



**RIVERDALE CITY COUNCIL AGENDA
CIVIC CENTER - 4600 S. WEBER RIVER DR.
TUESDAY –AUGUST 16, 2011**

Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **August 16, 2011** at 6:13 PM at the Riverdale Civic Center, 4600 South Weber River Drive.

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

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

A. Welcome & Roll Call

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

B. Pledge of Allegiance

City Administrator Larry Hansen led the Pledge of Allegiance after which Mayor Burrows read a quote from the Continental Congress when they were discussing adopting the Articles of Confederation to create a perpetual union between the states.

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.

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 G.L. Faust said he was told by the police that he needs permission to drive his ATV on some Riverdale streets so that he can irrigate his land. He respectfully requested that his street licensed ATV be allowed to drive on Ritter Drive and South Weber Drive for farming purposed and to the gas station to refuel at 1050 West if he doesn't go over 45 mph and obeys all state laws. Mayor Burrows said the Council and staff would discuss Mr. Faust's request with the police and would follow up with him shortly.

Veteran Committee member Dave Leahy thanked the Riverdale city maintenance crew for their efforts to enhance the civic center war memorial and requested that the veteran's gratitude be passed on to the city employees.

There were no additional comments.

E. Presentations and Reports

Mayor Burrows informed all those in attendance about the upcoming "Meet the Candidates Night" on August 25, 2011 at the Senior Center from 6 PM to 8 PM and the Strategic Planning Meeting on August 30, 2011 at the Community Center at 6 PM.

Mayor Burrows said the Utah League of Cities and Towns meeting is coming up and he asked the Council to let Mrs. Limburg know if they will be attending as soon as possible.

Mayor Burrows read two thank you letters for the record, one from Bonneville High School's 50th graduating class party thanking the city for their support and the second from Riverdale resident Helen Toponce thanking the city for the opportunity to use the Roy Aquatic Center.

City Administrator Larry Hansen said the Roy Aquatic Center sharing saves Riverdale city \$200-300,000 annually. Mr. Hansen said Acting Public Works Director Shawn Douglas has coordinated the clean up of sandbags across the city by the public works department and he reported to the Mayor and Council that the work is nearly complete.

Mr. Hansen said in response to discretionary items brought up at the last Council meeting, the Risk Management Committee had unanimously recommended that the speed on Parker Drive be 40 mph in both directions.

Mayor Burrows asked for consensus to change the speed limit to 40 mph in both directions on Parker Drive down to the area where the limit drops to 30 mph where the road curves heading to 31st street. The Council reached consensus to make the change.

Mr. Hansen said the street signs at the intersection of 1500 West and Ritter Drive and at 5175 S. and 1500 W had been ordered and will be installed shortly.

Mr. Hansen recognized the employees in the city that have anniversaries in August and thanked Lynette Limburg for her 25 years of service to the city and Allen Miller for his 15 years with the fire department. He also recognized the two receptionists Clara Johnson and Kay James who have anniversaries this month for their efforts to serve Riverdale residents who call or come in to the Civic Center. Mayor Burrows and Mr. Hansen presented certificates to Mrs. Limburg and Mr. Miller.

Mr. Hansen reported on staffing levels for the month of July, stating that the city is currently just slightly under authorization.

Mayor Burrows asked if there were any comments or questions on the Community Development or Recorder's Report and there were none.

F. Consent Items

1. Review of meeting minutes from:

August 2, 2011 City Council Work Session
August 2, 2011 City Council Regular Session

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

There was no discussion on the motion.

Call the Question: The motion passed unanimously.

