favor of moving the Veteran's Memorial to the Civic Center as they love the scenery and the tranquility of the river, and that there are already pavers in the courtyard. She stated that they liked the accessibility of the Civic Center during the winter months and that they were worried about the proximity of the Memorial with the splashpad and liked the proximity to the police station. She suggested opening up the Memorial to public safety employees that have passed away. She reported that moving the Veteran's Memorial to the Civic Center is a very doable thing and it could be ready for Memorial Day. Mayor Burrows stated that he personally doesn't care which place it goes, he is more in favor of keeping the Veteran's Memorial and Amphitheater together as he feels that the park area is a good natural setting. Councilor Searle feels there are merits to both places, but thinks the memorial would be more visible at the park. He feels there are advantages to having the amphitheater in the park as that is where old glory days is and the band plays. Larry Hansen stated that they could easily put in a footing for a marble tablet in the Civic Center courtyard and feels it could accommodate a large group. He feels the Civic Center courtyard would provide a beautiful setting for the memorial. Councilor Gibby reported that he visited with 20 to 30 veterans and thinks their concern is that the City has a memorial. He stated that he likes the park setting better because he is close to it and would personally go there. He stated that if splitting the projects is what is needed to get the projects done, then he is for that. Councilor Hunt stated that he feels there are merits in either location and isn't sure they have taken into consideration the opinion of the veterans. He feels this is a decision they should have input on. He reported that he has looked on-line at some memorials that were on the municipal grounds that were very nice and that he is concerned with everything that is going on in the park. He wonders if they will lose some of the solemn feeling in the park with the playground and splashpad. Councilor Arnold stated that he thinks it would be better to pay tribute to the veterans in a spot where they can sit and think and not be distracted by the children using the splashpad. He thinks the Civic Center is a better location for the memorial and maybe the building could be renamed in honor of that.

Motion: Councilor Gibby moved to split the Amphitheater and Veteran's Memorial and put the Veteran's Memorial at the Civic Center and the Amphitheater in Riverdale Park and fund them. Councilor Searle seconded the motion.

Councilor Jenkins stated that she thought they would look at each project one at a time and that she feels they need to look at them individually regarding expenditures. Mayor Burrows stated that they did talk about the possibility of separating them at their last meeting. He asked Mr. Moulding if he talked to the contractor about separating the projects. Mr. Moulding replied that the contractor wasn't aware that this was a possibility at the time. He suggested having the contractor do the Amphitheater and that the public works employees can do a lot of the work for the Veteran's Memorial in the Civic Center Courtyard.

Substitute Motion: Councilor Gibby moved to direct staff to bring back bids in both cases and see how much it reduces the bid to move the Veteran's Memorial down to the Civic Center. Councilor Searle agreed as second.

Councilor Jenkins stated that they need to talk about the scope of the project and she thinks the community needs to see the plans for the amphitheater as it is a raised stage with a bowery cover on it. She thinks everyone should see what it is and has had suggestions that they put the picture in the newsletter or on the web-site. Mayor Burrows reported that the Council looked at the fact that they had a temporary stage that has been used for years that is inadequate, and it was discussed that a larger permanent stage with a cover on it to have an evening in the park and possibly community plays was needed. Councilor Gibby stated that they have already spent over \$100,000 for the projects, and changing them now would just be throwing the money away. He reported that they can add amenities as they go and that it would be nice to get the basic structure up. Councilor Arnold stated that he has talked to band members and they want it and that it should be up to Mr. Moulding to bring it in under cost.

Kevin Higgs is a member of the Riverdale City band and feels that the current amphitheater design will work fine as long as there are reflectors to amplify the sound out. He suggested bringing a drawing of the Amphitheater to the band on Thursday night and let them look at it. Councilor Arnold inquired if the proximity of the Amphitheater to the splashpad would be a problem. Mr. Higgs reported that would be ok because they would have a sound system. He stated that if it was brought down by the Civic Center, the sound of the river and the trains would be more disturbing. Mr. Moulding reported that they can turn the splashpad off for an event. Jaunett Porter is the leader of the Riverdale City band and she thinks if they are going to build an amphitheater she thinks it is crazy to build something that won't be adequate. She stated that the proximity to the splashpad isn't a big deal as she loves kids and how they act. She stated that an amphitheater is conducive to children and families and having the band playing while it is in operation gives the ambiance in the park of the band doing what they love to do. Mayor Burrows reported that the amphitheater was designed so that panels can be added as needed for plays or musical events. Mr. Hansen reported that there is a balance of \$110,000 that can be used without regard to the RAMP grant and suggested authorizing staff to move forward with the two projects not to exceed \$110,000 without coming back to the Council. He stated that this could provide for the possibility of acquiring some of the panels for the amphitheater.

Substitute Motion: Councilor Gibby moved to separate the Amphitheater and Veteran's Memorial and proceed on both projects with a not to exceed amount of \$110,000 on both projects; invite the members of the community including the band to review the drawings and make necessary comments to ensure that the Amphitheater is appropriate for their needs and proceed if the project costs do not exceed the not to exceed amount. Councilor Searle agreed as second.

Call the Question:

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

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 Arnold seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 9:53 p.m.

Approved: March 16, 2010

Bruce Burrows, Mayor

Attest:

Marilyn Banasky, City Recorder