
Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **August 17, 2010** at 6:02 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 (Participated via telephone)

Others Present: Larry Hansen, City Administrator; Steve Brooks, City Attorney; Randy Daily, Community Development Director; Dave Hansen, Police Chief, James Ebert, Police Lieutenant, Doug Illum, Fire Chief; Marilyn Banasky, City Recorder; and 12 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 George Washington.

C. Moment of Silence

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

D. Open Communications

Dave Leahy gave an update on the Veteran's Memorial. He reported that the contractor is finishing the concrete work on the memorial today. He stated that after 30 days they can begin to put the tiles on the hardened concrete. He reported that they are contacting each veteran that previously submitted their name to the City, either by telephone or by mail, to give them information on purchasing a tile. He stated that they are planning an open house during September 13 to September 17 at the Riverdale Senior Center from 5:00 to 7:00 p.m. to provide help regarding ordering tiles. He stated that help is also available Monday, Tuesday, Thursday, and Fridays from 1:00 – 2:00 p.m. and on Wednesday evenings at the Senior Center.

Joshua Mesersey reported that he is a Political Science student at Weber State University and wanted to have the opportunity to apply for an internship at the City. He stated that the school semester is starting next Monday and knows that the City Council approved the job description for an internship. He stated that he wants to be the first to apply for the position. Larry Hansen stated that he appreciates the initiative by Mr. Mesersey but reported that the City doesn't have any present plans to bring an intern on board. He stated that there has been some discussions regarding interns, but nothing has been funded for one.

Eric Olsen reported that he is asking the City to consider a modification to their ordinance to allow keeping chickens in backyards in residential zoned areas.

Chuck Kirkvliet reported that there are quite a few bricks in the Civic Center courtyard that have sunk and are causing a trip hazard. He stated that he would like for that to be taken care of soon and that there are plenty of left over bricks that can be used.

E. Presentations and Reports

1. Mayor's Report

Mayor Burrows reported that State Representative Rob Bishop will hold a Town Meeting tomorrow night beginning at 7:00 p.m. at the Riverdale Senior Center. He stated that Weber Pathways is having a Mexican dinner and auction on August 20, 2010. He stated that the City Council and Planning Commission will hold a joint Strategic Planning meeting on August 31, 2010 at 6:30 p.m. at the Riverdale Community Center.

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 August.

Employee	Length of Service	Department
Lynette Limburg	24 years	City Administration
Dave Griggs	16 years	Fire
Dean Gallegos	15 years	Fire
Tracy Morning	15 years	Fire
Allen Miller	14 years	Fire
Norm Farrell	12 years	Public Works
Bart Poll	12 years	Public Works
Dennis Miller	10 years	Public Works
Clara Johnson	6 years	Business Administration
Mike Junk	6 years	Court
Kay James	5 years	Business Administration
Tamara Jones	3 years	Crossing Guard
David Kingsley	3 years	Fire
Jenny Devlin	1 year	Crossing Guard

c. Staffing Authorization Plan

Larry Hansen discussed the report.

d. City Survey

Larry Hansen reported that the last hard copy City survey was sent out in 2006 and in 2008 the survey was only available on the City's web-site. He stated that they were disappointed with the small amount of internet survey responses and want to send out a mailed survey this year. He explained that recycling was left off the survey but will be included with a not-to-exceed cost. He stated that the survey will be sent out in September so that results can be compiled to be discussed during the November Strategic Planning meeting. Councilor Gibby suggested adding something about the City's use of the Roy Recreation Center and the Roy Aquatic Park. **Mayor**

Burrows asked for consensus to add language regarding the Roy Recreation Center and the Roy Aquatic Park to the City survey. Consensus was reached.

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

None

4. HAFB contamination report dated August 5, 2010

Mayor Burrows discussed the HAFB contamination report. Councilor Searle inquired if they test the City's drinking water supply as part of their contamination testing. Mr. Hansen reported that the City tests the drinking water and reports the results in the Annual Water Report that is submitted by Mr. Moulding.