G. Action Items

1. Consideration of Christian Heritage High School request for water billing adjustment.

Mayor Burrows said the Council was being asked to consider a request by Jeff Caturia of Christian Heritage High School to grant the owners some leniency on their water bill. Mr. Caturia said the school has shut for a few years due to financial difficulties and so staff is not at the building on a regular basis. He said they recently experienced a leak in the sprinkler system and a faulty timer that allowed the sprinkler system to run 24 hours a day. According to Mr. Caturia the problem was not discovered until the water bill came and was twice the normal amount. He said in a two month period \$1,200 of water was used and because the school is closed, they don't have the funds to pay the bill and are asking for a grace period. Mr. Hansen asked if the school plans to reopen in the future and Mr. Caturia confirmed that is their plan. Mr. Hansen recommended to the Council that the city consider holding the bill for the two months in question in forbearance until the school is back in business as long as they continue making payments and keep their account current. Mr. Caturia agreed to the terms outlined by Mr. Hansen. Councilor Jenkins said during the summer months of 2010 the school's average water bill was approximately \$500 a month and Mr. Caturia said they would be happy to pay that amount if a payment plan for the balance could be worked out. Mayor Burrows asked if there is agreement among the Council to allow staff to work out a payment plan and Councilor Arnold recommended leaving the dollar amounts to Mr. Hansen's discretion.

The Council reached consensus to allow City Administrator Larry Hansen to work with representatives from the Christian Heritage High School to bring their monthly water utility bill current by paying an amount comparable to what they paid at this same time of year in 2010 and to pay off the balance through a payment plan to be determined by Riverdale City.

2. Consideration of Resolution 2011-24 to adopt an agreement with JUB Engineering to prepare a storm water plan.

Mayor Burrows said the Council was being asked to approve a request to retain the JUB engineering firm to update Riverdale's storm water management plan within a 45 day deadline. Mr. Douglas said the goal is to devise a plan that uses 10 or fewer man hours a week instead of 50 to 60 man hours currently being spent to get the city's plan up to federal standards. Councilor Jenkins asked Mr. Douglas for an explanation of why so many resources are being used on this project and Mr. Douglas said the city's existing plan was deficient in many of the mandated requirements. JUB Engineer Paul Taylor explained that last year the state of Utah drafted a new permit for city storm water systems that included federal EPA requirements that many small cities aren't doing. Mr. Taylor said in order to delay an audit and fines for noncompliance with the federal requirements Riverdale needs to demonstrate that it is working to create a viable storm water management plan. Councilor Hunt asked about the likelihood of the city being fined and Mr. Taylor said to date only one Utah city has been fined several thousand dollars for not submitting a storm water management annual report. According to Mr. Taylor, in Utah the fines can be as high as \$32,500 per infraction, per day, and jail time is also possible. He said the EPA has issued millions of dollars in fines across the county and the state of Utah has recently threatened to crack down on violators to make an example of smaller cities refusing compliance.

Mr. Hansen asked Mr. Taylor to state his expertise and credentials for the record and Mr. Taylor said he works for JUB Engineers Inc. a consulting firm with clients throughout the western United States. He said his office is in Kaysville and after working with 45 of the 70 cities required to have storm water management plans over the course of the last eight or nine years, he has built a reputation for helping cities become compliant with federal standards. According to Mr. Taylor each city must apply for a storm water permit periodically and Riverdale is a phase two city that must apply for a permit every five years. He said that he is active on the committee that gives input to the regulators who create these permits. Councilor Jenkins asked if the phases in the EPA requirements are new or were unexpected and Mr. Taylor said they are part of the clean water act that began affecting municipalities in 1990. He said there is a lot of paperwork because everything must be documented and reported so that a city is covered when they are audited by the EPA.

Councilor Hunt asked how JUB had been retained by the city and Mr. Taylor said Riverdale City had contacted his company when they received a notification that they had 45 days to get their plan compliant with EPA standards. He said Riverdale needed an updated storm water management plan at the end of 2010, so the deficiency is current and a fine could be a reality when the grace period is up. Mr. Taylor said if retained, he will work to help the city to get a plan in place so that an audit can be postponed and Riverdale will be on track to become EPA compliant and will be granted a storm water permit.

Motion: Councilor Gibby moved to approve Resolution 2011-24 to adopt an agreement with JUB Engineering to prepare a storm water management plan for Riverdale City for \$24,500. Councilor Jenkins seconded the motion.

There was no discussion on the motion.

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 approval for public works vehicle purchase.

