



**RIVERDALE CITY COUNCIL AGENDA
CIVIC CENTER - 4600 S. WEBER RIVER DR.
TUESDAY –JULY 5, 2011**

Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **July 5, 2011** at 6:03 p.m. at the Riverdale Civic Center, 4600 South Weber River Drive.

Members Present: Bruce Burrows, Mayor
David Gibby, Councilor
Don Hunt, Councilor
Norm Searle, Councilor
Shelly Jenkins, Councilor
Alan Arnold, Councilor

Others Present: Larry Hansen, City Administrator, Steve Brooks, City Attorney,
Shawn Douglas, Acting Public Works Director, Dave Hansen,
Police Chief, Doug Illum, Fire Chief, Ember Herrick, City
Recorder and 5 citizens.

A. Welcome & Roll Call

Mayor Burrows called the meeting to order and welcomed all in attendance including all the Council members and staff.

B. Pledge of Allegiance

Councilor Jenkins led the Pledge of Allegiance after which Mayor Burrows read an excerpt from a letter John Adams wrote to his wife Abigail stating his prediction that the nation's Independence Day would become one of the most memorable days in American history celebrated for generations to come. Mayor Burrows said John Adams was a prophetic founding father who we now remember for his service and contributions to establishing and maintaining our nation's freedom.

C. Moment of Silence

Mayor Burrow's quote was followed by a moment of silence when he asked everyone to remember those serving in our armed forces both past and present.

D. Open Communications

Mayor Burrows invited any member of the public with questions or concerns to address the group at the open microphone.

Riverdale Resident Brian Small asked the Council to consider building outdoor racquetball courts for the community to use during the summer months. Mr. Small said they are very popular in New York where he is from and Mayor Burrows said he had played on outdoor racquetball courts in Arizona. Mayor Burrows informed Mr. Small there are indoor courts that he can use as a Riverdale resident for a discounted price at the Roy Recreation Complex and said that the Council will take his request under advisement.

There were no additional comments.

E. Presentations and Reports

Mayor Burrows informed the public about 7-Eleven's grand opening Friday, July 15, 2011 with a ribbon cutting ceremony at 11:30 AM that the Council and public are welcome to attend. He complimented the public works employees, police, fire and recreation departments for all of their efforts to make the city's Old Glory Days celebrations a success.

Mayor Burrows read from a letter from the state of Utah referencing the Community Development Block Grants awarded to Utah the previous year to help fund two city projects. The letter complimented Acting Public Works Director Shawn Douglas for his organization and handling of the request process following the retirement of Lynn Moulding. It also explained how a few concerns had been resolved in reference to the projects and stated that the state of Utah looks forward to working with the city on future projects.

Mayor Burrows said he had signed an extension of the city's flood declaration through July to help Riverdale qualify for state and federal disaster relief funding. Fire Chief Doug Illum said the city is in the process of putting together the paperwork and receipts for the costs associated with flood damage. According to Chief Illum, the city's walking trail has been re-opened and road base placed along the sides to prevent trip hazards where erosion has occurred from the flooding. He said the Weber River is currently running at 2450 cfs which is typical for spring runoff levels in May and means the river is still running high. Chief Illum informed the Council that city employees and volunteers will begin removing sandbags next week and the state damage estimate team will come to evaluate the damage and determine how much funding the city may receive, but added that the major repairs will need to wait until next year. Mayor Burrows informed Chief Illum that he has a list of volunteers who have offered to help remove and dispose of sandbags.

Councilor Gibby asked if there are areas where the trail has washed out that can be re-routed and Chief Illum said several spots where the public has made an alternate route around the flooded area are on private property not owned by Riverdale City. Councilor Jenkins said she is concerned about loose wood on the bridges after riding her bike along the trail recently. Mr. Douglas said the structures are safe and the public works department plans to tighten any loose wood planks.

Chief Illum said the warmer temperatures are creating fire hazards. He said there have been reports of 15 to 20 grass fires caused by fireworks and he is concerned about the Pioneer Day Holiday and said that he may recommend extending the fireworks ban in fire hazard areas along the Weber River. Councilor Gibby asked about the new fireworks now allowed in the state of Utah and Chief Illum said he thinks they are a dangerous fire hazard in this dry climate. Councilor Hunt asked about reports of injuries related to fireworks and Chief Illum said he had not heard of any in the city and that brush fires are

the greater concern. Mayor Burrows said he received two complaints about debris on private property from the new fireworks.

