



**RIVERDALE CITY COUNCIL AGENDA
CIVIC CENTER - 4600 S. WEBER RIVER DR.
TUESDAY –FEBRUARY 7, 2012**

Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **February 7, 2012** at 6:04 PM at the Riverdale Civic Center, 4600 South Weber River Drive.

Members Present: Bruce Burrows, Mayor
Don Hunt, Councilor
Norm Searle, Councilor
Alan Arnold, Councilor
Michael Staten, Councilor
Braden Mitchell, Councilor

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

A. Welcome & Roll Call

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

B. Pledge of Allegiance

Councilor Arnold led the Pledge of Allegiance. Mayor Burrows read a quote from Edmund Burke who said in a speech to Parliament that religion in no way impairs the free spirit of man. Burke said men and women should be free to worship as they choose.

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 Council.

Don Adamson Jr. said he is the owner of the Riverdale Business Center. He distributed copies of and read out loud a response to City Attorney Steve Brook's letter sent to each petitioner opposed to Ordinance 790. Mr. Adamson Jr. said Mr. Brook's claim that Ordinance 790 offers additional protections to business owners is not accurate and he said in his opinion the added language doesn't improve a businesses' right to due process. He said the ordinance is vague and doesn't clearly state that a business can continue to operate during the appeal process. Mr. Adamson Jr. said he has concerns about the

“other considerations” clause and he said in his opinion the city should be required to have a law on the books defining a specific activity as illegal before they have grounds to shut a business down. He expressed concern that a potential competitor could make accusations against a business to gain a financial advantage. Mr. Adamson Jr. said the state regulates alcohol licenses strictly and he said they have a policy that gives a business notice of a claim and gives them time to respond before revoking their license. He said in his opinion Riverdale’s proposed appeal system for business license revocation is insufficient and puts an undue hardship on businesses.

Ben Nadolski an Aquatics Biologist with the Department of Wildlife Resources (DWR) said he is concerned about a petition signed by several Riverdale residents to allow Doug Johnson to build a garage on his land behind his home because any new buildings could potentially threaten the preservation of open space along the Weber River corridor. According to Mr. Nadolski, habitats along rivers and streams are vital in Utah for migrating birds and changes to this natural habitat could potentially affect the city of Riverdale for years to come. He also complimented the city on their recent investment in a River Restoration Report and he encouraged the Mayor and Council to fund the projects outlined in that paper.

Riverdale Property Business Owner Donald Adamson Sr. said he opposes Ordinance 790 and he expressed concern in not being able to find common ground with Riverdale City staff on this issue. He said that he has 30 years invested in the city and being given three minutes to speak during open communications isn’t sufficient time to discuss his concerns with this proposed ordinance change. He said the City Attorney has one opinion on Ordinance 790 and his personal attorney has a second opinion and he requested a sit down meeting with city staff where he could articulate why he thinks the ordinance is sufficient the way it is currently drafted without the proposed amendments. Mr. Adamson Sr. said the changes put an undue burden on city businesses and he encouraged the Council not to vote in favor of it.

Crystal Young a RiverRestoration.org employee who helped prepare Riverdale’s flood assessment maps and River Restoration Report earlier this year said that she is concerned about any new structures being built in Riverdale’s flood zone in reference to Mr. Doug Johnson’s petition. She stated that she didn’t know where the Woods Properties being discussed in tonight’s meeting are located or if they are in the flood plain. Ms. Young left the city with several maps to use to evaluate if the area in question is in a flood zone and suggested the building of a berm or levy to protect the Woods Properties from future flooding. She also claimed the building of such a structure could affect a resident’s need to purchase flood insurance.

Riverdale Resident Stacey Haws said he served on the Riverdale City Council when the agreement and land sale of the Woods Properties was decided. He said the Council at that time thought that the agreement was a reasonable compromise between property owners and the City. Mr. Haws said that he is concerned about Mr. Johnson’s request to change the agreement now to allow buildings to be built on the land because it was sold with the understanding that it could only be landscaped and would remain a no build zone. Mr. Haws said in his opinion it would not be appropriate for the City to amend this agreement with the property owners because the land was sold at a reduced price with the

clear understanding that it could never be developed. He expressed concern that the Community Development Director recommended amending the agreement and he stated that from his research it appears that five of the people who signed the petition in favor of amending the agreement never purchased the additional land at the reduced price and one who did has since sold his property and no longer lives there. Mr. Haws encouraged the Council to review the history of this agreement.

