



Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **June 5, 2012** at 6:06 p.m. at the Riverdale Civic Center, 4600 South Weber River Drive.

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

Others Present:        Larry Hansen, City Administrator, Steve Brooks, City Attorney,  
                              Lynn Fortie, Business Administrator, Shawn Douglas, Public  
                              Works Director, Dave Hansen, Police Chief, Ember Herrick, City  
                              Recorder and citizens including Jim Rumpsa, Amy Mikkelsen,  
                              Rob R., Juanita Durfee, George and Nancy Whitley, Todd  
                              Christiansen, Bryan Hepworth, Mitchell Price, Manita Dervy,  
                              Connor Holland, Cody Conner, Lynn Stevenson, Montana Cragun,  
                              Jordan Gerard, Scott Smith, Jordan Overman, and Colby and  
                              Debra Rogers.

**A. Welcome & Roll Call**

Mayor Burrows called the meeting to order and welcomed all in attendance. He asked the Senior Patrol Leader to introduce his troop. Bryan Hepworth said scouts and leaders from Scout Troops 280 and 286 are in attendance tonight including himself, Mitchell Price, Manita Dervy, Connor Holland, Cody Conner, Lynn Stevenson, Montana Cragun, Jordan Gerard, Scott Smith, Jordan Overman and Colby and Debra Rogers.

**B. Pledge of Allegiance**

Councilor Arnold led the Pledge of Allegiance after which Mayor Burrows read a quote from Queen Isabella I stating her belief that new lands would be discovered through sea exploration and religion brought to the “heathen nations”.

**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**

Boy Scout Bryan Hepworth said residents who live on 1050 West find the street hazardous to cross because of fast moving traffic. He asked the Council to consider the creation of a crosswalk at the intersection near Johnny’s Dairy to make 1050 West safer for pedestrians. Mayor Burrows said the recently created Riverdale Bicycle/Pedestrian Ad Hoc Committee will be discussing safety issues and could review this request.

There were no additional comments.

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

Mayor Burrows and Councilor Searle presented George Whitley with a Certificate of Appreciation from the Riverdale Veterans Committee. According to Mayor Burrows, Mr. Whitley was instrumental in facilitating the creation of the Riverdale Veterans Memorial and has served on the Veterans Committee for years. Mayor Burrows also thanked all the Veterans for their participation at the recent Memorial Day Celebration.

Mayor Burrows said the city had recently hosted a successful Riverdale Business Luncheon and also participated in National Trails Day by dedicating a plaque in honor of former Council member Nancy Brough at the Kayak Park Trailhead on June 2, 2012. He invited the public to attend the Road Respect Tour Saturday June 9, 2012 and Councilor Staten said all boy scouts are invited to ride their bikes with the professional cyclists to the BMX Park along the trail. Councilor Staten said interested boy scouts should meet in uniform with their bikes in front of Johnny's Dairy at 11:45 a.m. to ride alongside the Road Respect cyclists to the city offices by 12:05 p.m. and then continue on to the BMX Park. According to Councilor Staten, Riverdale's participation coincides with the recently created Riverdale Bicycle/Pedestrian Ad Hoc Committee and city's ongoing efforts to create complete streets for cyclists and pedestrians.

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

Mayor Burrows asked if there were any corrections or amendments to the May 15, 2011 meeting minutes and none were noted.

Mayor Burrows asked if anyone had any questions about the Community Development Report or Recorders Report and there were none.

Mayor Burrows informed the Council that they have a week to review and comment on proposed amendments to RCC 10-10A-3 Commercial Zones (C-1, C-2, C-3) Special Regulations

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

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

#### **G. Action Items**

##### **1. Consideration of Resolution 2012-8 approving an amended site plan for "The Crossing at Riverdale" located at 700 west and Riverdale Road**

Jim Rumpsa, Representative for H & P Investments, said this site plan amendment to create a Buffalo Wild Wings restaurant at the corner of 700 West and Riverdale Road will bring additional revenue to the city. Mr. Daily said the Planning Commission has reviewed the proposal and recommends approval. He said the rock on the exterior of the building will be unique to this restaurant location and was negotiated by H & P Investments to maintain a consistent look for the complex. Councilor

Staten asked if patrons will be able to access the restaurant from 700 West and Community Development Director Randy Daily said a curb cut is planned. Mr. Rumpsa said the entrance will be further North from Riverdale Road than an earlier proposal when a bank was considering building on this parcel. Councilor Staten asked if this curb cut on 700 West will have any turning restrictions and Mr. Daily said initially it will not as the Sinclair gas station across from this proposed restaurant allows unrestricted access from 700 West. Mr. Daily said if problems arise at this location in the future, a sign or island could be considered by the Risk Management Committee.