Jim Robinson of the Riverdale Fire Department made an ESGR Presentation for Military and Operation Care Support and said that while he was deployed to Afghanistan last year he appreciated the support the fire department gave his family. Mr. Robinson said in appreciation of this support and gratitude for the home improvement projects his co-workers had performed for his family in his absence, he presented a certificate and flag to Chief Illum. Mr. Robinson also thanked Fire Captain Dave Ermer and his wife and everyone who had donated items for the 100 boxes of supplies flown to Afghanistan with care packages for the troops and necessities for the charity Operation Care. He gave Captain Ermer a Challenge Coin in appreciation of his volunteer work and Mayor Burrows thanked Mr. Robinson for his military service.

There were no questions or comments on the Community Development Report or Recorder's Report.

F. Consent Items

1. Review of meeting minutes from:
 - June 21, 2011 City Council Work Session
 - June 21, 2011 City Council Regular Session

Councilors Searle and Arnold expressed concern that some of Councilor Arnold's comments from the previous Council meeting were not accurately reflected in the Recorder's summary meeting minutes in reference to the extension of the city administrator's contract. Councilor Arnold stated that he never referenced 2016 as a sales tax revenue loss date in his remarks, that he never implied some Council members were voting to renew Mr. Hansen's contract because of a shared religious background and that he didn't say that the city should have the right to fire employees without cause with just 30 days notice. Mayor Burrows asked the Council if they would like to hold off approving the consent items until they could review the recording and Councilor Arnold's statements and Councilor Searle recommended the minutes be on a future agenda for consideration.

Councilor Jenkins asked about the date on the emergency flood declaration stating that she believed the flooding problems had started earlier. Mr. Brooks said he could not recall off hand the exact dates on the two declarations but said that between the two he was confident the city will be eligible for state and federal aid.

G. Action Items

1. Consideration of authorizing purchase of recycling cans.

Mr. Douglas said the city purchased their existing garbage cans 20 years ago this November and he believes they have held up so well because they are a cross link can that takes longer to produce and costs more but has proven durability. He said that the research provided in the packet about the costs, warranties, pros and cons of the different

recycling cans was designed to assist the Council in making an educated decision and he asked if they had any questions. Councilor Gibby said he supports the purchase of cans with a 10 year warranty in the middle price range as a good choice for the city. Councilor Jenkins said in Kaysville they use Toter cans that are recyclable which she thinks is a good idea unless the cans are a problem for the hauler to pick up. Mr. Douglas said Robinson Waste has some trucks in its fleet that can pick up the Toter cans and that the linear cans are more recyclable than cross linked cans. According to Mr. Douglas if the city buys cans from an out of state supplier, every time they want to replace cans they must order in quantities of 100. Councilor Hunt asked about the warranties and Mr. Douglas said the cans are covered for total replacement. Councilor Gibby asked if there was a disadvantage to buying different cans in the future and Mr. Douglas said not in his opinion. Councilor Searle asked about the damage caused by the trucks picking up the cans and suggested that the cross linked cans could be the best investment for the city if they last 20 years and can be repaired locally. Councilor Jenkins said if the cans are only picked up every other week they will last longer so she is in favor of the city purchasing more economical cans. Mr. Douglas said because recycled materials are lighter there is also less wear and tear on the cans but added that UV rays and winter weather also take their toll on cans stored outside.

Motion: Councilor Arnold moved to approve the purchase of recycling cans for an amount not to exceed \$145,000 at the discretion of Mr. Douglas and Mr. Hansen. Councilor Gibby seconded the motion.

Mayor Burrows asked for discussion on the motion and Councilor Jenkins said based on the amount approved, the city would not buy the cans from the local provider unless they were willing to negotiate on their price. Councilor Searle asked if the motion called for the cans themselves to be able to be recycled at the end of their life and Mr. Arnold said he didn't care what materials the cans are made out of and he trusts Mr. Douglas and Mr. Hansen to select the best recycling cans for the city. Councilor Gibby suggested that Mr. Douglas try to negotiate with the local can manufacturer to reduce their price so that the city could support a local company.