Mayor Burrows said the Council was being asked to consider a resolution to approve a new public works vehicle purchase to replace an old truck, budgeted in fiscal year 2011-12. Mr. Douglas said the truck has a plow on the front of it and has been used by the city since 1996 to remove snow from 1/3 of the cul-de-sacs in the city. According to Mr. Douglas they have had problems with the vehicle over the last year and it needs to be replaced before the coming winter. Councilor Searle asked about the state's bidding process to find vehicles for cities and if there was an option to give that business to a local Riverdale car dealer instead. Mr. Douglas said anyone can submit a bid to that state and then cities are notified of the lowest bidders to save time in securing economical vehicles. Councilor Jenkins said because the expenditure is necessary and within the amount budgeted for she supports the purchase.

Motion: Councilor Jenkins moved to approve the purchase of a 2012 Chevrolet 3500 series truck as a public works vehicle for \$27,297.84. Councilor Gibby seconded the motion.

There was no discussion on the motion.

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 2011-21 approving an interlocal agreement between Riverdale City and the Utah State Second District Juvenile Court relating to Graffiti removal.

Mayor Burrows said the Council was being asked to consider the renewal of an interlocal agreement with the Second District Court for graffiti removal by juveniles working off community service hours. According to Chief Hansen this saves the city money and takes the burden off of the public works department. He informed the Council that City Attorney Steve Brooks has added a clause in the resolution allowing staff to renew the interlocal annually without bringing it back before the Council as long as the cost of the program doesn't increase. Councilor Searle said he supports renewing the graffiti interlocal and thinks the program is a good way for young people in trouble with the law to give something back to the community. Councilor Jenkins asked staff to continue to carefully monitor the work done by the juveniles because city funds are being spent to support the program. Chief Hansen said it is in his department's best interest to ensure the work is well done because if not his office will hear the public complaints.

Motion: Councilor Hunt moved to approve Resolution 2011-21 approving an interlocal agreement between Riverdale City and the Utah State Second District Juvenile Court relating to Graffiti removal. Councilor Searle seconded the motion.

There was no discussion on the motion.

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 2011-22 designating and appointing election judges, assistant poll manager, poll manager, and alternates to serve in the municipal primary and general election, establishing the compensation for their services, and providing for other related matters.

Mayor Burrows said the Council was being asked to approve a list of election judges. City Recorder Ember Herrick said Riverdale's city ordinances require the Council's approval of proposed election judges to assist in the upcoming municipal primary and general elections. She asked if anyone had any concerns about any of the proposed judges and for any additional questions and there were none.

Motion: Councilor Gibby moved to approve Resolution 2011-22 designating and appointing election judges, assistant poll manager, poll manager, and alternates to serve in the municipal primary and general election, establishing the compensation for their services, and providing for other related matters. Councilor Hunt seconded the motion.

There was no discussion on the motion.

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 2011-23 establishing the 2011 Municipal Voting Precincts and Polling Places for Riverdale City.

Mayor Burrows said the Council was also being asked to approve the proposed polling location. Ms. Herrick said the proposed polling place for 2011 was the Community Center and that the rationale behind one polling location was to save the city money. Councilor Jenkins said she would also like to see a polling location at the Senior Center as it is a comfortable location for voters and there were problems with long lines at polling locations in the past that she would like to avoid. Ms. Herrick said that she was aware of the past problems and that staff had discussed a different layout to streamline the voting process and make it work successfully at the Community Center. She said that voter turnout is typically lower in municipal election years and asked the Council to try the new layout, but added that if there is consensus to add additional polling locations staff will try to accommodate that request. Mr. Hansen said when the Senior Center is used the quilting room and another room are broken down for the day causing disruption and congestion when the lunch crowd arrives. He suggested that if the Senior Center is used lunch not be served on primary and general election days so that the lunchroom could be used to avoid lines stretching outside of the building. Mayor Burrows said the

City Recorder's request is for the Council to allow one polling location at the Community Center utilizing the gymnasium to avoid congestion for the upcoming 2011 municipal election. Councilor Searle said he likes Councilor Jenkin's suggestion to also use the Senior Center. Councilor Jenkins expressed concern about the intramural sports typically held in the Community Center gym being interrupted on primary and municipal Election Day. Mr. Hansen said that it will be easier to accommodate the youth than the residents at the Senior Center.

