



**RIVERDALE CITY COUNCIL AGENDA
CIVIC CENTER - 4600 S. WEBER RIVER DR.
TUESDAY –APRIL 16, 2013**

Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **April 16, 2013** 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
Braden Mitchell, Councilor
Michael Staten, Councilor
Alan Arnold, Councilor

Others Present: Larry Hansen, City Administrator; Steve Brooks, City Attorney; Dave Hansen, Police Chief; Roger Bodily, Fire Chief; Shawn Douglas, Public Works Director, Michael Eggert, Community Development Director; Jeannette Hall, Community Services Coordinator Ember Herrick, City Recorder and 53 members of the public including Stuart Jensen, Myrna-Jo Strausbaugh, Star Newton, Craig L. Povey, Taylor Killian, Kevin Eastman, Brett Galbraith, Mark Ewert, Carol Coleman, Connie Burton, Barbara Elmer, Janda Flaig, Paul Flaig, Kurt Gammill, Linda Schaffer, Matt Hennessy, Curtis Leishman, Darin Ryan, Nate Cassiday, Steve Stenquist, Bren Edwards, Brent Ellis, David Frandsen, Emily Frandsen, Michael Nielsen, Shonna Smiley, Jimmy Smiley, Greg Smiley, Linda Schaffer, and Dave Leahy.

A. Welcome & Roll Call

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

B. Pledge of Allegiance

Councilor Searle led the Pledge of Allegiance and Mayor Burrows read a quote from George Washington's Farewell Address warning politicians to avoid letting party divisions prevent the United States from forming and maintaining a strong union.

C. Moment of Silence

Mayor Burrows quote was followed by a moment of silence when he asked everyone to remember our U.S. military service members and those affected by the Boston marathon bombing on April 15, 2013.

D. Open Communications

Mayor Burrows stated for the record that he had received six emails in support of Councilor Staten's bike proposals being incorporated into Riverdale's Transportation Section of the General Plan from James Coleman, Kurt Gammill, Jaunett Porter, Rick Winget, Michael Daines, and Tim Knight, which he distributed to the Council to read and

for the City Recorder to retain as part of the official meeting record. He invited any member of the public with questions or concerns to address the Council.

Riverdale resident Brent Ellis said as President of the Riverdale Lions Club he would like to invite the community to the annual Lions Club Annual Family Spaghetti Dinner Fundraiser scheduled from 5 p.m. to 7:30 p.m. on Friday April 19, 2013 at Riverdale Elementary School. He distributed flyers to be posted at the city office buildings and said the money raised will be used to support Riverdale Elementary and to help the Lions Club complete projects around the community like installing park benches and assisting the visually-impaired.

Riverdale resident Connie Burton said she would like the Council to address voles which she described as vermin with sharp teeth that burrow in lawns and destroy plants. According to Ms. Burton, she has had a problem with voles on her property for the last few years and once she exterminates them they simply migrate to the neighbor's yard and then return to her property. She said that she has tried poison granules and ultrasonic devices but neither has proven effective and she would like the city to work with a professional exterminator to kill voles in her neighborhood and help prevent the spread of disease like Hantavirus and the Bubonic Plague. According to Ms. Burton, Davis County has worked with the Utah Extension Service to help address voles in North Salt Lake and she would like Riverdale City to use their influence to get these same groups involved in Riverdale. She said that she would also like the city to put pressure on her neighbors to address the vole problem.

Linda Schaffer said she would like to see a community garden in Riverdale City where people can socialize and grow healthy foods. Ms. Schaffer said she did an informal survey of 14 residents and there were several people interested in her proposal but she would like the city to conduct a larger survey through the city's website or newsletter. She said concerns about where the community garden would be located and a water source would need to be addressed.

Brent Galbraith said Riverdale has set a good example for the state and he hopes the city will continue to fund bike paths and trails.

Kurt Gammill said he represents a non-profit Ogden Cycling Club and has ridden up Ritter Drive over 2,000 times and supports the bike proposals submitted by Councilor Staten. He said Salt Lake City recently created a bike loan program and invested a lot of money in creating bike lanes, and painting sharrows on shared lanes and signage to educate drivers and cyclists. Mr. Gammill said Riverdale has several good riding roads for cyclists and he encouraged the Council to continue to support bike riders as they are good customers and residents. He said adopting Councilor Staten's language into Riverdale's General Plan will help promote safe and healthy transportation.

