



**RIVERDALE CITY COUNCIL AGENDA  
CIVIC CENTER - 4600 S. WEBER RIVER DR.  
TUESDAY –OCTOBER 18, 2011**

Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **October 18, 2011** at 6:00 PM at the Riverdale Civic Center, 4600 South Weber River Drive.

Members Present: David Gibby, Mayor Pro Tem  
Don Hunt, Councilor  
Norm Searle, Councilor  
Alan Arnold, Councilor

Members Excused: Bruce Burrows, Mayor  
Shelly Jenkins, Councilor

Others Present: Larry Hansen, City Administrator; Randy Daily, Community Development Director; Steve Brooks, City Attorney; Dave Hansen, Police Chief; Doug Illum, Fire Chief; Shawn Douglas, Public Works Director; Ember Herrick, City Recorder and 11 members of the public.

**A. Welcome & Roll Call**

Mayor Pro Tem Gibby called the meeting to order and welcomed all in attendance including all the Council members, he excused Mayor Burrows and Councilor Jenkins.

**B. Pledge of Allegiance**

Councilor Hunt led the Pledge of Allegiance. Mayor Pro Tem Gibby read a quote from Ben Franklin recorded during the Constitutional Convention where he states that God governs the affairs of men and is aware of all that we do.

**C. Moment of Silence**

Mayor Pro Tem Gibby'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 Pro Tem Gibby invited any member of the public with questions or concerns to address the Council at the open microphone.

Mike Medina with Mountain West Retail Commercial Real Estate said he is concerned about the title loan ordinance being discussed tonight and the distance requirement from residential zones. He said American Title Loans did some research to see how title loan companies are regulated in other Utah cities and he said West Valley and Salt Lake City both classify them differently than check cashing and payday loan businesses. He asked that Riverdale consider giving title loan companies a separate designation.

Riverdale resident Keith Manning said he is concerned about bike safety and the areas in Riverdale that aren't marked for bikes. He also complained about debris that

accumulates on overpass bridges causing a hazard for bikers who must ride in fast-moving traffic to avoid the obstacles. According to Mr. Manning, the white line and curb are too close in some areas and create a hazard for cyclists. He encouraged the Council to make Riverdale roads safer and said that he would be happy to share his suggestions and concerns with the city in the future.

Mayor Pro Tem Gibby read an email from Riverdale resident Mark Myers who cycles and would like to see more lanes for bikers and walkers to encourage everyone to share the road. He said the city could lead the way in creating active bike corridors in the city.

He also read an email from Riverdale resident Jamie Neff who said she would like to get around more without having to drive a car. She said her kids can't get to the Roy Library or the Roy Complex without a car. According to Mrs. Neff, the trail connects Riverdale to Ogden but not to Roy and she would like to see that change in the future.

There were no additional comments.

#### **E. Presentations and Reports**

Mayor Pro Tem Gibby said the city's surplus sale will run all week through Friday October 21, 2011.

City Administrator Larry Hansen said all the recycling cans have been delivered to Riverdale residents and pick up dates have started. Mr. Hansen said he attended a Utah League of Cities and Towns meeting yesterday where ideas for proposed legislation regarding sales tax distribution were discussed. He said the lobbyists that represent the approximately 250 towns in Utah are influential with legislators and he said Riverdale is interested in getting their support to on the sales tax issue.

Mr. Hansen recognized staff with anniversaries in October and said that the city is functioning with fewer employees than it had six years ago. He congratulated Shawn Douglas who has been promoted from acting to official Riverdale Public Works Director and complimented him on his work to address the city's flooding problems last spring.

According to Mr. Hansen, the September Treasury Report was not ready in time for this meeting and will be available for the Council's review next month.

#### **F. Consent Items**

##### **1. Review of meeting minutes from:**

October 4, 2011 City Council Work Session  
October 4, 2011 City Council Regular Session

Mayor Pro Tem Gibby asked if there were any changes to the meeting minutes and none were noted.

##### **2. Review and comment by November 1, 2011 on proposed amendments to the General Plan, Goals and Objectives section, pages 26-29, added by the Planning Commission.**

Mayor Pro Tem Gibby said the Council will have two weeks to review the Planning Commission's recommended changes to the Goals and Objectives section of the General Plan. There were no questions on the proposed draft.

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

There was no discussion on the motion.

**Call the Question:** The motion passed unanimously.

**G. Action Items**

**1. a. Public hearing to review Resolution 2011-30 adopting a Storm Water Plan for Riverdale City.**

**b. Consideration of Resolution 2011-30 adopting a Storm Water Plan for Riverdale City.**

Public Works Director Shawn Douglas said his department has been working closely with JUB Engineering to update the city's Storm Water Plan to meet the state's requirements. He said he would be happy to answer any questions about the plan that the Council or public may have. Mayor Pro Tem Gibby declared the public meeting open and asked for comments or questions, none were noted.