Motion: Councilor Gibby moved to approve Resolution 2011-23 establishing the 2011 Municipal Voting Precincts and Polling Places for Riverdale City. Councilor Arnold seconded the motion.

There was no discussion on the motion.

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

Mayor Burrows suggested that the Council meeting be recessed while the Redevelopment Agency board meets briefly so that any interested members of the public can participate in the meeting without waiting for the Council to reconvene after their closed executive session

Motion: Councilor Hunt made a motion to recess out of the Council meeting into an RDA board meeting. Councilor Jenkins seconded the motion.

There was no discussion on the motion.

Call the Question: The motion passed unanimously.

The City Council meeting reconvened at 8:05 PM.

Motion: Councilor Gibby made a motion to recess into a closed executive session for the purpose of discussing possible litigation. Councilor Hunt seconded the motion.

There was no discussion on the motion.

Call the Question: The motion passed unanimously.

The City Council meeting reconvened at 8:20 PM.

Discretionary Items

Mayor Burrows asked if there were any discretionary items and Councilor Jenkins said she would like to see more signage on Ritter Drive prohibiting large loads as she has heard complaints from residents about the numbers of semi and dump trucks on that road. She would like to see a sign place on the west end of 1500 West to prevent trucks with loads from coming up Ritter Drive.

Councilor Jenkins said that she has also had a complaint about the 1500 West entrance to the new Larry Miller car dealership. Councilor Gibby said recent modifications to the signal at that intersection is a problem because UDOT is still working out the timing. Councilor Jenkins said she was contacted by someone at the Miller Group who told her that they are being pressured by UDOT to change the location of the welcome to Riverdale sign they have promised to construct as part of their development agreement with Riverdale City. Mr. Hansen and Mayor Burrows both said that they hadn't heard anything about a sign change and Mr. Hansen said he would follow up with the Community Development Director Randy Daily who handles all these requests and has worked closely with the Miller Group throughout the process.

Councilor Jenkins said she has also received a request that Riverdale city make a financial contribution to Washington Terrace to help buy bleachers and a score board because 70 percent of the kids playing tackle football on the five or six Titan teams are from Riverdale. Mr. Hansen said the last numbers he received from Jeannette Hall at the Riverdale Community Center showed 15 or 16 Riverdale boys played on the teams in 2010. Councilor Jenkins said she had spoken to Mr. Brooks about this request and He had reminded her about the strict state requirements that prohibit the Council from using taxpayer dollars to fund private causes. She said Mr. Brooks had recommended she advise the petitioner to seek donations for a score board from the community. Mr. Hansen said rather than hitting up area businesses for donations, it would be wise to explore RAMP grants to secure the funding for the equipment.

Councilor Jenkins said she is also concerned about the large number of reposed homes in the city and their unkempt yards including one on her street. According to Councilor Jenkins the public works issues have been a problem for about two years and the home has been vacant now for four or five months and on the market for 280 something days. She said it is her understanding that the city has little recourse to force compliance through a lien on the property unless the home is in foreclosure and added that she would like to investigate what other cities are doing to address this problem. Mr. Hansen said the city has its own plan in place and concurred there is no point in paying to lien a property unless it will survive a trustee sale. He added that the city is exploring different ways to compel compliance including withholding utility services to nuisance properties until they clean up their landscaping and debris. Mr. Hansen said negotiating a short sale arrangement involves a lot of the city's resources with a questionable outcome. He said that he has been working with Mr. Brooks to utilize the existing Title 10 and nuisance ordinances to compel property owners to take care of their land and homes and he asked for the Council's patience while these avenues are being tested.

Councilor Searle confirmed that the speed limit on Parker Drive will be changed from 30 to 40 mph in both directions until the road curves heading to 31st street where it will remain 30 mph. Mr. Hansen confirmed the changes and Mr. Searle thanked the city staff for taking action on these items.

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 8:31 PM.

Approved: September 6, 2011

Attest:

Bruce Burrows, Mayor

Ember Herrick, City Recorder