Mark Ewert said he likes the bike lanes on 4400 South and feels giving cyclists a dedicated lane protects them from cars and keeps bikes off city sidewalks. He encouraged the City Council to fund additional bike lanes in the city and educational activities like bike safety clinics for youth and he added that he would also be interested in participating in the community garden Linda Schaffer proposed as he loves to garden.

Craig Povey said the Communities That Care (CTC) process is moving forward and he thanked Councilor Searle and Police Lieutenant James Ebert and Community Chairman of the Board Kevin Eastman for their support.

Roy resident Taylor Killian said he lives in the Herefordshire apartments and would like to see community gardens in Roy, Ogden and Riverdale where in addition to growing food people could give tutorials on gardening and healthy cooking. Mr. Killian said health is vital for all humans and providing food for those who can't afford healthy foods is a good community service. He said Lowes, Home Depot and other local businesses could be asked to donate tools and plants for the project. Mr. Killian said he has presented his idea to the Ogden City Council and they are going to start a community garden and he would like Riverdale to follow suit.

Riverdale resident Emily Frandsen said she has lived in Riverdale for ten years and is a supporter of more bike lanes so that commuters can pass through Riverdale to Roy and Ogden along safe pathways. Ms. Frandsen said bike lanes make motorists more aware of cyclists and keep them in their lane as well as reducing the risk of injury for cyclists and preserving sidewalks for pedestrians. She said her entire family bikes and she has observed many people on bikes using the new lanes on 4400 South. Ms. Frandsen encouraged the Council to implement Councilor Staten's plan to create safe pathway for cyclists in Riverdale.

E. Presentations and Reports

Mayor Burrows said there will be an Emergency Preparations Stakeholders Meeting on Thursday April 18, 2013 from Noon to 2 p.m. at the Riverdale's Community Center and a city wide clean up on Saturday April 20, 2013 with three dumpster locations around the city. He read a proclamation recognizing Riverdale Resident Shonna Smiley for her work with Communities That Care (CTC). Mrs. Smiley introduced her family and thanked the individuals she has worked with on CTC committees saying that the grant CTC received was the result of team effort. Mayor Burrows declared May 5 – 11, 2013 Water Week and the 44th Annual Municipal Clerks Week.

There were no comments or questions on the condition of the treasury for the month ending March 31, 2013. City Administrator Larry Hansen said staff is following Riverdale's 2005 Action Plan and 2013 budget approved by the Council and is on track to end fiscal year 2013 at the end of June with a healthy General Fund surplus. There were no comments or questions on the Community Development Projects Status Report. Mr. Hansen said Men's Warehouse and Chrysalis are new businesses open in Riverdale and In-N-Out Burger's new restaurant is under construction with plans to open before Labor Day.

Mr. Hansen recognized staff whose anniversaries fall in the month of April including Bren Edwards who has five years and Paul Flaig who has 30 years with Riverdale City, thanking them for their service. Mr. Hansen said the city continues to operate in accordance with staffing authorization with 56 full and 47 part-time employees.

There were no items on the Recorder's Report.

F. Consent Items

Mayor Burrows asked if there were any changes to the March 19, 2013 Council and February 23, 2013 Strategic Planning meeting minutes and none were noted.

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

Mayor Burrows asked for discussion on the motion and there was none.

Call the Question: The motion passed unanimously.

Mr. Hansen introduced new Community Development Director/RDA Deputy Director Michael Eggett. He said Mr. Eggett was chosen from many qualified applicants and will replace Mr. Daily after he retires at the end of June 2013. Mr. Hansen paraphrased Mr. Eggett's professional and educational accomplishments including a Masters Degree in Public Administration and the Mayor and Council welcomed him.

G. Action Items

1. Consideration of amending Riverdale's HR Policy Resolution 2013-5 Chapter 2 Employee Classifications

Mayor Burrows said the first action item is consideration of amending Riverdale's Human Resources Policy Chapter 2 Employee Classifications through Resolution 2013-5. Mr. Hansen said this makes minor modifications to bring city policy into federal compliance in response to the passage of the Affordable Care Act. According to Mr. Hansen, the proposed amendments clarify that part-time employment is any employee that works less than 40 hours a week and also makes Mr. Eggett an exempt employee.

Motion: Councilor Arnold moved to approve Resolution 2013-5 Chapter 2 Employee Classifications. Councilor Staten seconded the motion.