**Motion:** Councilor Hunt moved to approve the amended site plan for “The Crossing at Riverdale” located at 700 west and Riverdale Road. Councilor Arnold seconded the motion.

There was no discussion on the motion.

**Roll Call Vote:** Councilor Hunt, Aye; Councilor Searle, Aye; Councilor Arnold, Aye; Councilor Mitchell, Aye; Councilor Staten, Aye. The motion passed unanimously.

## **2. Consideration of Resolution 2012-7 amending the job description for Public Works Crew Leaders**

Public Works Director Shawn Douglas, said in order to save his department money he is asking the Council to consider a proposal to create a Maintenance Field Supervisor position and abolish his old Assistant Public Works Director position using part-time summer help to help maintain the city’s parks during the busy season. Councilor Searle asked about a discrepancy in the resolution number referenced on the agenda as 2012-7 but included in the packet as 2012-8 and Mr. Brooks said the City Recorder has the master list and will correct the resolution number. City Administrator Larry Hansen said the job title used in Resolution 2012-7 is not the same as the title listed on the job description in Attachment “A” included in the packet and Mr. Brooks said he would correct the title on the resolution before the Mayor signs it.

Councilor Mitchell asked how the Public Works Department has been operating since Mr. Douglas replaced Lynn Moulding following his retirement and Mr. Douglas said his department has tested this proposed staffing reorganization for the last year and it has worked well. He said Resolution 2012-7 will make the changes official by abolishing the Assistant Public Works Director position and amending the job description, duties and compensation for Maintenance Field Supervisors. According to Mr. Douglas, eliminating one full-time position by reassigning duties to existing full-time employees and using part-time seasonal help will save the city \$300,000 over the next five years.

**Motion:** Councilor Arnold moved to Resolution 2012-7 amending the job description for Public Works Crew Leaders. Councilor Mitchell seconded the motion.

There was no discussion on the motion.

**Roll Call Vote:** Councilor Searle, Aye; Councilor Arnold, Aye; Councilor Mitchell, Aye; Councilor Staten, Aye; Councilor Hunt, Aye. The motion passed unanimously.

**3. Consideration of change orders for 4400 South 700 West Roundabout Project**  
**a. Change Order #1 for Roundabout Project**  
**b. Pricing amendment for sidewalk extension along 700 West**

Mr. Douglas said Change Order 1 for the Roundabout Project at 4400 South and 700 West is necessary because a layer of cement needed to be removed by the contractor at an additional expense before the proper amount of road base could be compacted and asphalt laid. He said the contractor is willing to extend the sidewalk at the Council's request along 700 West at the same price per square foot as stipulated in the original bid. Councilor Searle thanked Councilor Hunt for suggesting the sidewalk be extended in this area while it is already under construction and he said this coincides with Riverdale's goal to create complete streets and make Riverdale safer for pedestrians.

**Motion:** Councilor Arnold moved to approve change orders for 4400 South 700 West Roundabout Project including Change Order #1 for Roundabout Project and pricing amendment for sidewalk extension along 700 West. Councilor Searle seconded the motion.

There was no discussion on the motion.

**Roll Call Vote:** Councilor Arnold, Aye; Councilor Mitchell, Aye; Councilor Staten, Aye; Councilor Hunt, Aye; Councilor Searle, Aye. The motion passed unanimously.

**4. Consideration of Ordinance 807 amending RCC 4-4-4A Disposal of Refuse and Recycling**

Mr. Douglas said proposed Ordinance 807 amending Riverdale's Disposal of Refuse and Recycling policy is a housekeeping item the city thought prudent to address before the final opt-out recycling period ends. Councilor Arnold said a resident had asked him why trailer courts have garbage pick up but not recycling and Mr. Douglas said the trailer courts contract their waste removal independent from the city and he recommended that the residents approach their park manager to request recycling options.

