



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

Minutes of the **Regular Meeting** of the **Riverdale City Council** held Wednesday,  
**November 7, 2012** at 6:10 PM at the Riverdale Civic Center, 4600 South Weber River Drive.

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

Others Present: Larry Hansen, City Administrator; Steve Brooks, City Attorney;  
Lynn Fortie, Business Administrator; Dave Hansen, Police Chief;  
Randy Daily, Community Development Director; Jeannette Hall,  
Community Services Director; Riverdale Fire Fighters David  
Ermer, Cameron Beck, David Kingsley and Jim Robinson; Ember  
Herrick, City Recorder and 13 members of the public including  
David Leahy, Chuck Kerkvliet, Keith Banderhout, Dean Harris,  
Carol Harris, Jan Piepgrass, Gary Boatright Jr., Bruce Nelson,  
Andrew Long, Matt Staten, Kent Lyman, Katie Ellis and Dallas  
Buttars

**A. Welcome & Roll Call**

Mayor Burrows called the meeting to order and welcomed all in attendance including all Council members and a Boy Scout Troop. Troop Leader Andrew Long introduced himself and fellow Scout Matt Staten and their Troop 270 leaders Kent Lyman and Bruce Nelson.

**B. Pledge of Allegiance**

City Administrator Larry Hansen led the Pledge of Allegiance and Mayor Burrows read three proverbs from Benjamin Franklin “ God heals and the doctor takes the fees”, “God helps them that help themselves” and “work as if you will live to be one hundred, pray as if you were to die tomorrow”.

**C. Moment of Silence**

Mayor Burrows 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.

Riverdale resident Katie Ellis said she had some comments on the proposed rental policy for the Riverdale Community Center. She thanked the city for responding to her request

so quickly and suggested that Riverdale follow Roy City's procedure of charging a rental fee of \$25 for the first hour and five dollars for each subsequent hour. Ms. Ellis said she would also like non-residents charged the same fees as residents to participate in classes and for the city to relax its strict policy of not allowing fliers for classes taught by outside instructors to be noticed through city publications. She said the Riverdale Seniors have their activities noticed in the city newsletter and she would like to see a Community Center calendar with all of the available classes listed too. Ms. Ellis said she would also like to see exercise classes held in the gym when it is not reserved because that venue would be more conducive to exercise classes than the meeting room.

Riverdale resident Dave Leahy said he wanted to thank the city on behalf of the Riverdale Veteran's Advisory Group for maintaining the Veterans Memorial. He thanked the Public Works employees for removing the concrete sign in front of the memorial so that it is more visible from the street. Mr. Leahy invited the Mayor, Council and public to the Veterans Day Ceremony scheduled for November 12, 2012 and he thanked Webmaster Chris Stone for keeping the veterans' page of the city website updated. He also thanked the police for handling traffic control during the ceremony, Ellis Printing and River Print for printing fliers and programs, Wal-Mart for the refreshments, the HAFB Color guard for handling the flag ceremony, the bugler for sharing his musical talents, and General Tanzi for offering the key note speech. Mr. Leahy also commended all the members of the Veterans Advisory Group for all their work behind the scenes and Councilor Norm Searle for his strong leadership. He said it is inspiring to see the residents and commercial district come together for a good cause.

There were no additional comments.

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

Mayor Burrows said the Veteran's Day Ceremony will be at 9 a.m. on Monday November 12, 2012. He thanked Weber County for their handling of the National General Election and the election judges who worked at the Riverdale polling stations for the smooth flow of traffic as voters participated in the political process.

There were no comments on the Recorder's Report.

Mayor Burrows asked for any questions on the Community Development Projects Status Report and there were none.

City Attorney Steve Brooks said Councilor Mitchell had received a letter from Riverdale resident Stephen Winn indicating that there are legal proceedings between himself and his developer in regard to the water problems he claims he is having on his property in the Combe Farms subdivision at address 5553 S. 575 W. Mr. Brooks said included in the Council packet is a timeline of the city's interactions and correspondence with the Winns from the time the city was contacted about water issues on the property. Mr. Brooks advised the Council this is a civil matter that does not involve the city and now legal proceedings have been initiated the city cannot be involved. Community Development Director Randy Daily said he visited the Winn's property since the last meeting when this was discussed and the problem area is now dry which he attributes to the fact the secondary water has been turned off for the season. He said this appears to substantiate

the city's initial advice to the Winns that their standing water problem is caused by overwatering by neighbors and not ground water. Mr. Brooks said Mr. Winn had asked Councilor Mitchell to read his letter during open communications for the record, but Mr. Brooks said that he had advised Councilor Mitchell against doing this stating the Winns are welcome to speak during open communications at any time but the city cannot appear to be taking sides in an ongoing legal matter.