F. Consent Items

1. Approval of meeting minutes from:

August 3, 2010 Work Session

August 3, 2010 Regular City Council

August 3, 2010 Closed Executive Session

- 2. Review and Comment by September 1, 2010 on Ordinance # 766 amending Title 10, Chapter 21, Section 11, Improvements, (f) Curbs, Gutters and Sidewalks.**
- 3. Review and Comment by September 1, 2010 on Ordinance # 767 amending Title 10, Chapter 19, Section 9: Temporary Structures for Seasonal Sales.**
- 4. Review and Comment by September 1, 2010 on Ordinance # 768 amending Title 10, Chapter 10A, Section 4, Uses.**
- 5. Review and Comment by September 1, 2010 on Resolution # 2010-35 amending the General Plan, section Implementation.**

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

Call the Question: The motion passed unanimously.

G. Action Items

1. Consideration of awarding Ambulance bid.

Fire Chief, Doug Illum, reported that he is asking for approval to purchase a 2011 Northstar ambulance on a 2011 Dodge 4500 4 x 2 Chassis from Braun Northwest in the amount of \$135,572. He stated that they put out a Request for Proposal and received 5 responses. He stated that they were surprised at some of the bids as they were not expecting the ambulance package to be this low. He stated that the Ambulance Committee looked at all the bids and warranties and recommend purchasing the ambulance from Braun Northwest. Mayor Burrows inquired what the budgeted amount was. Chief Illum replied that \$150,000 was budgeted.

Motion: Councilor Gibby moved to approve the purchase of the ambulance from Braun Northwest, Inc. in the amount of \$135,572. Councilor Arnold 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.

2. Consideration of Resolution #2010-32 adopting amendments to Riverdale City job descriptions.

Fire Chief, Doug Illum reported that he is proposing to add the Utah State Wildland Certification as a requirement for the Fire Captain and Part Time Firefighter/EMT job descriptions. He stated that employees will be required to obtain the certification within one year if they don't already have it. He explained that this certification will help qualify the fire department for some federal and state monies to do wildland mitigation to remove fire dangers along the Weber River and other undeveloped land. He reported that the majority of the current firefighters already have this certification and there will be no additional cost to require these individuals to maintain the certification.

Motion: Councilor Hunt moved to approve Resolution #2010-32 adopting amendments to Riverdale City job descriptions. 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 purchase of 16 laptops for the Riverdale Police Department.

Police Lieutenant, James Ebert reported that the current laptops for patrol vehicles are scheduled for rotation and he is requesting to purchase 16 Dell Latitude ATG semi-rugged laptop computers in the amount of \$33,670.88. He stated that Councilman Arnold expressed concern regarding the overall price of the computers. He explained that they tested and evaluated two different types of laptops and found that during daytime hours they needed a non-glare screen and during the night, need backlit keys. He stated that because of the many programs that are run simultaneously, the computers also need more memory. He stated that they also need to be semi-rugged due to being taken in and out of patrol cars daily. He stated that they are also looking for a three year extended warranty with accidental damage coverage. He reported that the Dell Latitude ATG semi rugged computer met all these needs and was the cheaper alternative. Mayor Burrows inquired if the amount was under budget. Lt. Ebert replied that it was. Councilor Searle reported that he initially thought this was a lot of money for computers but when he read the specs and found out that they were designed for police work, had an extended warranty, and that the police department ran a test and evaluation, he felt that this was probably a good purchase. Councilor Hunt inquired if these computers were in line with other police departments. Lt. Ebert stated that about 4 years ago South Ogden went to the touch screen computer and stated that other departments are ahead of Riverdale. Councilor Hunt stated that they could approve a less pricey laptop but inquired if Lt. Ebert felt these were adequate and the most cost effective. Lt. Ebert reported that he feels these computers will do the job and is the one they need. He stated that they could try a shorter rotation but that would probably not be as cost effective and may not meet the needs of the officers.