**Motion:** Councilor Searle moved to approve Ordinance 807 amending RCC 4-4-4A Disposal of Refuse and Recycling. Councilor Arnold seconded the motion.

There was no discussion on the motion.

**Roll Call Vote:** Councilor Arnold, Aye; Councilor Mitchell, Aye; Councilor Staten, Aye; Councilor Hunt, Aye; Councilor Searle, Aye. The motion passed unanimously.

5. a. **Discussion on days/hours of operation of the Riverdale Splash Pad**
- b. **Consideration of Resolution 2012-9 to amend the days/hours of operation of the Riverdale Splash Pad**

Mayor Burrows said the Council requested a discussion on the Splash Pad hours but the system has limitations and can only be programmed to go on or off at two different times during the week. Councilor Searle said he likes the idea of standard hours to make it easier for staff and he would also like to address residents' noise concerns with the feature open seven days a week. Mr. Hansen said he encourages the Council to discuss the Splash Pad hours but he recommends any changes be implemented next year as reservations for park pavilions have already been made for 2012. He said while he is sympathetic to the residents who live adjacent to the park and are impacted by the noise from the Splash Pad, he encouraged the Council to remember that they are representatives responsible for making decisions that are in the best interests of Riverdale's 8,400 residents. Councilor Searle said he has received complaints about the noise from residents ever since the Splash Pad opened two years ago and so he recently went door to door talking to residents who live in the two cul-de-sacs that border the park. According to Councilor Searle, two families said they aren't bothered by the noise but the rest of the residents he talked to said they would like the water feature to not operate on Sundays or to have shorter hours to allow residents some quiet time with their families on Sunday evenings. He said some residents expressed additional concerns not related to the Splash Pad that he will forward to Mr. Hansen in an email.

Mayor Burrows asked how many people with reservations would need to be notified about a change in the Splash Pad schedule if the Council wanted to change the hours this season. Mr. Hansen said in the vicinity of the Splash Pad there are four pavilions reserved for two different time periods each day for a total of eight reservations a day from now until Labor Day when the feature is winterized in September. He said pavilion reservations at the park are daily from 9 a.m. to 3 p.m. and 4 p.m. to dusk and he recommended any changes be made for 2013 to give the city time to notice the new hours on the website, in the city newsletter, and at the Splash Pad site. Mr. Hansen said having standardized hours would make it easier for staff to answer inquiries when people call to find out when the Splash Pad is open and for the Public Works on-call employees who are responsible for troubleshooting any problems with the water feature and maintaining the parks on the weekends.

Councilor Staten asked when individuals can begin making reservations for 2013 and Mr. Hansen said some are made as early as January first. Councilor Staten said he would like to hear from the affected homeowners who live adjacent to Riverdale Park so that their concerns are recorded in their own words on the official record. He suggested the Council monitor how busy the Splash Pad is this summer with the opening of three new Splash Pads in surrounding communities.

Councilor Arnold said in his opinion this amenity was created for the public and he would like people who visit the park to be able to use it seven days a week without any special restrictions put in place to accommodate a few homeowners. He said he was opposed to building the Splash Pad, to where the Council agreed to place it in the park, and the money spent on it, but now it is there his family uses it and the neighbors who live around it need to remember that neighborhoods change over time. According to Councilor Arnold the park was created before the affected subdivisions were built so all of the homeowners knew what they were getting into before they moved in. He said he also doesn't want to create the perception that the Council is closing the Splash Pad for religious reasons by having it closed on Sundays recognized as the Christian Sabbath.

Councilor Mitchell said he agrees with Mr. Hansen that it would be unfair to change the hours for the Splash Pad in 2012 but he suggested the Council discuss this issue again in the fall to see if there is consensus to create a new schedule for 2013. He said he agrees with Councilor Staten that it would be prudent to monitor how busy the Splash Pad is this summer to see if there is less volume and if the neighboring residents still have concerns at the end of the season.