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

2. Consideration of Pay Request #4 and Change Order #1 for 4400 South Storm Water and Sanitary Sewer Project.

Mr. Douglas said there is a two percent retainage the city would like to hold back until Ormond Construction fixes the work in question and the contract can be closed out. He asked the Council if they had any questions about the change order and Councilor Arnold asked Mr. Hansen and Mr. Brooks if the Council could authorize the payment up to a certain amount but leave the payment date at the discretion of Mr. Douglas until he is satisfied with the work performed. Mr. Hansen said the public works department was requesting payment authorization for the total amount to allow them the ability to close out the project when it is finally completed without coming back to the Council again for

final payment authorization. According to Mr. Hansen, staff will work to negotiate a lower price based on the problems with the work performed by this contractor. Councilor Jenkins asked about the written commentary taking exception about the time passage next to Mr. Ormond's signature and the incorrect date on the signed pay request and how those could legally impact the city and Mr. Brooks said it shouldn't change anything. Mayor Burrows said the prospective Change Order #2 is where staff has the ability to negotiate some of these expenses with the contractor. .

Motion: Councilor Arnold moved to authorize payment up to and not to exceed \$152,278.39 with discretion given to Mr. Douglas, Mr. Hansen and City Attorney Steve Brooks to deal with any percentage of retaining amount for lack of performance. Councilor Searle seconded the motion.

Mayor Burrows asked for discussion on the motion and there was none.

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 Pay Request #4 and Balancing Change Order 4400 South CDBG Storm Drain Project.

Mr. Douglas said the river has been so high that he hasn't been able to physically inspect the storm drain where this work was completed, but he said that from the outside the workmanship looks good. He said the details on the pay request and balancing change order are included in the Council packet along with a breakdown of what the Community Development Block Grant will pay and what the city will be responsible for. Mr. Hansen said the city's portion would be paid out of the storm water enterprise fund.

Motion: Councilor Arnold moved to approve payment of Request #4 and Balancing Change Order to Kapp Construction for the amount of \$91,929.77 to complete payment. Councilor Hunt seconded the motion.

Mayor Burrows asked for discussion on the motion and Councilor Jenkins asked Mr. Douglas about the inspection procedure. Mr. Douglas said that he and the City Engineer Scott Nelson will go inside the pipe and inspect the work as soon as the water levels go down.

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

Discretionary Items

Mayor Burrows asked if there were any discretionary items and Councilor Jenkins gave Mr. Douglas a CD with information about the proposed kiosks along the city trail. Mr. Douglas said the city has purchased three signs already, one for the parking lot outside of the civic center, one for the kayak park and one for the North parking lot to serve as locators and to designate places of interest along the trail.

Councilor Gibby asked the Public Works Department if they were aware of the weed situation on the property across from the Larry Miller car dealership being built and Mr. Douglas said the city's portion of the property will be mowed this week and that Mr.

Daily is working with the property owner to maintain the weeds on the Hayward property. Mr. Hansen told the Council that Mr. Daily had communicated to him that he had a verbal agreement from the property owner that the weeds in that area would be taken care of in the near future. Councilor Jenkins asked about the weeds near the Wildcat storage facility and Mr. Douglas said his department sprays them every year to try to kill them out but the land is technically in Ogden City and another parcel is owned by the railroad.

Council Gibby said he has received a lot of positive feedback about the Old Glory Days celebration and he commended Mr. Douglas and his department for their efforts. Councilor Hunt said the movie in the park was a great success but had a lower turnout than in previous years. He said with better promotion he is confident that the numbers could improve next year. Mayor Burrows suggested that the Council continue to serve the ice cream at the event to increase attendance. Councilor Searle said he appreciates all the effort that went into putting on these celebrations for the community, he thanked all those who participated and served in any capacity. Councilor Arnold said he would like a count of the parade participants at Old Glory Days as he estimates that he handed out over 600 bottles of water.

Councilor Searle suggested to the Riverdale resident that would like to see outdoor racquetball courts built that he should look into getting a discount pass to use the indoor facilities at the Roy Recreation Center.

Councilor Arnold said he has noticed a problem with people making illegal U-turns at the intersection in front of the new Larry Miller dealership and he suggested solutions to discourage drivers from doing this. Chief Hansen said he isn't aware of any accidents that have occurred at that intersection and Mayor Burrows said the issue would need to be reviewed before the Council could address a potential problem.

Councilor Searle asked about the recycling opt-out list provided to the Council in the packet and said the education process through the newsletter is very important to encourage participation in the city's new program.

I. Adjournment:

With no further business to come before the Council at this time, Councilor Arnold moved to adjourn the meeting. Councilor Gibby seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 7:23 PM.

Approved: July 19, 2011

Attest:

Bruce Burrows, Mayor

Ember Herrick, City Recorder