Mayor Burrows asked for discussion on the motion and there was none.

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

2. Consideration of amending Riverdale's HR Policy Resolution 2013-7 adopting the proposed Group Fitness Instructor job description

Mayor Burrows said the second action item is consideration of amending Riverdale's Human Resources Policy through Resolution 2013-7 adopting a proposed Riverdale Group Fitness Instructor job description. Community Services Director Jeannette Hall said there has been considerable participation in two new exercise programs the city started at the beginning of 2013. She said a volunteer instructor teaches one Zumba class on Monday and Wednesday mornings with eight to 12 attendees and a second volunteer instructor teaches a Boot Camp class on Tuesday mornings with 12 to 15 participants. According to Ms. Hall, there have been several requests to hold the Boot Camp class two days a week with a second class on Thursday mornings at 6 a.m. She said the current instructor cannot volunteer two days a week and so her department would like to create a

Group Fitness Instructor job description which will pay \$15 per class with the money coming out of the Community Services current department budget.

Motion: Councilor Mitchell moved to approve Resolution 2013-7 adopting the proposed Group Fitness Instructor job description. Councilor Searle seconded the motion.

Mayor Burrows asked for discussion on the motion and there was none.

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

3. Consideration of a request by the Northern Utah Disc Golf Association to waive their special event fees for 2013 Eye on the Prize seven series events

Mayor Burrows said the third action item is consideration of a request by the Northern Utah Disc Golf Association (NUDGA) to waive their special event fees for their 2013 Eye on the Prize seven series tournament. Representative Star Newton and NUDGA President Stuart Jensen thanked the city for letting their group use city land. Ms. Newton said all funds and equipment come from sponsors and NUDGA is working on becoming a non-profit organization. She said the seven series tournament is to raise money to buy new equipment to improve the disc golf course with new tee pads and safety signs. Ms. Newton said as the trail system sees greater bike traffic, there is a greater need for signage to indicate to pedestrians and cyclists that discs are being thrown in the area and to increase safety for trail users and disc golf players. She said NUDGA paid the \$100 special event fee for the first tournament of the seven game series and is requesting Riverdale City waive the fee for the next six dates as the proceeds from the tournament will be used to buy new non-permanent equipment and safety signs for the course. Ms. Newton said the course improvements will help bring professional disc golf players to Riverdale and will encourage more members of the community to play here.

Councilor Searle asked how many players participate in NUDGA tournaments and Ms. Newton said between 75 and 100 individuals and she said the world disc golf champion came to compete in a Riverdale tournament last year. According to Ms. Newton, the course cannot support more than 100 players at a time. She said NUDGA is environmentally conscious and all their events are insured, as required by the city, and the group understands that even if the Council grants this special seven series tournament waiver, NUDGA will still be required to pay the special event fee for other tournaments they hold on city property.

Mayor Burrows asked about the fee tournament participants pay and Ms. Newton said it is \$25 per person. Councilor Mitchell asked how much money the organizers anticipate they will make over the course of their seven series tournament if they are expecting between 75 and 100 participants for each event. Ms. Newton said they raise a couple thousand dollars at each event but she explained that NUDGA gives each participant a gift bag which includes a disc worth \$20 so NUDGA hopes to invest between \$3,000 and \$5,000 back into course improvements using funds raised during the tournament series. Councilor Hunt asked if NUDGA pays money to Unity to use their land and Mr. Jensen said the organization's founder contacted Riverdale and Unity representatives in 2003 to get permission to use the land they play disc golf on without paying a fee. Councilor

Staten said he is concerned that if the city grants this request precedence will be set and Councilor Hunt said he is also concerned about this if organizations start charging people money to participate in activities on city property and want exemptions from paying city impact service fees levied through the special event permit. Councilor Hunt said the city charges people to rent city park pavilions and he asked Public Works Director Shawn Douglas what costs the city incurs related to a special event like the disc golf tournament. Mr. Douglas said NUDGA members are good to pick up after themselves and his crew typically puts out three additional empty garbage cans prior to a disc golf event and allows organizers to use the city's dumpster. Mr. Hansen said many petitioners ask the Council for contributions or fee waivers but past Councils have been hesitant to grant these requests because there are a lot of legal requirements when gifting taxpayer dollars. He said he would not support this request because it will set precedence on city property and he encouraged the petitioner to get non-profit 501(c)3 status so that the Council has legal justification for waiving the fees on future fundraisers.