There were no additional comments.

E. Presentations and Reports

Mayor Burrows read a thank you note from a resident who said her family appreciated the city waiving the cost of their family's water bill while her husband was deployed with the U.S. military. He also read a Proclamation in support of Organ Donation Awareness Day February 29, 2012 and organ donation month. Mayor Burrows said he and the Council support all efforts to educate the general public about organ donation and to encourage residents to become organ donors. He said he is a registered organ donor and several members of the City Council have been personally impacted by organ donations.

Riverdale Youth City Council member Lindsay Simone reported on the Youth Council Day at the State Legislature 2012 which she said was attended by 14 youth from the city and three adults. According to Miss Simone, the students had broken up into groups to debate for and against a proposed bill to ban teenagers from using cell phones while driving motorized vehicles. She said one debater suggested amending the bill to make it binding for adults too. Miss Simone said the Youth Council also toured the Utah State Capital Building and had lunch at the Little America Hotel while listening to inspirational speaker Liz Murray who grew up homeless but graduated from Harvard and now works with charity organizations. She said the speaker was very motivating and that the entire day was informative and a great opportunity to see how state government works and she thanked the Council for making this opportunity possible for the youth.

F. Consent Items

1. Review of meeting minutes from:

January 17, 2012 City Council Work Session

January 17, 2012 City Council Regular Session

Mayor Burrows asked if there were any changes to the meeting minutes and none were noted.

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

Mayor Burrows said the Council had a week to review and comment on a proposed amendment to RCC 10-18-1 Home Occupations Condition "M" Daycare Centers and on Councilor Staten's proposal to create a Complete Streets Ordinance for Riverdale. There were no questions or comments on these two items.

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

There was no discussion on the motion.

Call the Question: The motion passed unanimously.

Mayor Burrows recognized Scout Troop 290. The Senior Patrol Leader introduced the troop and leaders and they were given information packets to help them with their Citizenship in the Community merit badges.

G. Action Items

1. Consideration of petition for permission to build on contract restricted areas Woods Properties.

Riverdale Resident and Woods Property Owner Doug Johnson said he is petitioning the Council to consider allowing the property owners in his neighborhood to amend a no build agreement with the city. He said that he is interested in either adding on to his existing garage or building a small shop behind his home that would not impact the river or wetlands because he does not believe the property is located in the flood zone or a protected area. Mr. Johnson said several land owners were allowed to keep the sheds built on their properties through a grandfather clause included in the agreement. He said if those buildings threatened the river the city would not have allowed them to remain. Mayor Burrows said in retrospect the city should have required the existing buildings to be moved and not grandfathered.

Mr. Johnson said he has served as a Riverdale Representative on the HAFB water restoration board for a year, is an avid hunter, and has great appreciation for nature and would not want to harm the ecosystem in any way. He said when he purchased this piece of land from the city it was covered in dead trees and garbage and he has cleaned it up and now wants to further improve it by planting grass and building a small shop. He said most of the land owners who signed his petition didn't say that they were interested in building on their own pieces of property but did not oppose his desire to build or rezone request.

Mr. Brooks said the area is currently zoned to prohibit all building and he advised Mr. Johnson that if he wants to go through the process of requesting a rezone Mr. Daily can help him complete the paperwork and submit his petition to the Planning Commission for their consideration. He said that in the meantime Mr. Daily can evaluate the flood maps and DWR concerns expressed in open communications to determine the impact on the river of building on the property in question.

Mayor Burrows said the property rezone request would also be subject to a public hearing where the public could speak in support and opposition to the proposal. Mr. Johnson said he would speak with Mr. Daily and decide how to proceed.

No official action was taken on this agenda item.

2. Consideration of action on implementing no parking zone on west side of Parker Drive at and around Riverdale Park.

Mayor Burrows said the issue of safety on Parker Drive with children crossing from the west side of the street where cars park on a busy day to the east side where Riverdale Park is located was brought to his attention by a Riverdale resident. Councilor Arnold said the resident voiced his concerns about safety on a social media site through the Riverdale Concerned Citizens Facebook page. He said other residents expressed concerns about prohibiting parking because that will mean less parking on busy summer days. Mayor Burrows recommended that the Riverdale Risk Management Committee review the costs and benefits of a no parking restriction on Parker Drive and report back on their findings with a recommendation to the Council at their next regularly scheduled meeting.

