
Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **August 3, 2010** at 6:00 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, Doug Illum, Fire Chief; Marilyn Banasky, City Recorder; and 37 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

Mayor Burrows offered the Pledge of Allegiance. Mayor Burrows read a quote from George Washington.

C. Moment of Silence

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

D. Open Communications

Rod Nelson stated that he thinks the Mayor and Council should realize something before the destruction of the Cinedome and that is Riverdale has forgotten its history. He stated that there is not much history left in Riverdale. He stated that it is a wonderful City that is unfortunately nothing but restaurants, shopping centers, and automobile dealerships. He reported that is fine for taxes and he knows they help run the City and provide paychecks. He stated that the Cindeome has been a part of his life it is a building that is unique in structure. He stated that once it goes, someday, they will regret it.

Dave Leahy gave an update on the Veteran's Memorial. He reported that the contractor will start removing the bricks in the Civic Center courtyard tomorrow morning and that the roses have been removed. He stated that they will try to save all the bricks they can to be used as replacements.

Larry Wiggle reported that he lives in Morgan but shops in Riverdale. He stated that some may not feel that the Cindeome is a historic building, but that a lot do. He agrees with Mr. Nelson and feels that if the building is torn down they will regret it when all there is, is a car dealership on every corner.

Chuck Kirkvliet reported that two weeks ago he was here and talked about the splashpad. He stated that over the last two weekends there has been a great improvement and thanked the Mayor and Council.

John Winquist stated that he wants to preserve the Cinedome and possibly make it a community center. He feels it will be regretted if it is torn down and asked for consideration and compromise for its restoration instead of removal.

Ron Olsen reported that he lives adjacent to the Cinedome and appreciates the “saving the Cindeome” sentiment, but stated that it has been on the market for some time. He stated that the road going up to the Cinedome has turned out to be something that is not desirable and difficult to get up in the wintertime. He feels the road is no longer necessary since 1500 west has been completed. He stated that if they lived next to the Cinedome, they might see what is happening there. He reported that the Larry H Miller group is class act and wants to see them in there.

Gage Campo agrees with the last several gentlemen and wants to keep the Cinedome around. He reported that he hasn't ever went there but has heard about it. He stated that he wants it back in business and thinks it would be cool.

E. Presentations and Reports

1. Mayor's Report

Mayor Burrows reported that the Riverdale Substance Abuse Court will be holding a graduation on August 5, 2010 at 12:30 p.m.

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

F. Consent Items

1. Approval of meeting minutes from: July 20, 2010 Work Session July 20, 2010 Regular City Council

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

Call the Question: The motion passed unanimously.

G. Action Items

1. a. Public Hearing to vacate the connector road right of way at 1500 West to 1275 West through the Cinedome property.

Steve Brooks reported the requested road vacation runs through the rear parking lot of the Cindeome property with a request from the City to retain an easement for a 10" water line.

Mayor Burrows opened the public hearing at 6:20 p.m.

Bill Shore reported that he is the Pastor at the Alpine Church and stated that they support the Larry H Miller group. He stated that they have had several meetings with them and are excited to be their neighbors. He explained that the concern regarding parking in the neighborhood area was addressed last week and their other concern is having some signage if the road is vacated tonight.

Jane Hall thanked the City for its response to their request for some police presence on 5175 South and reported that it has made a huge difference.

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 6:23 p.m.

b. Consideration of Ordinance # 765 vacating the connector road right of way at 1500 West to 1275 West through the Cinedome property.

Larry Hansen reported that City staff has been working with the Larry H Miller group and the owner of the Cinedome property for quite some time. He stated that he appreciates the comments made concerning the Cinedome, as it does have a part in Riverdale's history. He reported that the Planning Commission considered building the Cinedome in 1969 and a property owner requested an access which became the connector road which is being considered to be vacated tonight. He stated that over the years as the Cinedome closed, the road has had less and less traffic to what it is now. Mr. Hansen discussed the unique demographics of Riverdale which is where two freeways intersect and is dissected by Riverdale Road which brings in 50,000 to 60,000 people each day to Riverdale. He discussed the West Bench RDA area of the City which includes the Cinedome area as well as the area by the America First Credit Union operations center and the role of the RDA to remove blight. He reported that the Larry H Miller group approached the City with a proposal for a new dealership which fit with the West Bench RDA Project Area Plan and seemed to be an acceptable use for the area as the petitioner proposes to remove blight. He stated that if the road is vacated then the City will negotiate a Developer's Agreement and the RDA will negotiate an Agreement to Develop Land for the project which compels the petitioner to perform. He stated that this project will improve the value of the property and will contribute to the well being of the City and those who shop here. He reported that this development will contribute \$200,000 to Riverdale's tax revenues, which helps the 8,400 residents and the 50,000 to 60,000 people who shop here and live in outlying bedroom communities. Mr. Hansen reported that in the five years since the RDA Board adopted the West Bench Project Area nothing has happened and this project could springboard development in other parts of the Project Area. He stated that this is one of the most significant decisions that this Council will ever make and recommended approval of vacating the road.