Councilor Staten asked if Riverdale City could grant one special event permit for the series and only charge NUDGA one \$100 fee or allow organizers to do a service project to benefit the city instead of paying the \$100 special event fee. Mr. Hansen said the special event permit application process was set up for single events not a series of events. Councilor Staten said he witnessed some close calls of children nearly hit by heavy discs during a youth activity and he said he has some safety concerns in the areas where the disc golf course intersects with Riverdale's busy trail.

Councilor Arnold disclosed that he is close friends with NUDGA founder Kent Holsten and said he would be in favor of Councilor Staten's idea of allowing the group to do a city service project instead of paying the \$100 special event permit fee for fundraisers. He said the cost of the prize baskets seems excessive to him and he wouldn't be in favor of waiving the special event permit fee with so much of the money raised in the fundraiser going to pay for prize bags for the players. Ms. Newton said only the winners receive a trophy so the prize bags are designed to give every participant something to take home and Mr. Jensen said the \$25 fee is reduced for this event series as most tournaments NUDGA hosts have a \$50 to \$80 registration fee. Mayor Burrow said if NUDGA gets non-profit designation the Council will have more legal latitude in waiving special event permit fees for future fundraisers.

Motion: Councilor Arnold moved to deny the Northern Utah Disc Golf Association's request to waive their special event fees during their 2013 Eye on the Prize seven series tournament. Councilor Hunt seconded the motion.

Mayor Burrows asked for discussion on the motion and Councilor Hunt asked why disc golf players prefer to play on city property south of the city offices instead of at one of Riverdale's parks and Mr. Jensen said there is less traffic. Councilor Hunt asked why a special event permit is being required for this fundraiser and Mr. Hansen said it is because there is a fee to participate in the tournament and they are using city property and services. Mr. Jensen asked if the city could issue one permit and charge one fee for the series as Councilor Staten suggested and Mr. Hansen said current city code won't permit this and Mr. Jensen said they will work to get their non-profit status before next year's tournaments.

Call the Question: The motion passed unanimously.

4. a. Consideration of Resolution 2013-11 and proposed amendments to RCC 1-12-2 Fee Schedule for Business Licenses

b. Consideration of Ordinance 835 and proposed amendments to RCC 3-1-1 the Definition of a Business in Riverdale and RCC 3-1-5 Fee for Business Licenses

Mayor Burrows said the fourth action item is consideration of Resolution 2013-11 proposed amendments to RCC 1-12-2 the Fee Schedule for Business Licenses and Ordinance 835 proposed amendments to RCC 3-1-1 the Definition of a Business in Riverdale and RCC 3-1-5 Fee for Business Licenses. Mr. Brooks said the intent and purpose of the license fee exemption section is to allow religious and non-profit organizations to not pay a business license and fire inspection fee. He said the petitioner which is a local Army National Guard recruitment office would like the exemption extended to all federal, state, county and local government agencies, even if they do not have tax exempt 501(c)3 status. Councilor Searle pointed out a typo in Mr. Brook's Ordinance 835 that needed to be changed from "501(c)e" to "501(c)3" and the City Recorder noted the correction.

Motion: Councilor Arnold moved to approve Resolution 2013-11 and proposed amendments to RCC 1-12-2 Fee Schedule for Business Licenses. Councilor Searle seconded the motion.

Mayor Burrows asked for discussion on the motion and there was none.

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

Mayor Burrow asked Councilor Searle if there is any relationship between him and the petitioner Cheryl Searle and he disclosed that Cheryl Searle works for the State of Utah and is the wife of a distant cousin of his. Councilor Searle said he supports these proposed amendments but there is no a conflict of interest as he does not stand to gain personally from these changes to the current city code.

Motion: Councilor Searle moved to approve Ordinance 835 proposed amendments to RCC 3-1-1 the Definition of a Business in Riverdale and RCC 3-1-5 Fee for Business Licenses. Councilor Arnold seconded the motion.

Mayor Burrows asked for discussion on the motion and there was none.

