



Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **December 21, 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, Randy Daily, Community Development Director, Lynn Moulding, Public Works Director, Judge Reuben J. Renstrom, Dave Hansen, Police Chief, Doug Illum, Fire Chief, Matthew Hennessy, Riverdale Firefighter, Chad Wilson, Riverdale Firefighter, Ember Herrick, City Recorder and five citizens.

A. Welcome & Roll Call

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

B. Pledge of Allegiance

Councilor Hunt offered the Pledge of Allegiance. Mayor Burrows read a quote from a U.S. Supreme Court 1984 opinion written by Justice Warren Burger stating that Pawtucket, Rhode Island did not violate the law by having a nativity on public grounds as Christmas has been an official holiday in the US recognized since 1789.

C. Moment of Silence

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

D. Introduction and Swearing in of new City Recorder

Ember Herrick sworn in by Judge Renstrom.

E. Open Communications

None.

F. Presentations and Reports

1. Mayor's Report

Mayor Burrows reminded the council of the upcoming local officials' day at the 2011 State Legislature and asked anyone planning to attend the luncheon to let Mrs. Limburg know so that she can make reservations.

He thanked the Riverdale Youth City Government and the Fire Department for their help in making the Santa meet and greet last weekend successful. Councilor Jenkins asked the council for input in how next years event could run more smoothly as many more came than expected.

Mayor Burrows remarks that the city's legal counsel Mr. Brooks has been consulted as to the proper protocol to evaluate and either approve or reject a recent request from the group Communities That Care (CTC) asking Riverdale City for money to fund a new drug prevention program. Mayor Burrows states that the city is still waiting to review the additional information on the program promised to the council by a representative from CTC. He also stated that Riverdale Police Chief Dave Hansen is still in the process of compiling information about other neighboring communities' involvement with CTC as requested by the council so that they will have more information about the effectiveness of the program before making their decision. Mayor Burrows then defers to Mr. Brooks to read a statement on Riverdale's response to an editorial written by the Standard Examiner's editorial staff earlier in the week criticizing Riverdale as the last holdout in funding the CTC drug prevention program. Mr. Brooks' statement outlines the protocol Riverdale city must go through before allocating funds for any cause as mandated by both state law and the city's ordinances and remarks that the city is still in the process of getting additional information—both from CTC and independently. Mr. Brooks also reiterates that as a city Riverdale has always made drug prevention programs a priority and already spends thousands of dollars every year funding the DARE program and the local substance abuse court. Mr. Brooks has copies of the statement available for anyone who would like one.

The Mayor asked for consensus to put the CTC issue on the recorders report and a unanimous consensus was reached.

2. City Administrators Report.

Mr. Hansen has included pictures in this month's report to help illustrate the street projects completed.

The transition of a new city recorder is going well and he says that he is optimistic about the future.

Mr. Hansen states that Five Guys Burgers and Fries will be coming to Riverdale in 2011 and that the Veterans Memorial dedication was a successful event.

Mr. Hansen turns to employee recognition Mr. Lynn Moulding has 31 years with the city, states that we appreciate his leadership as head of the public works department head. James Ebert of the police department is not with us tonight, he has 19 years with the city, and Chris Stone has been with us 18 years and serves in multiple functions and duties. Matthew Slater has nine years with the fire department; Joey Clark has six years with the police force. Cameron Beck, Matthew Hennessy and Chad Wilson all have five years with the fire department, we appreciate their service, Mr. Beck is on call but Mr. Hennessy and Mr. Wilson are in attendance.

Mr. Hansen defers to Fire Chief Doug Illum to recognize Jim Robinson in Afghanistan since July this is his second deployment. Kaylene his wife is here in his place tonight. Mr. Robinson has asked the fire department to get together shoe donations to be sent to Afghanistan as the men can only get jobs on military bases with shoes. Councilor Jenkins asks if the overseer of the charity could send out an email explaining the program so that others can donate.

Lastly, Mr. Hansen reports on the Riverdale Staffing Authorization Plan which allows for 76 full time employee equivalents (FTEs). At the end of November there were 70.5 FTEs since then a city recorder has been hired. Mr. Hansen states that as of November the city was under the maximum staffing authorization by 5.5. There are 51 full time and 56 part time employees to report.

3. Recorder's Report

Mayor Burrows asks that a note be made to follow up on the CTC request on the recorders report. There is nothing else new to follow up on since the council's last meeting.