Mr. Hansen said he recently had a conversation about a request from the Roy Historical Foundation to help fund their museum with Roy City Manager Chris Davis. He said the museum is closed for the season and fiscal issues associated with the organization have come to light that need further review before he will have a proposal ready for Council consideration. Mr. Hansen said he is planning to meet with Roy Mayor Richie, Mr. Davis, and representatives from the Roy Historical Foundation to better understand what is being requested of Riverdale City. Mr. Hansen said an Ad Hoc Committee may convene to evaluate and make recommendations to the Riverdale and Roy City Councils about any proposals before official action is considered. He said Riverdale is open to considering a financial partnership with Roy City to fund a joint museum if the arrangement will be mutually beneficial to residents in both cities.

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

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

Jeff Ambrose, an Auditor with Crane, Christensen Palmer & Ambrose, gave a presentation on an independent audit report of Riverdale City's 2012 financial year. He thanked Riverdale City employees who helped him with his audit and he complimented Business Administrator Lynn Fortie for his record keeping. He said there was only one item that he found that needed to be corrected and he reported that Riverdale's audit report for 2012 was clean. According to Mr. Ambrose, the State Auditor's Office requires an annual Internal Control and Compliance and Legal Compliance Report and he will now submit a letter to them explaining the scope of the audit and that his firm found nothing negative to report. Mr. Ambrose expounded on some of the charts in the report to the Council explaining that Riverdale's largest expenditures are to provide public safety including police, fire, and ambulance service. He said Riverdale's fund balance has been steadily increasing over the years and he asked for any questions. Councilor Staten asked if the audit report was included in the packet and the City Recorder explained there was a hyperlink to the report on the city's website and the link rather than the full report was included in the packet because of the size of the file. There were no additional questions. Mr. Ambrose encouraged the Mayor and Council members to contact him if they had additional questions after reviewing the report further.

**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.

## **G. Action Items**

### **1. a. Consideration of untabling discussion on adopting an Interlocal Agreement for Fire Chief Professional Services with Roy City**

Mayor Burrows said a motion to untable would be in order.

**Motion:** Councilor Arnold moved to untable discussion on adopting an Interlocal Agreement for Fire Chief Professional Services with Roy City. Councilor Mitchell seconded the motion.

There was no discussion on the motion.

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

### **b. Discussion of Resolution 2012-20 adopting an Interlocal Agreement for Fire Chief Professional Services with Roy City**

Mr. Hansen said the leadership transition for the Riverdale Fire Department has been slow since the former chief resigned in January 2012. He said the proposed interlocal agreement with Roy City to share fire chief professional services is worth pursuing to help city administration address Riverdale Fire Department policy and leadership issues. According to Mr. Hansen, this transition has put some additional pressure on fire department employees but he is confident in the ability of Riverdale Fire Fighters to perform their duties to a high professional standard. Mr. Hansen said Riverdale residents deserve a sustainable fire department and the recent addition of an ambulance service is helping to offset the department's expenditures. He said Riverdale's Fire Fighters deserve professional leadership and for departmental issues to be resolved expediently and permanently. Mr. Hansen said this is the purpose of the proposed interlocal with Roy which provides both cities with a 60 day termination clause if either party finds the agreement isn't mutually beneficial for them. He said he and the Mayor have met with the fire department staff and captains on multiple occasions to engage in open discussion and dialogue about how to address issues within their department during this transition. Mr. Hansen said Roy and Riverdale already work closely together as sister cities and collaboration is encouraged by the State of Utah. He asked the Council to approve the proposed interlocal agreement so that Riverdale's Fire Department staff and the public can have confidence in the future of this core service.