Councilor Mitchell said when he heard the suggestion he first thought about the potential safety benefits but since that time he has also received feedback from members of the community concerned because parking restrictions will significantly limit parking especially for events like Old Glory Days and the annual Easter Egg Hunt. Councilor Hunt said he agrees that there isn't sufficient parking and the parking needs of Riverdale citizens should be weighed against potential safety concerns when the Council makes their decision. He asked Police Chief Dave Hansen to evaluate the feasibility of temporarily closing down busy roads during big events.

Councilor Searle said prohibiting parking on the west side of Parker Drive will take away 80 parking spaces and he isn't certain this is the best solution for the city. He said that he will be interested to hear the additional ideas and solutions the police department and Risk Management Committee come up with to address the safety and parking concerns of Riverdale citizens.

Commissioner Staten said in his opinion a greater concern is the crowds in Riverdale Park and he said he would like to discuss this problem at the upcoming Strategic Planning meeting on March 3, 2012. Councilor Searle said the park wasn't as busy in the summer of 2011 as it was the summer of 2010 the first year the splash pad opened in Riverdale. Mayor Burrows said congestion is lessening as other cities build their own splash pads.

Councilor Arnold said he expected city staff to have recommendations prepared on how to address the safety concern of children crossing Parker Drive for the Council to discuss at this meeting so that a resolution could be moved forward quicker. Mayor Burrows reminded Councilor Arnold that he had asked for this item to be placed on the agenda. He said if a resident had requested this discussion, the appropriate department would have taken responsibility for the presentation and proposed solutions. City Administrator Larry Hansen said staff had prepared a map of the area and calculated the cost of no parking signs. He pointed out that several department heads had also offered their comments about the no parking proposal on the executive summary included in the packet. Mayor Burrows said the Risk Management Committee will meet and discuss the request and report back to the Council on February 21, 2012.

No official action was taken on this agenda item.

- 3. a. Consideration of untabling Ordinance 790 amending RCC 3-1-12 suspension, revocation or refusal to renew a city business license to allow administrative staff to suspend business licenses and require**

businesses to show cause to the City Council why the suspension should be lifted.

b. Consideration of Ordinance 790 amending RCC 3-1-12 suspension, revocation or refusal to renew a city business license to allow administrative staff to suspend business licenses and require businesses to show cause to the City Council why the suspension should be lifted.

Motion: Councilor Staten moved to untable Ordinance 790 amending RCC 3-1-12 suspension, revocation or refusal to renew a city business license to allow administrative staff to suspend business licenses and require businesses to show cause to the City Council why the suspension should be lifted. Councilor Arnold seconded the motion.

There was no discussion on the motion.

Call the Question: The motion passed unanimously.

Mr. Brooks said he had emailed his advice on all of the Council's proposed additions, questions and comments about Ordinance 790, prior to tonight's meeting. Mayor Burrows recommended that the Council review each suggested change to the ordinance to see where there is consensus to adopt additions or deletions. Mr. Brooks said Councilor Arnold's suggestion of adding in the language "as an issuing authority" is redundant. Mayor Burrows asked for consensus to leave the phrase "the city" and there was unanimous agreement by the Council.

Mr. Brooks said Councilor Arnold also requested the removal of the phrase "for any other good cause shown" stating that in his opinion it is too vague. Mayor Burrows said that phrase had been a part of the ordinance since it was created in 1985 and that deleting it was not one of Mr. Brook's proposed changes. Mr. Brooks said the phrase does not give the city permission to go in and shut down a business for capricious reasons because doing so would open the city up to a legal suit that they would lose unless they could justify their actions were motivated by a good cause. According to Mr. Brooks, this justification to revoke a business license would only be used as a last recourse if he felt the reason would hold up in a court of law. Councilor Staten said he understands the need for this clause after discussing it with Mr. Brooks, but asked about the code reference of 11-1-16 cited in the ordinance. Mr. Brooks said he does not know what this reference is off the top of his head and suggested if it isn't a reference to an old Riverdale code it could possibly be a citation to state code. Councilor Arnold said there is no 11-1-16 in the state code and he asked that this reference be removed. Mr. Brooks noted the change and said the "any other good cause show" phrase would only be used by the city to take action if the public was in danger of being hurt, like in the case with Spice before a law could be crafted to address that new public danger.