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

5. a. Consideration of Resolution 2013-10 proposed amendments to RCC 1-12-6 A5, D6-7 and E Public Works Fees

b. Consideration of Ordinance 834 proposed amendments to RCC 8-1-2 Section 3 and 4 Water Use and Service Fees, Rates and Charges and RCC 8-3-1B Sewer Use and Service Use Mandatory; Fee

Mayor Burrows said the fifth action item is consideration of Resolution 2013-10 proposed amendments to RCC 1-12-6 A5, D6-7 and E Public Works Fees and Ordinance 834 proposed amendments to RCC 8-1-2 Section 3 and 4 Water Use and Service Fees, Rates and Charges and RCC 8-3-1B Sewer Use and Service Use Mandatory; Fee. Mr. Douglas said these proposed amendments are already policy through precedence and prior Council action so Resolution 2013-10 and Ordinance 834 will just officially memorialize them in the city's code to create continuity for residents.

Motion: Councilor Hunt moved to approve Resolution 2013-10 proposed amendments to RCC 1-12-6 A5, D6-7 and E Public Works Fees and Ordinance 834 proposed amendments to RCC 8-1-2 Section 3 and 4 Water Use and Service Fees, Rates and Charges and RCC 8-3-1B Sewer Use and Service Use Mandatory; Fee. Councilor Arnold seconded the motion.

Mayor Burrows asked for discussion on the motion and there was none.

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

Motion: Councilor Arnold moved to approve Ordinance 834 proposed amendments to RCC 8-1-2 Section 3 and 4 Water Use and Service Fees, Rates and Charges and RCC 8-3-1B Sewer Use and Service Use Mandatory; Fee. Councilor Staten seconded the motion.

Mayor Burrows asked for discussion on the motion and there was none.

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

6. Consideration of Ordinance 832 proposed amendments to RCC 10-9B-4: SITE DEVELOPMENT STANDARDS, R-1-6 front set back requirement

Mayor Burrows said the sixth action item is consideration of Ordinance 832 proposed amendments to RCC 10-9B-4: SITE DEVELOPMENT STANDARDS, R-1-6 front set back requirement. Mr. Daily welcomed Mr. Eggett and said he excited to work with him until he retires at the end of June 2013. Mr. Daily showed the Council where the city's one R-1-6 Zone is located near the intersection of Ritter Drive, 1050 West and 1150 West and said that the Planning Commission held a public hearing where no public support or opposition to this five foot reduction in the zone's front setback requirements was received. He said the Planning Commission has forwarded this proposed change with a unanimous favorable recommendation to the City Council for their approval and he also

recommends approval of Ordinance 832. Councilor Searle thanked Mr. Daily for researching what front setback requirements are for similar zones in neighboring cities.

Motion: Councilor Searle moved to approve Ordinance 832 proposed amendments to RCC 10-9B-4: SITE DEVELOPMENT STANDARDS, R-1-6 front set back requirement. Councilor Mitchell seconded the motion.

Mayor Burrows asked for discussion on the motion and there was none.

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

7. Consideration of Resolution 2013-8 adopting proposed amendments to the Transportation Section of the General Plan

Mayor Burrows said the seventh action item is consideration of Resolution 2013-8 adopting proposed amendments to the Transportation Section of the General Plan. Mr. Daily said the General Plan is an advisory document and the Planning Commission held a public hearing and forwarded with a favorable recommendation the version submitted to the City Council for review and comment two weeks ago. Mr. Daily said he addressed a few minor concerns submitted by Councilors Mitchell and Searle during the review period. He said he did not incorporate in any of the changes submitted by Councilor Staten that there was not consensus to do this at the February 23, 2013 Strategic Planning Meeting when the Bike/Pedestrian Ad Hoc Committee was disbanded.

Councilor Searle asked if the Planning Commission had an opportunity to evaluate Councilor Staten's proposed changes. Mr. Daily said neither the Planning Commission nor the public (except those present who Councilor Staten enlisted to comment during tonight's open communications or to send the city emails) have had an opportunity to comment on Councilor Staten's proposed changes as his proposals were not part of the Planning Commission's public hearing. Mr. Daily said his recommendation is that the Council approve the proposed amendments to the Transportation Section of the General Plan that have been through a public hearing and have the Planning Commission's unanimous recommendation. He said the Council can always amend this section of the General Plan again if there is consensus to adopt some of Councilor Staten's recommendations for additional bike amenities in the future, as funding allows. He said Councilor Staten can finish his report to be used as a planning tool but not adopted as part of the General Plan as determined by consensus at the last Strategic Planning Meeting by the Council.