Councilor Hunt said his understanding is that this interlocal will allow Roy's Fire Chief to play a consultant advisory role in helping Mr. Hansen fix Riverdale's Fire Department and he said he isn't opposed to it but he is concerned Roy's Chief will only spend 30 percent of his time in Riverdale. Councilor Hunt said he wants strong leadership for Riverdale's Fire Department and wants the city to consider hiring a chief now. Mayor Burrows said administration will eventually interview and hire a fire chief but wants to get the best leader for the department and that is difficult to do until there is a clear understanding of what the issues are and what leadership qualities they should be looking for in the department's next leader. He said Roy's current Fire Chief has worked for

Riverdale in the past and is familiar with the department and many members of the staff and will be able to identify what needs require immediate attention while catching any nuances within a fire department that city administration may not see because fire services are outside administration's area of expertise. Mayor Burrows said the city is determined to hire a strong leader for the department that will address the issues that staff and administration have already identified along with additional problems Roy's Fire Chief identifies. Mr. Hansen reiterated that fire services are very important to the city and his goal is to hire strong leadership by first obtaining the proper assessment so that he can select the best chief for the department. He said he needs to be able to explain what the issues are in Riverdale's Fire Department to the candidates he interviews for the chief position to hear how they plan to address Riverdale's specific challenges. According to Mr. Hansen, it is only fair that the individual hired as Riverdale's new Fire Chief has a clear understanding of what is expected of him/her and has clear benchmarks so that administration can measure progress under his/her leadership.

Councilor Arnold said he likes the idea of an interlocal agreement, but from a legal perspective he wants to know if the city will be meeting its duty to provide leadership to the fire department employees by delaying hiring a full-time chief. According to Mr. Brooks, three city attorneys as well as several Utah Retirement System (URS) attorneys have reviewed the proposed interlocal for any legal issues. He said interlocals are very common between cities and Riverdale currently has many ongoing agreements with neighboring cities and agencies to share services. According to Mr. Brooks, Riverdale has a current full-time Acting Fire Chief Matt Hennessey and three captains so Riverdale's Fire Department has not been without leadership during this transition. Councilor Arnold said he is in favor of entering into the proposed interlocal agreement with the understanding that the city is working towards hiring a full-time chief and does not intend to operate without a chief for the five year term of the interlocal.

Councilor Staten asked what percentage of Riverdale Fire Fighters also work for Roy and Mr. Hansen said at least six. According to Mr. Hansen, there are 15 or 16 part-time fire fighters in Riverdale and most hold jobs with other agencies where they are captains or deputy chiefs. He said this is a common practice between cities. Mr. Hansen said Riverdale currently has six full-time fire positions and three full-time captain positions with authorization to hire a full-time chief. He said under the proposed interlocal the Council will get regular reports from Roy's Fire Chief and benchmarks will be established to measure the department's progress.

Councilor Staten asked why there is a 60 days escape clause instead of 30 days and Mr. Hansen said there is no particular reason but he doubts that Roy would hold them to the 60 days if they wanted to exit quicker as discussions about this proposal have been very friendly. Mayor Burrows said with the Council only meeting twice a month 30 days is often not much time for two cities to take action. Councilor Staten said he would rather the exit period be 30 days instead of 60 and he asked what staff thinks about the proposal. Mr. Hansen said there is not a collective clamor for the interlocal but most employees seem willing to give it a try and many have personally confided in him there are some serious issues in the department they want evaluated and resolved before morale and harmony deteriorates any further. Councilor Staten said he has asked around about Roy's new Fire Chief and has heard only good things about him and agrees he should be able to

understand the personalities and interpersonal politics involved in Riverdale's department. He said he is willing to give the proposed interlocal a try if it is a first step to hiring a full-time chief or entering into a co-operative agreement to get multiple fire departments to join together to provide fire services. Councilor Staten said he wants to see regular progress reports and status updates about the progress being made within Riverdale's Fire Department. Mr. Hansen said Roy's Fire Chief will attend Riverdale City Council meetings regularly to answer questions and give regular status reports.

Councilor Hunt said he isn't opposed to using the interlocal with Roy for professional services and sharing duties, but Riverdale's Fire Department is separate and has its own identity. He said in his opinion the only way to address a department he thinks is deteriorating is with strong leadership. Mayor Burrows said Roy's Fire Chief will not have the power to hire or fire or make any department decisions, he will only consult with Mr. Hansen and coordinate with the existing captains. Mr. Hansen said Roy's Fire Chief will also attend weekly staff meeting to get feedback from the other department heads in the city. Mayor Burrows commended Riverdale's Fire Department for their professionalism when they are out on medical or fire calls to provide safety for citizens even without the leadership of a full-time chief for the last nine months. Mr. Hansen said in the interim, he has worked hard to address any issues that have been brought to his attention including a complaint about insufficient manpower for shift coverage which was resolved as soon as staff brought the issue to his attention. According to Mr. Hansen, fire staff will continue to have input throughout the transition process. He said for the last nine months since Riverdale's Fire Chief resigned, Riverdale's Fire Department has been operating transparently, which he attributes to the professionalism of the staff.