Motion: Councilor Gibby moved to approve the purchase of 16 Dell Latitude ATG semi-rugged laptop computers for the Riverdale Police Department in the amount of 33,670.88. Councilor Jenkins seconded the motion.

Call the Question:

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

4. Consideration of Resolution #2010-33 adopting an Interlocal Agreement with Region 14 Training Council.

Police Lieutenant, James Ebert reported that Riverdale City Police Department participates in the Region 14 Training Council. He stated that they recently adopted by-laws and Riverdale now needs to enter into the Interlocal Agreement for training. He explained that participating in the Training Council gives them many resources for training that they couldn't otherwise afford.

Motion: Councilor Gibby moved to approve Resolution #2010-33 approving an Interlocal Agreement between Riverdale City and Region 14 Training Council. Councilor Jenkins 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.

5. Consideration of Resolution #2010-36 adopting an Interlocal Agreement with the Second District Juvenile Court for the Graffiti Removal Program.

Police Chief, Dave Hansen reported that this agreement is with the Second District Juvenile Court to remove graffiti. He explained that the program uses kids that have been caught doing graffiti or are working off hours in lieu of fines. He stated that Riverdale chooses to be a part of this because it is cheaper to have them do it instead of Public Works as they have the equipment to remove graffiti. Councilor Jenkins stated that now the trail system connects to other cities, she can see this as a bigger and bigger job. She stated that she supports this. Councilor Searle stated that he thinks this is a good program and thought it was interesting to note that two of the clean ups were at the Cinedome theater.

Motion: Councilor Hunt moved to approve Resolution #2010-36 approving an Interlocal Agreement between Riverdale City and the Utah State Second District Juvenile Court relating to graffiti removal. Councilor Gibby 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.

6. Consideration of Resolution #2010-34 amending Title 1, Chapter 12, Section 2: Business Licenses.

Randy Daily reported that this change requires that any non-profit business provide proof that they are registered with the IRS as a 501(c)3 organization in order to receive a Riverdale business license at no charge. Councilor Jenkins inquired if this only applies to waiving the business license fee or does it include other fees. Mr. Daily replied that it only applies to the business license fee.

Motion: Councilor Gibby moved to approve Resolution #2010-34 amending the Consolidated Fee Schedule in the Riverdale Municipal Ordinance Code Title 1, Chapter 12, Section 2: Business Licenses. Councilor Jenkins 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.

Mayor Burrows recommended recessing the City Council meeting into the RDA meeting.

Motion: Councilor Jenkins moved to recess the City Council meeting into the RDA meeting. Councilor Gibby seconded the motion.

Call the Question:

The motion passed unanimously.

The meeting recessed at 7:08 p.m.

The meeting reconvened at 7:34 p.m.

7. Consideration of municipal gifts and donations per Utah Code 10-8-2(3) and Utah League of Cities and Towns Attorney Dave Church.

Steve Brooks reported that from time to time the City receives requests for gifts and donations from the community and stated that there is no direction from the Council on how to handle them. He stated that based upon State law and Utah League of Cities and Towns Dave Church's opinion, he feels the Council should adopt a policy that doesn't allow the giving of gifts and donations. He explained that gifts and donations can be given from the City if they are included in the regular budgetary process or by holding a public hearing and performing a study to determine what benefit the City will receive for the proposed appropriation of money, the public purpose of the appropriation, and whether the appropriation will accomplish that purpose. He stated that when the School District asks for money, it is really hard to justify that request as they are a taxing entity. He stated that he doesn't think it is something cities should do and is asking the Council to adopt a policy to not do it. Mayor Burrows reported that he feels strongly about still helping Bonneville High School with their drug fee graduation night and that the City has traditionally given \$500.00 for that out of the Partners in Education budget. He stated that he sees this as a health, welfare and safety issue as it is not put on by the School District but by organizations within it. He suggested that support could still be given with an in-kind donation from the Riverdale Police Department to provide security for the event. Councilor Gibby stated that he would rather pay the officers from the budgetary process and assign officers to help with security and that he feels better about that than donating money. Councilor Arnold stated that he is in support of Mr. Brooks recommendation, as long as it is fair and consistent. Councilor Jenkins concurred as she feels donating can send a bad message and that they should specifically follow the law. Councilor Searle stated that he agrees with Councilor Gibby regarding donating in-kind services and feels that is fair and consistent. He stated that in reading from the Powers and Duties Handbook, David Church says, if the City donates the tax payers money they are forcing the residents to donate and the residents should be able to donate themselves, and that City's shouldn't be in the business of doing that. Councilor Hunt stated that there was an instance a couple of years ago when other schools didn't get money and there were some hard feelings. He stated that he would support following Mr. Brooks suggestion and is in full support of across the board elimination of doing this. **Mayor Burrows asked for consensus for Mr. Brooks to bring back a policy for approval. Consensus was reached.**