Councilor Staten said he would prefer if the Council waited to adopt any amendments to the Transportation Section of the General Plan until they can review the Bike/Pedestrian Ad Hoc Committee's report. He distributed copies of a map he revised with bike amenities and said this should be part of the General Plan as the old map in the Transportation Section is obsolete. Councilor Staten said he has devoted a lot of time and energy into his revisions and if his changes need to go through the Planning Commission and a second public hearing that is what he would like to see happen so that they have an

opportunity to be incorporated into Riverdale's General Plan. Mr. Daily asked for Council consensus about how to proceed and Councilor Arnold said he is not in favor of adopting any amendments to Riverdale's General Plan because he isn't clear about which changes the Council would be adopting at this time. Councilor Arnold recommended staff review the Transportation Section one more time to remove any obligatory language from this advisory document like "must" and "should" and "will" and submit a clean version to the Council to consider at their next meeting. He said he is still opposed to the \$28 million dollars in bike projects Councilor Staten proposed at the last Strategic Planning meeting. Councilor Arnold said he feels strongly the although it is just an advisory document, the Council should only amend the General Plan with projects it is reasonable for the city to budget for on behalf of Riverdale's 8,500 residents.

Councilor Staten said the committee recognized that approximately \$27 million of the work was not feasible or city-driven work, but should be deferred for completion at the time of development of said corridors, if it ever occurs. He said of the remaining \$800,000 of projects, the committee prioritized these, and recommends consideration of a long-term, phased gradual implementation of the higher priority projects only. According to Councilor Staten, if these projects are a part of Riverdale's General Plan there is a greater likelihood that the State of Utah/UDOT will be obligated to partner with the city in paying for expensive large scale infrastructure projects. He said his proposal to UDOT to stripe Cozy Dale Drive with bike lanes did not have any teeth because it was not designated in the city's General Plan. He said 60 percent of Riverdale's roads are already up to or near ideal standards and of the remaining 40 percent \$600,000 in projects are tied to developments that need to occur in areas before they can be completed and \$800,000 in additional projects are not feasible at this time. Councilor Staten said if the Council adopts his recommendations into the General Plan they are under no obligation or timescale to implement the projects and they still retain authority to only budget those projects they deem feasible. He recommended tabling consideration of Resolution 2013-8 adopting proposed amendments to the Transportation Section until he can complete the Committee's report and recommendations for Council consideration for adoption into the General Plan.

Mr. Hansen said at the last Strategic Planning meeting there was Council consensus to connect bike lanes on 4400 South to 1900 West in Roy and 700 West to the existing bike lanes on River Park Drive and to paint sharrows in the new roundabout on 700 West and crossing stripes in areas designated for pedestrian crossing. Mr. Hansen said this work will be done without amending the General Plan and these projects were considered by the public and the Planning Commission during their public hearing to discuss amendments to the Transportation Section of Riverdale's General Plan. According to Mr. Hansen, as a policy making body Riverdale has a history of soliciting expensive plans for future city planning like the Herridge and Wilbur Smith Reports that were both considered advisory and were never adopted into Riverdale's General Plan. He said while he appreciates Councilor Staten's professional work creating a report of recommended bike lane projects identified by the Bike/Pedestrian Ad Hoc Committee, he believes these project ideas should also only be used for reference and not adopted into Riverdale's General Plan. Mr. Hansen said the Council needs to consider investing in amenities that will benefit Riverdale's 8,500 residents not just a handful of cycling enthusiasts. He said the Bike/Pedestrian Ad Hoc Committee has created a plan beyond their scope with

expensive projects that will have ongoing costs to the city if implemented. Mr. Hansen said he would not recommend the Council table this agenda item and he encouraged the Council to pass the amendments to the Transportation Section of the General Plan forwarded with a favorable recommendation from the Planning Commission to memorialize the changes the Council agreed to by consensus at their last Strategic Planning Meeting. Mr. Hansen said administration is not recommending the Bike/Pedestrian Ad Hoc Committee's projects list or report ever be adopted as part of Riverdale's General Plan as this is not how previous Councils have dealt with similar reports and plans in the past. He said Mr. Douglas, Mr. Daily and Mr. Eggett can use the Committee's report as an advisory document when road projects in different areas of the city are being considered.