Commissioner Staten said small businesses could argue that they don't have the resources to fight the city in a legal battle for their business license and Mr. Brooks pointed out that in lawsuits court costs and attorney fees are recoverable too. Mr. Brooks said the Roy City Administrator has a lot more authority to shut down businesses under Roy's ordinance than Ordinance 790 will grant to Riverdale staff if it passes. Mr. Brooks said

under Ordinance 790 the City Administrator cannot shut down a business, only the Council has that power following a hearing. According to Mr. Brooks, emergency Council meetings may still need to be called if the city puts a business on notice and they appeal but staff feels the threat is too serious to wait 15 days. Mayor Brooks asked for consensus to remove the phrase “for any other good cause shown” and only Councilor Arnold was in favor of the change. Mr. Brooks asked the Council for consensus to change the phrase with a line from Roy City’s ordinance that reads “Upon reasonable grounds to believe that the licensee has engaged in any conduct which immediately endangers the health or safety of persons or protection of property with the city.” Mayor Burrows asked for consensus to make this change and consensus was reached with four in favor and Councilor Arnold opposed to the change because he doesn’t believe this ordinance is necessary when an emergency session of the City Council could be called allowing the Council the power to determine if there are grounds to suspend or revoke a business license. Councilor Searle said this ordinance is an attempt to clean up the language of an ordinance Riverdale business are already subject to. He said that if concerned business owners were serious about meeting with Mr. Brooks to discuss this ordinance they would have found the time between last September and this February meeting.

Mr. Brooks asked about Councilor Hunt’s suggested language change to permit an extension to the 15 day appeal period and Councilor Hunt said this would allow flexibility in the event a business owner is hospitalized or otherwise incapacitated. Councilor Hunt said the Council could evaluate the situation and grant some leniency to fix the problem within a certain amount of time and he said adding such a provision could put business owners concerned about Ordinance 790 at ease. Mr. Hansen said he thinks there is language already in the ordinance that accomplishes what Mr. Hunt is asking for under Section “C” and Mr. Hunt said that he is satisfied with that explanation.

Councilor Staten said the ordinance is becoming so complicated that he is no longer sure what it says. He suggested it be rewritten so that business owners clearly understand the steps in the business license revocation process once their business has been put on notice for a potential health, safety or welfare violation. Councilor Mitchell said he is concerned that the ordinance is getting too repetitive and stated for the record that he and Councilor Staten are just joining this debate as the ordinance is being finalized and weren’t involved in the initial discussions last September. He asked for consensus that the redundant suggested changes in red not be added to Ordinance 790 and there was unanimous consensus to make the deletion.

Councilor Staten suggested moving the phrase “however, if that decision is appealed, the suspension or revocation shall not take effect until the time period for appealing the decision as set forth in this Chapter has passed” from Section “B” Enforcement to become the last line of Section “C” Procedure. Mr. Brooks noted the change and Mayor Burrows asked for consensus to make this change and it was unanimous.

Councilor Searle said this ordinance has been on the books for over 25 years and has only been used a few times to address problem businesses. He told the business community that these proposed amendments are designed to help the city address behavior that is against the law and he reminded them that 99 percent of all businesses will never have their licenses challenged. According to Councilor Searle, this is like the good landlord policy because it is designed to reduce criminal behavior and all city businesses should

support these proposed changes as they will keep the business community safe from bad businesses engaging in illegal or dangerous activities.

Councilor Arnold said he would like to delay a vote on Ordinance 790 until the next Council meeting to allow the body to make additional changes and for staff to sit down with business owners to ensure that they are all comfortable with the final draft.

Councilor Hunt asked for clarification of the ordinance, specifically if a business would still be required to come before the Council if they had fixed the violation before the 15 day appeal period ends. Mr. Brooks said once the issue has been resolved the business would not be required to argue on behalf of their business license to the Council. He used the example of Frankie's and said the city received several complaints last fall but after an investigation the allegations could not be substantiated and the business was allowed to continue operating without ever coming before the Council. Councilor Hunt asked that language to clarify this be added to Ordinance 790 and Mr. Brooks said that he would add it with consensus from the Council. Mr. Brooks said he would add a line to the end of Section "E" Hearing Notice stating "if the reason for the suspension, revocation or refusal no longer exists or has been cured to the satisfaction of the City Administrator prior to the date set for hearing before the City Council, the City Administrator shall give written notice to the licensee and cancel the hearing and the licensee shall not be required to appear before the City Council." Councilor Arnold said he objects to this phrase being added because it gives the City Administrator the power to determine that the business doesn't need to appear before the City Council for a hearing. Mayor Burrows said the Council would still be notified about the action by the City Administrator and he asked for consensus to make the change. Consensus was reached with all in favor of the change except for Councilor Arnold.