Councilor Hunt said he served on the Council when the Splash Pad was initially being discussed and the placement of this water feature was carefully considered and weighed against the possible impact on nearby residents. He said while he is sympathetic to those bothered by the noise, the park is designed to provide recreation and enjoyment for the public. Mr. Hansen said modifying Riverdale's Splash Pad hours by closing the feature at 7 p.m. on weekdays and earlier on Sundays could reduce congestion by encouraging some patrons to visit another city's Splash Pad that stays open until 8 p.m. or dusk. According to Mr. Hansen, South Ogden's Splash Pad is not located near a residential area. Councilor Mitchell said city parks are designed to accommodate Riverdale residents and he would be in favor of any measures that could encourage non-residents to use another city's Splash Pad. He asked if the city could conduct an unofficial survey to see who is using the Splash Pad. Councilor Arnold said Riverdale relies on non-residents to spend money in Riverdale and if people are coming to use Riverdale's Splash Pad they could also be eating or shopping in the city which helps the city's tax base.

Mr. Douglas said currently the Splash Pad closes at 7 p.m. on some days and 8 p.m. on others and he said it would be easier for his employees if the feature had set hours. Councilor Arnold asked if the Council would consider leaving the Splash Pad open later until 8 p.m. every weekday if it closed earlier at 6 p.m. on Sundays. Councilor Searle said he did not think residents would like to have the noise later on each weeknight just to have the feature close an hour earlier on Sundays. He said he would like to see standardized hours from 10 a.m. to 7 p.m. daily and considerably shorter hours or the feature closed on Sundays to give residents one day of peace and quiet. Councilor Arnold said the later hours help accommodate working parents that may not be able to take their children during the day and he said that he has observed the Splash Pad is always busy on Monday and Wednesday nights when it is open until 8 p.m.

Mr. Douglas said the system is designed to allow for two different shut-off times during the week and he is happy to set the hours and have his staff work around whatever the Council decides by consensus.

**Mayor Burrows asked for consensus to discuss the Riverdale Splash Pad hours after the 2012 season ends at the Council meeting on September 18, 2012. Consensus was reached with the Council voting unanimously in favor of the proposal.**

6.
  - a. **Consideration of untabling discussion on adopting an addendum to Riverdale City's interlocal agreement with Communities That Care (CTC)**
  - b. **Consideration of Resolution 2012-2 adopting an addendum to Riverdale City's interlocal agreement with Communities That Care (CTC)**

**Motion:** Councilor Arnold moved to untable discussion on adopting an addendum to Riverdale City's interlocal agreement with Communities That Care (CTC). Councilor Mitchell seconded the motion.

There was no discussion on the motion.

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

Mr. Brooks said he met with Tom Hansen who is the City Administrator for Washington Terrace to discuss the addendum to the interlocal agreement with CTC that he drafted and he said it is currently being reviewed by the other city signatories to the original interlocal.

**Motion:** Councilor Arnold moved to adopt an addendum to Riverdale City's interlocal agreement with Communities That Care (CTC). Councilor Hunt seconded the motion.

There was no discussion on the motion.

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

7. **Public hearing to receive and consider public comment regarding proposed amendments to RCC 1-12 1 through 13 The Consolidated Fee Schedule**
  1. **Sewer rates**
  2. **Non-resident recreation fees**
  3. **Fire Inspection fee waiver for 501-C-3 non-profits**
  4. **Commercial/non-commercial site plan review fees**

Mr. Fortie said under the Public Works section of the fee schedule there is a mandatory 25 percent sewer rate increase and Mayor Burrows noted for the record that this is

Central Weber Sewer District rate increase not a city sewer rate increase. Councilor Searle asked about water rate increases and Mr. Fortie said the city is not increasing water rates at all for the upcoming fiscal year. Mr. Fortie said the additional line items included in this proposed mark-up of the fee schedule are already on Public Work's Department's list but were not previously all listed in the fee schedule. He said listing all the pipe sizes and rates is simply a housekeeping item so that people can look up the amounts on their own without calling the Public Works Department.

Mr. Fortie said recreation center fees for non-residents to participate in sports teams have been increased to \$50. Mr. Hansen said this is comparable to what neighboring cities charge and was necessary as Riverdale's teams were getting inundated with non-resident players because fees are cheaper in Riverdale than the surrounding cities. Councilor Mitchell asked how much the non-resident fees were before the proposed change. Mr. Fortie said he would need to check with Jeannette Hall for the exact numbers but when Ms. Hall surveyed the surrounding communities, Riverdale's fees were considerably less.