Councilor Hunt said although the General Plan is just advisory its recommendations do have teeth and do influence policy and the decision making of the Council and Planning Commission the same way Riverdale's zoning map determines how different areas of the city are developed. Councilor Hunt said he enjoys walking and biking but he is not in favor of adopting Councilor Staten's amendments to the Transportation Section into the General Plan because the recommendations in that document carry weight and he doesn't want to obligate future Councils. Mr. Daily said the General Plan does show intent for how the current municipal government would like to see land and city streets developed on behalf of the 8,500 residents they represent.

Councilor Searle said in his opinion the Committee's report can serve as a good guide and reference like the Herridge and Wilbur Smith reports which he has studied, but he doesn't feel this new report should be adopted as part of Riverdale's General Plan. He said he would not be opposed to adopting Councilor Staten's Bicycle and Pedestrian Priority Routes map (page 7) if having bike routes designated in Riverdale's General Plan could help the city secure UDOT support for future bike lane projects. Councilor Searle said he attended several classes on creating a city cycling plan with Councilor Staten and can see the advantages of adding bike lanes in a community, as Riverdale City can afford it. Councilor Searle said personally he feels more confident biking on 4400 South now it is striped with bike lanes

Councilor Staten said he would like the Council to adopt his amended map of Bicycle and Pedestrian Priority Routes so that UDOT can consider adding bike lanes the Committee recommends to future road improvement projects. He said Riverdale's Bicycle and Pedestrian Priority Routes map will correlate with Wasatch Front Regional Council's (WFRC) plan identifying priority cycling routes through cities along the Wasatch Front including Riverdale. Mayor Burrows said he serves on WFRC's Board and was dismayed to learn Councilor Staten submitted a list of bicycle and pedestrian priority routes to WFRC without the Council's knowledge or approval. Councilor Staten said he did not submit the recommendations on behalf of the Council and he said that he explained this to the WFRC at the time he submitted his recommendations. Mayor Burrows said Councilor Staten's actions were still not appropriate without consensus from the Council and he said that Councilor Staten has created a misconception that the proposals he submitted are the desire of the Riverdale City Council when they are solely his.

Councilor Staten said his proposed priority routes are designed to help cyclists reach key destinations safely and with minimal disruption to vehicle traffic. He said Riverdale's Zoning Map indicates the city's intention for the development of land and it is difficult to tell a developer they can't build something if it is a permitted use in that zone. Councilor Staten said his proposed map of bicycle and pedestrian priority routes was drafted with that same intention and he doesn't expect the Committee's report to be adopted into the General Plan but he would like his proposed amendments incorporated into the Transportation Section. He asked the Council to delay adopting amendments to the Transportation Section of the General Plan until the Committee has finished their report and the Council has had time to review and consider it. Mr. Hansen said four of the current Council members have served on the Planning Commission and have experience amending the General Plan which is advisory and Title 10 which is amended through Ordinance and is legally binding in directing developers about allowed uses in different zones of the city.

Councilor Mitchell said he agrees with Councilor Arnold that the Council could use some additional clarification so that they know what proposed amendments they are adopting into the Transportation Section of Riverdale's General Plan before voting on Resolution 2013-8. He said the General Plan is a fluid, advisory document being updated and amended all the time and he said he is not opposed to including Councilor Staten's recommendations if terms obligating future Councils like "must" and "should" are removed. Councilor Mitchell said he will never approve \$28 million dollars in cycling projects but he likes the bicycle and pedestrian priority routes map Councilor Staten has created to indicate to UDOT where Riverdale City would like to partner with the state to create safe bike corridors. Councilor Arnold suggested staff clean up the language of the proposed amendments to the Transportation Section of Riverdale's General Plan removing any obligatory language and he said he would like the Planning Commission to have an opportunity to review Councilor Staten's proposed map before it is adopted as part of the city's General Plan. Mayor Burrows said he recommends the Bike/Pedestrian Ad Hoc Committee's Report not be part of Riverdale's General Plan but instead be added as an addendum to the Wilbur Smith Report and Mr. Hansen said he thought that was the direction the Council gave Councilor Staten and staff at the last Strategic Planning meeting.

Mayor Burrows asked for consensus to return the Transportation Section of Riverdale's General Plan to staff for further refinement and Council consensus was unanimous.