Motion: Councilor Hunt moved to adopt Ordinance 790 amending RCC 3-1-12 suspension, revocation or refusal to renew a city business license to allow administrative staff to suspend business licenses and require businesses to show cause to the City Council why the suspension should be lifted, with the amendments agreed to by Council consensus. Councilor Searle seconded the motion.

Councilors Arnold and Staten said that they would like to read and review the complete and revised Ordinance 790 in its entirety before voting on it and they suggested that the item be held over until the next Council meeting on February 21, 2012.

Roll Call Vote: Councilor Hunt, aye; Councilor Searle, aye; Councilor Arnold, nay; Councilor Mitchell, aye; and Councilor Staten, nay. The motion passed with three in favor and two opposed.

Mayor Burrows asked Mr. Brooks to send a clean copy of Ordinance 790 with all the amendments to the Council to read and review.

4. Consideration of issuing a business license for 2012 to Smokes 4 U 2.

Mr. Brooks said last fall the Council had discussed whether or not to issue a business license to a smoke shop with of history of illegal violations including sales of controlled substances to underage patrons and the sale and manufacture of Spice. According to Mr.

Brooks, just as the police were prepared to close the business down, the business owner said he sold his smoke shop with all of its contents to a new owner. This new owner asked the Council to give him a clean slate and not to hold him responsible for the previous business owner's violations. According to Mr. Brooks, the Council at that time instructed him to draft an agreement clearly stating that any further violations would be immediate grounds business license revocation. He said he had received a signed copy of the agreement back from the business owner and his attorney and had included a copy in the packet for the Council's review so that they could make a decision on whether or not to issue this business a 2012 license to operate in Riverdale.

Councilor Searle said at the meeting last fall the police presented sufficient information to justify the city in shutting down this smoke shop. He said that at that meeting there was some question about whether or not the business was really under new ownership as the man that spoke on behalf of Smokes 4 U 2 last September claimed the business was in his wife's name but she couldn't address the Council as she had just recently moved to Utah from Iraq and did not speak English. Councilor Searle said the representative did not produce a receipt of bill of sale or other proof the business had been purchased by a new owner. He said the Riverdale police detectives told the Council the same employees worked at the establishment and all the same products were still being sold. Councilor Searle said after such a lengthy and thorough police investigation, he would like some proof of the new owner's claims that the business is under new ownership before granting this business a license to operate in Riverdale in 2012. He said he is concerned that the agreement is not strong enough. Mr. Brooks said ownership would be tough to prove and he said the benefit of the city entering into this agreement with this business is it puts a no tolerance policy in place where if the smoke shop violates a law with even one sell to a minor or Spice sale in the future, they will immediately be shut down. He said the city typically doesn't shut down a business after just one violation, but with this agreement in place, it will. Chief Hansen said he isn't aware of any recent reports of Spice being sold at this location. Councilor Searle said he likes the idea of a one strike and you're out policy for this business through the proposed agreement.

Councilor Arnold asked if this agreement is enforceable and said that he is opposed to it because the city isn't requiring all business owners to enter into a similar agreement. Mr. Brooks said that is because most Riverdale businesses don't break the law or require the city to be heavy-handed. Councilor Arnold said the agreement doesn't address the Council's concerns because it doesn't restrict the business from transferring ownership or hiring the same employees as the former smoke shop and Mr. Brooks said putting those provisions in the agreement would be unconstitutional. Councilor Mitchell said by passing Ordinance 790 earlier in the meeting, the city now has the legal authority to enter into and enforce agreements with problem businesses.

Motion: Councilor Mitchell moved to accept the proposed agreement between Riverdale City and Smokes 4 U 2 LLC and to issue them a business license for 2012. Councilor Hunt seconded the motion.