Mayor Burrows opened the public hearing to receive and consider public comment on the proposed fee schedule amendments. There were no comments or questions from the public.

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

There was no discussion on the motion.

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

**8. Public hearing to receive and consider public comment regarding proposed amendments to the FY 2011-2012 budget**

Mr. Fortie said the 2011-12 budget amendments were all included in the packet and he asked the Council if they had any questions or concerns and none were noted.

Mayor Burrows opened the public hearing to receive and consider public comment on the proposed amendments to the FY 2011-2012 budget. There were no comments or questions from the public.

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

There was no discussion on the motion.

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

**9. Public hearing to receive and consider public comment regarding proposed FY 2012-2013 budget for all funds**

Mr. Fortie said the 2012-13 Budget was included in the packet and he noted that he had added Class C Road Fund expenditures in to balance the projected revenue. He asked the Council if they had any questions or concerns and none were noted.

Mayor Burrows opened the public hearing to receive and consider public comment on the proposed FY 2012-2013 budget. There were no comments or questions from the public.

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

There was no discussion on the motion.

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

**10. Public hearing to receive and consider public comment regarding amending RCC 1-7-1 Human Resource Manual, RCC 1-7-2 Salaries and Expenses, and 1-7F-6 Justice Court Judge**

Mr. Fortie noted that in the next fiscal year the Mayor and Council will be paid a monthly salary instead of a fee for each meeting they attend, as requested in previous discussions. He said there were no changes not previously discussed.

Mayor Burrows opened the public hearing to receive and consider public comment on the proposed FY 2012-2013 budget. There were no comments or questions from the public.

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

There was no discussion on the motion.

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

**11. Public hearing to receive and consider public comment regarding proposed amendments to the Certified Tax Rate**

Mr. Fortie said he was still waiting for Weber County to provide him with the certified tax rate for FY 2013. He said the recommendation will be to adopt the certified tax rate they propose and Mayor Burrows explained to the new Council members that Riverdale has the option to either adopt Weber County's certified tax rate or a lower rate or must hold truth in taxation meetings if they wish to charge residents a higher rate.

Mayor Burrows opened the public hearing to receive and consider public comment on the proposed amendments to the Certified Tax Rate. There were no comments or questions from the public.

**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.

**12. Consideration of additional amendments to FY 2011-2012 and 2012-2013 budgets**

Mr. Hansen asked the Council to ratify the addition of item seven to the 2012-13 budget amendments since it has been added since the Strategic Planning budget meeting in May.

**Motion:** Councilor Staten moved to accept the amendments log with the seven items proposed. Councilor Mitchell seconded the motion.

There was no discussion on the motion.

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

Mayor Burrows said a motion to adjourn into an RDA session to hold a public hearing on the RDA budgets would be appropriate at this time.

**Motion:** Councilor Arnold moved to adjourn into an RDA session. Councilor Staten seconded the motion.

There was no discussion on the motion.

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

The Council meeting temporarily adjourned at 7:27 p.m. and resumed at 7:40 p.m.

**Discretionary Items**

Councilor Mitchell said Riverdale Resident and former Veteran's Committee Member Chuck Kerkvliet had contacted him about following up on whether or not Riverdale will participate in the military's Community Covenant Program. Mr. Hansen said the program's local representative had to cancel a meeting with him last week and had rescheduled to meet on Wednesday, June 6, 2012. He said he hoped to have more information about Riverdale's involvement in this program to update the Council at their next regularly scheduled meeting. There were no additional discretionary items.

Mayor Burrows said a motion to adjourn into an 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) would be appropriate at this time.

**Motion:** Councilor Arnold moved to adjourn into an 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 Searle seconded the motion.

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

The Council adjourned into an executive session at 7:42 p.m. and resumed at 8:36 p.m.

**I. Adjournment:**

With no further business to come before the Council at this time, Councilor Staten moved to adjourn the meeting. Councilor Arnold seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 8:37 p.m.

Approved: June 19, 2012

Attest:

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Bruce Burrows, Mayor

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Ember Herrick, City Recorder