Councilor Searle said he has worked in an organization without leadership in the past and knows firsthand how morale issues can arise when there is a vacancy. He said he recognizes there are issues administration needs a fire professional to identify before it can be addressed appropriately. Councilor Searle said he has confidence in Mr. Hansen's leadership and supports the proposed interlocal as a means for Riverdale City to try and work through issues and select a good candidate for a future full-time chief, hopefully within the next six months. He said Riverdale City has invested a lot of money in good equipment with a goal to provide excellent fire services and he said he is proud of the work Riverdale Fire Fighters do and their commitment to Riverdale residents and patrons. Councilor Mitchell said he agrees Riverdale has a great fire department and this is one of the most important decisions the new Council has made to date. He said he would like to know what the fire staff thinks of the arrangement and he agreed that he too would like the department's future to be solidified in six months to a year. Councilor Mitchell asked if an interlocal similar to the one Riverdale is proposing to enter into with Roy has been tried before by other cities and he said he too would like a 30 day out exit clause.

**Motion:** Councilor Arnold motion to approve Resolution 2012-20 adopting an Interlocal Agreement for Fire Chief Professional Services with Roy City. Councilor Searle seconded the motion.

Mayor Burrows asked for discussion on the motion and Councilor Staten asked for consensus for a 30 day exit clause instead of 60 days. Mr. Hansen said both Roy and Riverdale are voting on adopting this agreement as it is drafted tonight so if amendments are made by one city and not agreed to by the other, both will need to wait another two weeks until the next meeting to approve an amended agreement. Mayor Burrows said if either city wants to exit the agreement the other city would not demand they wait two months and Mr. Hansen assured the Council negotiations with Roy have been very amicable. Councilor Searle said the 60 day exit period could be an advantage to Riverdale allowing the city to have an interim chief while noticing the job opening and conducting interviews for their own full-time chief. There was no additional discussion on the motion.

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

**2. Consideration of Resolution 2012-22 a request to convey/exchange properties owned by Riverdale City and Riverside Village Mobile Home Park, located at 4375 S. Weber River Drive**

Mr. Daily said a thorough summary explaining the request to convey/exchange properties owned by Riverdale City and Riverside Village Mobile Home Park, located at 4375 S. Weber River Drive was included in the packet. He asked for any questions or comments and there were none.

**Motion:** Councilor Arnold moved to approve Resolution 2012-22 a request to convey/exchange properties owned by Riverdale City and Riverside Village Mobile Home Park, located at 4375 S. Weber River Drive. Councilor Staten seconded the motion.

There was no discussion on the motion.

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

**3. Consideration of Resolution 2012-23 amending RCC 1-12-11 Community Services Fees on Riverdale's Consolidated Fee Schedule and the city's Recreation Center rental policy**

Mr. Hansen said Community Services Director Jeannette Hall has spent considerable time revising Riverdale's rental policy and drawing up a contract for instructors to rent rooms at the Community Center to allow them to teach classes in response to resident Katie Ellis' request at the last Council meeting. Mr. Hansen said he is recommending that the Council consider whether or not the Community Center can expand the classes it currently offers to accommodate this request without the hassle of requiring business licenses, liability insurance, and contracts with independent instructors. Mr. Hansen suggested the city hire instructors or secure volunteers instead of opening the Community Center up to for-profit enterprises. Councilor Arnold asked if this action item should be

tabled tonight to allow Ms. Hall to amend her proposal to incorporate in Mr. Hansen's recommendations.

**Motion:** Councilor Arnold moved to table discussion on proposed Resolution 2012-23 amending RCC 1-12-11 Community Services Fees on Riverdale's Consolidated Fee Schedule and the city's Recreation Center rental policy. Councilor Hunt seconded the motion.