3. City Survey 2010 Report

Mr. Hansen says the full survey report is now available for the council and will be posted to the city website by the end of the year. There is a strategic planning meeting scheduled for Saturday February 19th at which time the survey results will be further discussed. Councilor Jenkins asks if the survey was broken down into specific demographics on recycling as requested earlier, Mr. Hansen says Mr. Stone did do that but they are still evaluating the results, he will try to get that information to the council before the meeting in February.

G. Consent Items

1. Approval of meeting minutes from:

December 7, 2010 Work Session

December 7, 2010 Regular City Council

No Changes were made.

2. Report on Condition of the Treasury for the months ending in October 31 and November 30, 2010.

Mr. Lynn Fortie gives a treasury report for October and November expenses. The Mayor asks if there are any questions about the treasury report for October or November, there were none.

3. Meeting schedules approval for 2011.

Mayor Burrows asks if the election date will necessitate a meeting change. Mr. Hansen says the election schedule won't conflict with the regularly scheduled city council meetings. No additional questions.

4. Appoint an Appeal Authority Pro Tem necessitated by absence per code 2-4-1.E.

Mayor Burrows says the fourth consent item is the appointment of an appeal authority pro tem as mentioned earlier in the work session, Craig Call's name has been recommended. Mr. Brooks states the city has received a variance request that needs to be moved on quickly, if appointed to the pro tem position Mr. Call could handle the current appeal and the city would have a chance to work with him before deciding if they want to make the appointment permanent.

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

Call the Question: The motion passed unanimously.

H. Action Items

1. Consideration of ordinance # 776 Lot Line Adjustments for lots 10 and 11 in Olsen Subdivision No. 1. Lots located at 4085 S. 650 W. and 4088 S. 650 W.

Randy Daily says Mr. Warren and Mr. Smith have reached an agreement to create a conforming lot for Mr. Warren. Councilor Hunt asks what they are planning to do with the lots in the future. Mr. Daily says he is unsure why they are doing the conveyance at this time, but says at the time it was built the home was not in compliance with the code as a corner of the home was only 7 feet from the property line, with this ordinance it will now be 16 feet from the line. Mr. Daily believes it will not only make the lot conform with code but also allow Mr. Warren to create access to an accessory building at some later date.

Motion: Councilor Hunt moved to approve ordinance # 776 the Lot Line Adjustment for lots 10 and 11 in Olsen Subdivision No. 1. Councilor Gibby seconded the motion.

Call the Question: The motion passed unanimously

2. Consideration of final site plan for the Jiffy Lube development located at 4707 S. 900 W.

Mr. Daily states that Home Depot has conveyed a small sliver of property to Jiffy Lube as part of the final plan, the Riverdale City Planning Commission has approved the final site plan and Mr. Daily asks if there are any questions. Recognizes that Mr. Taylor is present this evening to represent Jiffy Lube if the council has questions they would like to ask him.

Councilor Searle asks if our engineers have looked over Jiffy Lube's storm water pollution prevention plan. Mr. Daily says as the business sits on less than an acre of property Jiffy Lube isn't required by law to have a plan but Jiffy Lube has included one in their final site plan. Councilor Searle is asking because they handle petroleum products. Mr. Daily says the building must be designed to prevent spills and contain any possible spills as discussed extensively in the planning commission meeting. Mr. Daily also states for the record that the Riverdale City Fire Department is certified to handle a potential spill as that was not discussed in the planning commission meeting. Councilor Searle asks about exterior lighting. Mr. Daily says there will be wall packs on the building only.

Chief Illum says Jiffy Lube's building is designed to contain a spill with no escape water possibilities and a containment pond twice the size as the maximum amount of oil they are permitted to store at any time.

Motion: Councilor Gibby moved to approve the final site plan for the Jiffy Lube development located at 4707 S. 900 W. Councilor Searle seconded the motion.

Call the Question: The motion passed unanimously

3. Consideration of Amending the General Plan Alternative Land Uses Area Two commentary.

Mr. Daily says the change is needed to bring the area in compliance with zoning changes since the Larry Miller development on the South end was approved. The North side West bench area would be affected by this amendment to the General Plan. The planning commission has approved the change after a public hearing on the change.

Councilor Hunt states that he is concerned this is to become re-zoned for heavy commercial designation. Councilor Jenkins says her fear is that changing the general plan's definition of alternative land uses could give the Hayward Park land owner leverage to change the zoning of his property in the future.

Mr. Hansen asks if this request is on the agenda to change the advisory nature of general plan or to change zoning now. Mr. Daily confirms it is not a rezoning issue; this amendment will just make the general plan conform to the existing approved conditional use of the property. Councilor Gibby says in reference to the map given, the Hayward Business Park will have no additional incentives to change their zoning; it just defines those areas that will become commercial on the North side.