**Motion:** Councilor Arnold moved to close the public hearing. Councilor Hunt seconded the motion.

There was no discussion on the motion.

**Call the Question:** The motion passed unanimously.

Councilor Searle said he had read the report included in the packet and found it comprehensive and tailored to meet the state and federal requirements. He said a map was referenced and asked for a copy to review, Mr. Douglas said he would forward the map to the Council.

**Motion:** Councilor Arnold moved to approve Resolution 2011-30 adopting a Storm Water Plan for Riverdale City. Councilor Searle seconded the motion.

There was no discussion on the motion.

**Roll Call Vote:** Councilor Arnold, aye; Councilor Gibby, aye; Councilor Hunt, aye; and Councilor Searle, aye. The motion passed unanimously.

**2. a. Consideration of untabling Ordinance 792 to amend RCC 10-10A-4 Permitted Uses-Title Loan Companies.**

**b. Consideration of Ordinance 792 to amend RCC 10-10A-4 Permitted Uses-Title Loan Companies.**

**Motion:** Councilor Hunt moved to untable the discussion on Ordinance 792 to amend RCC 10-10A-4 Permitted Uses-Title Loan Companies. Councilor Searle seconded the motion.

There was no discussion on the motion.

**Call the Question:** The motion passed with three in favor and Councilor Arnold opposed.

Councilor Hunt said the proposed distance requirement for title loan companies seems arbitrary and he asked if it would be wise to take Mr. Medina's suggestion and create a separate ordinance for title loan companies instead of including them with check cashing and payday loan businesses. Mr. Daily said in his research most cities classify title loan businesses as financial institutions. He said only Layton classifies them with check cashing and payday loan businesses like Riverdale is proposing. He said he agrees with Councilor Hunt that the distance requirement is hard to measure and he asked the Council if there was consensus to instead limit the number of these businesses in the city by population. Council Arnold said this suggestion had been discussed by the Council previously and the consensus was to let the market regulate these businesses. He said he voted against untabling discussion on this topic because he feels the ordinance needs more work. Councilor Searle said he agrees the market should determine the number of these businesses in the city. He said Mr. Brooks had advised the Council to follow the Planning Commission's recommendation and stated that his only concern is the area where American Title Loans wants to locate is an RDA area.

Mr. Hansen asked Mr. Brooks if the Council could amend the ordinance tonight without sending the amendment back to the Planning Commission for another public hearing and Mr. Brooks said the purpose of the public hearing is to notify the public that the city code is going to change. Mayor Pro Tem Gibby asked if it would be advisable to take it back to the Planning Commission and Mr. Brooks said a new public hearing wouldn't be necessary as long as the changes aren't extreme.

Councilor Arnold asked how far the bingo parlor is from the nearest residential zone and Mr. Daily said 200 feet. Mr. Arnold asked what the magic number is and suggested these businesses be located within so many feet from Riverdale road instead of a certain distance from a residential area. Mr. Hansen said there should be a finding of fact behind the ordinances the city passes and since there seems to be no rationale behind the distance requirement he recommended that the Council remove any distance references from the proposed ordinance and let the market determine how many open in the city. Mayor Pro Tem Gibby suggested title loan companies be allowed only in commercial C-3 zones with a conditional use permit, where the Planning Commission has the ability to put reasonable conditions on the business to protect neighboring properties.

**Motion:** Councilor Searle moved to pass **Ordinance 792 to amend RCC 10-10A-4 Permitted Uses-Title Loan Companies with the distance requirement language removed.** Councilor Arnold seconded the motion.

There was no discussion on the motion.

**Roll Call Vote:** Councilor Gibby, aye; Councilor Hunt, aye; Councilor Searle, aye; and Councilor Arnold, aye. The motion passed unanimously.

**Discretionary Items**

Mayor Pro Tem Gibby asked if there were any discretionary items and Councilor Searle said at last month's League Conference he had attended a presentation on bike trails and said he had the presenter's card for Mr. Daily. He suggested this man might be able to design creative solutions to address the problem of how to safely bike across the bridges between Riverdale and Roy that have plagued the city for years. According to Councilor Searle, the slow economy and high costs of fuel are motivating more people to bike and walk for transportation. Councilor Arnold said maybe Roy and Riverdale could partner on this project and Councilor Gibby said there are state funds available too. Councilor Hunt agreed the city needs to accommodate bikers better and Councilor Searle said if Ogden's trolley line is built, it could bring additional business to the city.

Councilor Searle complimented the Fire Department on their open house to educate the public on fire safety last week.

**H. Adjournment:**

With no further business to come before the Council at this time, Councilor Arnold moved to adjourn the meeting. Councilor Hunt seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 6:52 PM.

Approved: November 1, 2011

Attest:

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David Gibby, Mayor Pro Tem

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Ember Herrick, City Recorder