8. a. Consideration of untabling Resolution #2010-13 establishing Council Rules and Procedures.

Councilor Arnold stated that he is not in favor of untabling this item until Mr. Brooks answers the submitted questions and concerns. Councilor Jenkins stated that she is not certain that Mr. Brooks has the answers but feels those questions and concerns were for the Council to discuss. Steve Brooks stated that was his understanding and he is not sure there are right or wrong answers. He stated that he doesn't see anything wrong from a legal standpoint. Councilor Gibby reported that as he read the comments he didn't find any major disagreements from the original comment and that 90% of the comments are just a different way to look at it. Mr. Brooks stated that there are some things he can agree with, such as changing the wording from "Yes" and "No" for votes to "Aye" and "Nay", but he didn't find anything major. A discussion was held to move forward with discussing the Council Rules and Procedures and taking it in small sections.

Motion: Councilor Gibby moved to untable Resolution #2010-13. Councilor Hunt seconded the motion.

Call the Question:

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

b. Consideration of Resolution #2010-13 establishing Council Rules and Procedures

Councilor Arnold's comments were discussed. A discussion was held regarding how much information is given to the Council in their packets to help them make decisions. Larry Hansen stated that it is his intent to provide the Mayor and Council with enough information to make a decision. He explained that the standard for information in the packet is to provide what a reasonable person would need to understand the issue and make a decision. A discussion was held as to how Councilmembers obtain additional information if needed. Mayor Burrows stated that he has asked that all requests go through Mr. Hansen so he can ask the appropriate Department Head to gather the information. A discussion was held as to what happens if a Councilmember wishes to receive more information than is provided from Mr. Hansen. It was discussed that they would need to have a consensus from at least three Councilmembers that they also wish to receive the additional information.

Steve Brooks stated that he agrees with Councilor Arnold's second comment stating that these rules do not overrule any state laws and feels that should be part of the document. A discussion was held regarding how often to review the rules. It was decided to review the rules six months after new members are elected to the Council every two years. It was also discussed to give a copy of the rules to candidates during the candidate orientation so they know what the rules are.

Section 1.1 Authority: paragraph 4. Councilor Gibby stated that he agreed with Councilor Searle's comment regarding that a majority vote of the entire Council should be required to temporarily suspend the rules instead of a unanimous vote. **Consensus was reached to change "unanimous" to "majority"**.

Section 1.2 General Code of Conduct: A, C, and E. Councilor Gibby stated that he likes Councilor Jenkins' comments and would recommend adopting it for paragraphs A, C, and E. It was discussed to accept the wording changes in paragraph A, keep paragraph C the same, and

accept the wording changes in paragraph E. **Consensus was reached to accept Councilor Jenkins' wording changes in paragraphs A and E.**

Section 1.4 Procedure in Absence Of Rule: Mayor Burrows feels it should be a unanimous or majority vote to override the decision. **Consensus was reached to change the word "full" to "majority"**. Mr. Hansen stated that State Statute may overrule this and require a unanimous vote. Mr. Brooks was directed to research the State Statute on this.