Councilor Hunt says he is still concerned the Hayward Business Park will want to grow that C3 property. Councilor Searle commented that he believes the office business park is a good buffer to the residential area to the East and feels its preservation is important. Mr. Hansen asks for Mr. Brooks' input about the legality of restricting the zoning to only allow for office space to be built on it. Mr. Brooks says the council would need to have justification to rezone it.

Councilor Jenkins asks what the land is currently zoned as and Mr. Daily states that one portion was CP2, another that housed the actual building was CP3, and additional sections of the development had A1 and R1-10 designation. Councilor Jenkins says she believes this change to the general plan will make it easier for Mr. Hayward to make a claim he isn't able to develop his property and therefore needs to rezone it like Miller did with their property. She again expressed concern about the impact to the nearby residential area and additional traffic. Councilor Arnold says he supports the office building buffer and asks if it is legal for people to live in the top of the office buildings that are currently there.

Mr. Daily says that isn't legal under the current zoning and reaffirms that this proposed amendment to the general plan will not change any existing zoning but simply brings the current plan into compliance with what zoning designations already stipulate. Mayor Burrows asks Mr. Brooks if by voting on this amendment tonight it would take away any of the council's power to address zoning issues regarding this property in the future. Mr. Brooks confirms it won't affect their power.

Motion: Councilor Jenkins moved to table the general plan amendment pending further discussion regarding what the rezone recommendations will be regarding the property in question in the future. Councilor Arnold seconded the motion.

Call the Question: The motion passed unanimously

4. Consideration of resolution # 2010-41 adopting an agreement with-ROA General Inc., (Reagan Outdoor Advertising) to install a camera on a Reagan sign on Freeway Park Drive.

Mr. Brooks states this is the agreement that has been worked out previously with ROA to install a camera on one of their signs to monitor the UTA park and ride lot near Freeway Park Drive. ROA drafted an agreement releasing them from all responsibility and liability in connection with the camera but allowing the city to install and maintain it on their property.

Motion: Councilor Arnold moved to approve resolution 2010-41 contract to install a camera on Freeway Park Drive. Councilor Gibby seconded the motion.

Call the Question: The motion passed unanimously

Mr. Brooks stated for the record the word “morals” had been struck for the final version and replaced with “morale” as requested by Councilor Searle.

5. Consideration of pay request and change order Parsons Streets Projects.
Lynn Moulding says he will keep the contract open until spring in order to pave 500 West.

Motion: Councilor Gibby moved to approve pay request No. 4 in the amount of \$8,088.86. Councilor Jenkins seconded the motion.

Call the Question: The motion passed unanimously

I. Discretionary Items

Mayor Burrows asks if there are any discretionary items that need to be discussed. Councilor Searle says that he had a resident ask him about bike safety with the installation of the new bike lanes in the community.

Councilor Searle is also following up on behalf of the Veterans Committee and Mr. Leahy who had mentioned making some improvements to the boots monument and adding two new flag poles. Mr. Hansen recommends that the item move from a discretionary item to the committee agenda for January 4th. Mayor Burrows asks if the council has consensus to put it on the agenda for January 4th, consensus is unanimous. Councilor Searle says he will take responsibility for getting the information together for the next meeting.

Councilor Searle also stated the new Adobe Acrobat Reader update is different and that he had trouble navigating it in reading the latest agenda and supporting documents. Mr. Hansen says he will mention the problem to Mr. Fortie to troubleshoot.

Councilor Arnold wants the CTC proposal on a future agenda not just in the recorder’s notes. Councilor Jenkins remarks that she was surprised when she read over Mr. Brooks' statement on CTC to learn how much money Riverdale city contributes to drug prevention programs in relation to other communities that utilize Riverdale’s drug court without shouldering any of the costs.

Councilor Jenkins asks about having more mail drops in Riverdale neighborhoods. Mr. Hansen states that the USPS won't allow them; there is one inside the senior center.

Councilor Jenkins commented that this year judging the city's lighting contest was too much for the Youth Council as many of them had other obligations and there were only two judges to canvas the neighborhoods. She would like input about how to handle the event next year and recommends that members of the actual city council judge next years lighting contest. Councilor Arnold stated that he had gotten feedback from members of the community saying Santa parading through the neighborhood on a city fire truck is a great tradition. He asks if the parade tradition could continue next year with Santa riding in a police car with sirens instead. Mayor Burrows said that he also got some calls requesting the Santa parade tradition continue.

J. 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 7:15 p.m.

Approved: December 21, 2010

Attest:

Bruce Burrows, Mayor

Ember Herrick, City Recorder