Councilor Gibby disclosed that he is a principal owner of the property across Riverdale Road from the Cinedome property, but has no direct tie to this property. He stated that he has watched the use of the roadway in question over the past two weeks and reported that there is not a huge amount of traffic on it. He stated that they now have an opportunity to see this property be developed and generate revenue for both the Larry H Miller group and the City in a manner that is much more advantageous than a large retail center that would have a much greater traffic impact. He stated that he is favor of vacating the road and feels this is a good fit and the best use for the property.

Councilor Jenkins reported that she has a few areas of concern regarding the redevelopment of this property. She stated that the road does have a significant value and is a taxpayer asset. She

stated that everyone else is being compensated for their property by the Larry H Miller group and feels the City should also be compensated for the value of the road. She discussed the Herridge Study and stated that this property is an entrance to the City and strongly favors that some of the designs and concepts that were recommended in the Herridge Study be considered to beautify this property. Councilor Arnold stated that he lives about ¼ mile south of the Cinedome and drives past it everyday. He reported that he has talked to people from the Larry H Miller group, Alpine Church, and Riverdale residents. He stated that he is concerned with the residents and increased traffic in their neighborhood on Sunday from the Alpine Church, but feels if people make an effort to keep within the speed limit and be good neighbors, that it will be welcomed traffic. He agrees that the Cinedome is a landmark and is historical, but only because it has been associated with the entrance to the City for so long and would also recommend that the Larry H Miller group look at the Herridge Study. Councilor Searle stated that he has spent a lot of time thinking about this and thinks it is a really good thing for Riverdale. He stated that the road served the community at the time, but with the extension of 1500 West providing another way out of the neighborhood, there are still two other accesses. He feels the advantages to this proposal outweigh the disadvantages.

Councilor Hunt asked Randy Daily to address the Herridge study and inquired if the City is bound by it. He wondered if the Herridge study was adopted or is just a guideline. Mr. Daily reported that the emphasis of the study was not on the south side of Riverdale Road but on the north side to create a boulevard look. He stated that any gateway elements would be in the State right of way and that the State has told Lynn Moulding that they are unwilling to do anything until Riverdale Road is completed to their satisfaction. He reported that the Herridge study was never adopted and in the end became so controversial that certain members of Council and staff felt that the final payment shouldn't be paid. Councilor Hunt stated that this development seems to be something that is desirable and will have less impact to the community and provides the opportunity for a well respected and desirable enterprise to come into Riverdale to provide jobs and revenue. He stated that he is in full support of vacating the road.

Motion: Councilor Arnold moved to approve Ordinance #765 vacating a portion of 1275 West street from the intersection at 1500 West and proceeding a north-east direction for approximately 820 feet to the intersection with 1275 West street, just east of the Cinedome property line, reserving easements for all utilities, water, storm water, and sewer lines; all located within the Corporate limits of Riverdale City, in that no person will be materially harmed by this Ordinance and that it is in the best interest of the City and the community. Councilor Gibby seconded the motion.

Call the Question:

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

Larry Hansen left the meeting at 7:10 p.m.

2. Consideration of 2010 Roadway Improvement Project change orders.

Lynn Moulding reported on the construction work on 4400 South and stated that there has been some traffic congestion. He stated that the contractor has not been queuing as many cars to the flaggers and that has been working well. He stated that they also recognize that they may need to do something different in the future, which may mean closing 4400 South and detouring traffic to

Riverdale Road or Hinkley Drive. Councilor Jenkins stated that there is a big box at 1250 West and feels that is worse than the bottlenecking. Mr. Moulding replied that he will see if it can be moved.

Mr. Moulding reported that the contractor found clay and blow sand on 4675 South which needed to be excavated and crushed rock imported for a sub base. He stated that it is in the best interest of the City to save money to replace the asphalt across 4250 South to 4300 South instead of just doing half now and half later.