Section 2.1 Regular Meetings: and Section 2.2 Special Meetings: A discussion was held on Councilor Jenkins' comment on section 2.1 regarding canceling a meeting by a majority vote of the Council and on Councilor Searle's comment on 2.2 regarding if two Councilmembers can order a special meeting. Mr. Brooks was directed to research the State Statute on this.

Section 2.5 Quorum: Mayor Burrows had commented that members participating via telephone shouldn't be counted as part of the quorum. Councilor Gibby stated that he thinks a member participating via telephone should be counted as part of the quorum. Mayor Burrows stated that it is difficult to participate via telephone, but is fine leaving the wording the same, if the other members agree. Councilor Gibby stated that if a Councilmember's vote counts while participating via telephone, then they should be counted toward a quorum. **Consensus was reached to delete "not telephonic"**.

Sections 2.7, 2.8, and 2.9: Councilor Jenkins' comment regarding specifying the designee for the City Administrator, City Attorney and City Recorder was discussed. It was discussed to change "acting City Administrator", "designated assistant City Attorney", and "designated assistant City Recorder" to "designee". **Consensus was reached to change "acting City Administrator", "designated assistant City Attorney", and "designated assistant City Recorder" to "designee"**.

Section 2.11 Executive Sessions: Councilors Jenkins' and Searle's comments were discussed. Mayor Burrows stated that he felt it should be consistent to have two or more request a Closed Executive Session, which could either be two Councilmembers, the Mayor and a Councilmember, or the City Attorney and/or City Administrator and the Mayor or Councilmember. **Consensus was reached to leave the language as written.**

Section 2.12 Punctuality and Breaks: Mayor Burrows suggested deleting the last sentence of the paragraph. A discussion was held that this section goes along with Section 1.2 (E), to delete the paragraph, and move the second sentence to Section 1.2 (E). **Consensus was reached to delete the paragraph and move the second sentence to Section 1.2 (E).**

Section 2.13 Planning Session Meetings: It was determined to discuss this section later as other sections pertain to it.

Mayor Burrows suggested continuing the discussion of the Rules and Procedures at next City Council meeting, beginning at Section 3 and having the changes that were agreed to reflected in the next City Council packet. Councilor Jenkins asked for the other Councilmembers to weigh in on her comments that were included at the end of the document.

H. Discretionary Items

Councilor Searle reported that Walmart contributed \$1,000 to the Veteran’s Memorial. He stated that he noticed that Bountiful City purchased two new Harley Davidson motorcycles for their police department that was partially funded by a federal safety grant. He wondered if our police department had looked into that. Mr. Hansen replied that first and second class cities receive entitlements to federal funding and feels our department did look into that. Councilor Searle reported that he had residents that are affected by the 4400 south sewer project say how appreciative they are of the people doing the work communicating with them. Councilor Searle stated that a study was discussed for Ritter Drive about two months ago. He felt it would be interesting to see data on the amount of traffic on Ritter Drive since the most recent change. Mr. Hansen stated that it might be a good idea to get traffic counts.

Councilor Hunt read a Thank You card that was submitted by Hank & Connie Cragun and Family expressing appreciation for the free evenings at the Roy Aquatic Center and the new Splashpad. Councilor Gibby stated that he receives comments every day of appreciation for the splash pad and has only received one negative response.

Councilor Jenkins stated that a resident called her reporting that the people working on 4400 South didn’t turn off the hydrant and it was flooding a corner of her yard. She reported that she called Public Works and reported this to Mr. Moulding and wondered what the correct chain of command was when things like this happen after hours. Mr. Hansen reported that there is an on-call Public Works employee and that the City does have hydrant meters that they rent to contractors.

Councilor Jenkins inquired if the Police Department followed up on whether the Harley Davidson motorcycles have an extended warranty. She stated that they do offer them. Mr. Hansen reported that Chief Hansen was uncertain about that and that he asked the Chief to prepare something.

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 9:56 p.m.

Approved: September 7, 2010

Attest:

Bruce Burrows, Mayor

Marilyn Banasky, City Recorder