Mayor Burrows asked for discussion on the motion and Ms. Hall said she is open to amending the proposal. She said she modeled her proposal after Brigham City, Roy, and South Weber who all require their instructors to complete a contract, have a city business license and insurance to minimize liability. Mr. Brooks agreed there needs to be a contract between the city and a paid instructor, but he said the Community Center's liability insurance should cover all classes taught there and if instructors are hired by the city they wouldn't need an independent business license. Mayor Burrows said he would like to see if the city can provide the classes residents are interested in and Mr. Arnold said the Roy Recreation facility is busy with classes and he is confident Riverdale's exercise classes would also be very popular. Ms. Hall said three people have contacted her interested in teaching Zumba classes as paid instructors. She recommended against using volunteers as she has tried this at the Community Center twice in the past and interest seems to dwindle within the first month because there is no financial incentive to motivate the instructor. Mr. Hansen said volunteers have taught a variety of successful classes at the Senior Center for the past seven years and the key is to find classes that the public wants. He said for years Riverdale ran a successful adult men's basketball program but there was a lack of resident participation so the program was cancelled last year to allow programs more popular with Riverdale residents to use the facility. Mayor Burrows commended Ms. Hall for all of her hard work in getting this proposal ready for the Council and he asked her to speak with Mr. Hansen to reach a consensus for the Council to consider at their next regularly scheduled meeting. Councilor Staten said he had some suggestions and recommendations and Mayor Burrows encouraged him to send them to Mr. Hansen so that they can be included in the next packet. There were no additional comments or questions.

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

Ms. Hall said she had also included a line in the consolidated fee schedule to make \$15 of the fee for a child to participate in a sports program non-refundable. She said this is becoming necessary as Riverdale creates play schedules with four other cities and when children drop out of teams for no good reason it creates a logistical scheduling problem for all the cities involved. Ms. Hall said she will retain discretion to refund the entire amount in the event of extenuating circumstances. Mr. Brooks said because the action item has now been tabled he would recommend the Council wait to vote on this provision of the consolidated fee schedule at their next meeting. Councilor Arnold asked if Ms. Hall could create a refund policy for her department internally without Council approval or adding language to the consolidated fee schedule and Mr. Brooks said Ms. Hall can use her discretion to handle refund requests until the policy can officially be incorporated into Riverdale's consolidated fee schedule.

#### **4. Consideration of approving the submission of Letters of Intent for new projects from the Bike/Pedestrian Ad Hoc Committee**

Councilor Staten said the Wasatch Front Regional Council's (WFRC) Transportation Alternatives Program is accepting funding grant applications through next week. He requested Council approval for the Bike/Pedestrian Ad Hoc Committee to draft a Letter of Intent as the first step in applying for project grant money to add sidewalks under the I-84 overpass and over the I-15 bridge on 4400 South. According to Councilor Staten, WFRC will review the Letter of Intent and will let Riverdale know if they may qualify so that they can go through the formal submission process with a deadline of January 2013. He said this is just to see if Riverdale could qualify for grant money. Councilor Arnold asked why Councilor Staten had selected 4400 South and not the other five proposed projects he included in his initial email for a Letter of Intent and he asked why Ritter Drive isn't included in the proposal. Councilor Staten said he selected the project that he thought would qualify for funding under the criteria created by WFRC because Riverdale and UDOT already own the property on 4400 South where the modifications need to be made. He said Ritter Drive cannot be modified at this time even if funds were available because the land where improvements need to be made is not owned by the City. Councilor Staten said he has only known about this grant submission for two weeks and the submission deadline is only a week away so he has been scrambling to get a project proposal together to pitch to the Council. He said next year the city will have more time to look at different projects and polish any proposals but he didn't want to pass up the opportunity to apply for grant money in 2012 so 4400 South improvements seemed to be the a good test case to see how the grant program works. There were no additional comments or questions.

**Motion:** Councilor Mitchell moved to approve the submission of a Letter of Intent for new projects from the Bike/Pedestrian Ad Hoc Committee. Councilor Staten seconded the motion.

There was no discussion on the motion.

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

#### **H. Discretionary Items**

Mayor Burrows asked if there were any discretionary items and Councilor Searle said over a year ago the Council had discussed whether or not having all of Riverdale's registered voters cast their ballots in one central location at the Community Center was sufficient to handle lines on election day. He said following the recent presidential election now would be a good time to discuss whether or not the Community Center was sufficient or if the Senior Center should have been utilized as well. There was consensus that the Community Center worked well and lines were not a problem with one location.

Councilor Searle said there is a white film on some of the bricks surrounding the Veteran's Memorial and he asked if the Public Works Department could try and clean them off with their high power washer prior to the Memorial Ceremony on November 12, 2012. Mr. Hansen suggested it could be residue from salt used to clear ice and snow in front of the building and he said he would pass this request on to the Public Works

Department. Councilor Arnold said there are a few new memorial tiles recently added in North East block of the Veteran's Memorial that are slightly off center and Mr. Leahy said this is temporary and they will soon be properly aligned. There were no additional discretionary items.

**I. 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 7:57 p.m.

Approved: November 20, 2012

Attest:

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Bruce Burrows, Mayor

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Ember Herrick, City Recorder