Motion: Councilor Arnold moved to approve the 2010 Roadway Improvement Project change order #1 - 4675 South Street from Cozy Dale Drive to 1350 West, and change order #2 - 1000 West curb, gutter, and sidewalk from 4250 South to 4300 South. Councilor Searle seconded the motion.

Call the Question:

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

3. Consideration of Resolution #2010-28 adopting amendments to the Riverdale City Personnel Policies & Procedures Handbook.

Fire Chief, Doug Illum, reported that this item was on the last agenda for Review and Comment and that Councilor Searle submitted proposed language which has been incorporated. He stated that this change will allow Riverdale City to accept what the insurance pays and write off the balance for Riverdale employees who live in Riverdale. He stated that if a Riverdale employee lives outside of the City and is hurt, they would need to go through the 911 process. He explained that if an employee or elected official has a family member in need of ambulance transportation to a hospital that is not an emergency situation, then Riverdale's ambulance can provide that service if the ambulance is available. He stated that he thinks this is a good benefit and recommends approval.

Councilor Hunt inquired what happens if the patient doesn't have insurance. Chief Illum replied that anyone can petition to the City to have the amount waived or reduced. Councilor Arnold reported that he was in favor of this when he first heard it, but received an e-mail from a resident and now has concerns. He wondered what the difference is between a Riverdale Employee receiving ambulance service for free and asking the Public Works Department to use a backhoe at their home. He thinks having City employees receiving something that would normally be billed is segregating them out of the group and he is not in favor of it. Chief Illum stated that the Riverdale ambulance will be called in an emergency situation in Riverdale and they will bill the insurance company and receive an insurance payment. He explained that the only portion that would be reduced would be the co-pay amount. Councilor Searle stated that he thinks the majority of the people will have some type of insurance that the City will bill. Councilor Gibby stated that he sees this as a valuable benefit.

Motion: Councilor Hunt moved to approve Resolution #2010-28 adopting amendments to the Riverdale City Personnel Policies & Procedures Handbook. Councilor Gibby seconded the motion.

Call the Question:

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

4. Consideration of Resolution #2010-31 approving URMMA coverages for uninsured and underinsured motorist liability.

Steve Brooks reported that he is recommending that the City remain with the minimal coverages for uninsured and underinsured motorist liability though URMMA. He stated that they can opt to spend more and get more coverage but that staff felt it was in the best interest to stay at the current minimums.

Motion: Councilor Arnold moved to approve Resolution #2010-31 approving URMMA coverages for uninsured and underinsured motorist liability and to stay with the current minimums. Councilor Gibby seconded the motion.

Call the Question:

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

Mayor Burrows recommended recessing the City Council meeting in favor of the Riverdale Redevelopment Agency meeting.

Motion: Councilor Hunt moved to recess into the RDA meeting. Councilor Gibby seconded the motion.

Call the Question:

The motion passed unanimously.

The meeting recessed into the RDA meeting at 7:35 p.m.

The meeting reconvened at 8:12 p.m.

5. a. Consideration of adjournment into Closed Executive Session for the purpose of strategy sessions to discuss pending or reasonably imminent litigation pursuant to Utah Code 52-4-205(1)(c).

Motion: Councilor Gibby moved to adjourn into the Closed Executive Session. Councilor Hunt seconded the motion.

Call the Question:

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

The meeting adjourned into the Closed Executive session at 8:12 p.m.

The meeting reconvened at 8:18 pm.

b. Consideration of action from Closed Executive Session.

There was no consideration of action from the Closed Executive Session

H. Discretionary Items

Councilor Hunt inquired about the changing of filters at the splashpad by Community Center employees who feel they didn't receive adequate training. Mayor Burrows reported that it was originally proposed to have fire personnel change the filters as their operation is 24/7 but they declined. Steve Brooks stated that the employee from the Community Center did something incorrect and Mr. Moulding is getting them additional information and the problem is being addressed.

Councilor Jenkins inquired about the Risk Management meeting minutes from July and stated that she feels that policy was violated on two cases. She expressed concern at how these are done as it sounded like two tenured employees, that should have known better, didn't follow policy. She feels that this is an example of another decision that is being made by the Risk Management Committee that goes against policy. Steve Brooks replied that he expressed concern during that meeting. A discussion was held regarding the incident. Mayor Burrows asked Mr. Brooks to speak to Councilor Jenkins regarding this matter after the meeting.

I. Adjournment

With no further business to come before the Council at this time, Councilor Arnold moved to adjourn the meeting. Councilor Jenkins seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 8:24 p.m.

Approved: August 17, 2010

Attest:

Bruce Burrows, Mayor

Marilyn Banasky, City Recorder