Mayor Burrows asked for discussion on the motion and Councilor Arnold said all businesses should follow the law and so he doesn't think the agreement is necessary and he isn't voting in support of it. Councilor Searle said he likes the fact that attorneys are

involved and have reviewed and signed this agreement so that if there are violations in the future the business owner can't claim they didn't understand the city's laws. Councilor Hunt said this agreement is in fact putting Smokes 4 U 2 in probationary status where any future legal violations will lead to the immediate revocation of their business license and Mr. Brooks confirmed that is the case. Councilor Staten said he likes the agreement because it holds this business to a higher standard than other businesses in the city and forces the owner to be responsible for the actions of the employees he trains and hires. Chief Hansen said most businesses will fire an employee that sells controlled substances to a minor and he has concerns because Smokes 4 U 2 has not done this in the past. He said he supports this agreement because it will give the city the authority to ensure this business is respecting the law.

Roll Call Vote: Councilor Searle, aye; Councilor Arnold, nay; Councilor Mitchell, aye; Councilor Staten, aye; and Councilor Hunt, aye. The motion passed with four in favor and one opposed.

Discretionary Items

Mayor Burrows asked if there were any discretionary items and Councilor Staten asked if it would be appropriate for him to share his thoughts on Riverdale Resident Doug Johnson's proposal to build an accessory building on his property. Mr. Brooks advised Councilor Staten to allow Mr. Johnson to go through the public process if he chooses to proceed with his request and he said the Council will have an opportunity to weigh in on the rezone request after it has been evaluated by the Planning Commission.

Councilor Searle said at a previous Council meeting Keith Manning had asked about the feasibility of keeping the Riverdale Bridge swept during the winter months to remove debris that impedes cyclists. He asked if this is a state highway and who is responsible for maintaining it and Mayor Burrows said he has made inquiries in the past and been told that during the winter the state doesn't sweep the roads. Mayor Burrows said that he would pass along the suggestion that large debris be removed from the bridges. Councilor Staten said most cyclists ride in the road or use the sidewalks to avoid debris this time of year.

Mr. Daily said Destination Homes wants to close on the Hayward Property as the bank is eager to sell this foreclosed parcel and he asked the Council for direction on whether or not they want this land to remain transitional residential or to revert back to commercial. Mr. Hansen said he asked Mr. Daily and Mr. Brooks to contact Land Use Planning and Zoning Attorney Jody Burnett about the Destination Homes request and Mr. Burnett advised the city to reach a clear consensus about the designation of this land so that the bank will know how to market it to developers. Mr. Brooks said the transitional residential designation the previous Council agreed to at the September 2011 Strategic Planning meeting was noted on the General Plan, but this is just an advisory document that isn't binding on the current Council. He said the zoning map still shows the land in a commercial zone. Mr. Brooks said he had also asked Mr. Burnett if the Council could require a townhome development to be owner occupied and Mr. Burnett had confirmed that such a requirement isn't binding or enforceable and if the Council isn't comfortable

with a townhome development without such a provision in place they shouldn't approve it. According to Mr. Burnett, such a legal provision would require the city to sue its residents to enforce the agreement. Mr. Hansen reminded the Council to consider that Utah State Representative Brad Wilson owns Destination Homes when making their decision about this property. Mayor Burrow asked for consensus to leave the Hayward property zoned commercial instead of transitional residential and all council members were in favor of a commercial designation for this property except Councilor Staten.

Mayor Burrows said following this public meeting the Council will adjourn into a scheduled executive session to discuss the character, professional competence, or physical or mental health of an individual.

Motion: Councilor Searle moved to adjourn into a Closed Executive Session for the purpose of discussing the character, professional competence, or physical or mental health of an individual pursuant to Utah Code 52-4-205(1)(a) following the adjournment of the public meeting. Councilor Arnold seconded the motion.

There was no discussion on the motion.

Call the Question: The motion passed unanimously.

H. Adjournment:

With no further business to come before the Council at this time, Councilor Arnold moved to adjourn the meeting. Councilor Searle seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 8:26 PM.

Motion: Councilor Arnold moved to adjourn out of a Closed Executive Session for the purpose of discussing the character, professional competence, or physical or mental health of an individual pursuant to Utah Code 52-4-205(1)(a). Councilor Staten seconded the motion.

There was no discussion on the motion.

Call the Question: The motion passed unanimously.

Approved: February 21, 2012

Attest:

Bruce Burrows, Mayor

Ember Herrick, City Recorder