8. Consideration of Police Fleet purchase

Mayor Burrows said the eighth action item is consideration of Riverdale's Police fleet purchase. Police Chief Dave Hansen said his department has extended their four year vehicle rotation into its fifth year and has seen an increase in vehicle repairs. He said his department has budgeted to replace the fleet in 2014 and needs to get their order into the state supplier to lock in the current price and model and ensure that the vehicles are fitted with the necessary equipment and ready for police use in 2014. According to Chief Hansen, the Chevy Tahoe, Dodge Charger and Ford F-150 all have high resale value and most of the equipment on the existing vehicles will be rotated into the new vehicles.

Councilor Hunt asked if the Council approves this fleet purchase request but something were to happen between now and fiscal year 2014 when the budgeted funds are available would Riverdale be obligated to purchase these vehicles? Chief Hansen said the distributor wants the city to be 80 percent sure before ordering the vehicles but retains some flexibility to change the order. Councilor Searle asked what model year the new vehicles will be and Chief Hansen said they will be 2013 new vehicles from the factory. Councilor Searle asked if the existing fleet will be surplused and what the expected resale value on the Dodge Chargers will be and Chief Hansen they will be surplused and should sell well because they are black in color and have Hemi engines but he said he is never sure what demand will be or what price they will sell for. According to Chief Hansen, the city is getting a better resale price on the Dodge Chargers than they did on their surplused Ford Crown Victorias. Councilor Mitchell asked how a motion should be phrased to approve this request and Mayor Burrows said a Council member should move to approve the Riverdale Police fleet purchase.

Motion: Councilor Arnold moved to approve the Riverdale Police fleet purchase of 10 Dodge Chargers, three Chevy Tahoes and one Ford F-150 Truck. Councilor Hunt seconded the motion.

Mayor Burrows asked for discussion on the motion and there was none.

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

9. Consideration of Resolution 2013-12 settling a legal dispute with Ormond Construction

Mayor Burrows said the ninth action item is consideration of Resolution 2013-12 settling a legal dispute with Ormond Construction. Mr. Brooks said this lawsuit has been in negotiations for two years over \$150,000 in change orders associated with a Sewer and Storm Water Project on 4400 South. According to Mr. Brooks, Mr. Douglas and the city's engineer have evaluated the change orders and agreed to pay Ormond Construction \$30,000 for additional work they feel was legitimate over the final pay request amount originally submitted to the city by Ormond Construction. Mr. Brooks said this payment will only be made if the owner of Ormond Construction signs a final settlement agreement with the city and he told the Council the additional \$30,000, although over the amount Ormond agreed to charge for their work in their contract with the city, still comes in under the city's original budgeted amount for the project.

Motion: Councilor Staten moved to approve Resolution 2013-12 settling a legal dispute with Ormond Construction not to exceed \$30,000. Councilor Searle seconded the motion.

Mayor Burrows asked for discussion on the motion and Councilor Hunt asked why Riverdale City is considering settling this lawsuit with Ormond Construction. Mr. Brooks said the settlement he is recommending will cost the city less than preparing for a trial when you take into consideration the cost of engineering, witness and employee costs. Councilor Hunt asked how the city can prevent contractors from submitting

additional bills after they have submitted a final payment request on future projects to avoid similar lawsuits and Mr. Brooks claimed there is no way to prevent contractors from taking advantage of the city by going over budget and submitting excessive change orders. He said cities usually contract with the lowest bidder and Riverdale City has never had \$150,000 in disputed change orders on a project until this lawsuit with Ormond Construction. Councilor Hunt said there must be a legal remedy cities can use to safeguard taxpayer dollars and Mr. Brooks said the Council is not legally obligated to contract with the lowest bidder on a project if there is precedence demonstrating a contractor the city has used in the past is not responsible. Mr. Brooks warned the Council that this can also lead to legal action if the contractor challenges the contract not being awarded to the lowest bidder. There were no additional comments or questions.

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

10. Resolution 2013-6 Chapter 9-17 Ambulance Transportation of Employees, Elected or Appointed Officials and Household Family Members

Mayor Burrows said the tenth action item is consideration of Resolution 2013-6 amending Chapter 9-17 Ambulance Transportation of Employees, Elected or Appointed Officials and Household Family Members. Mayor Burrows said he has heard complaints from residents and Council members about this policy to give staff and elected and appointed officials and their families free ambulance rides on medical calls. He said this policy has the appearance of being inequitable because residents do not get free ambulance rides and he said he also has concerns that there wasn't full disclosure about why this employee benefit was being requested which could have affected whether or not it passed in 2010. Mayor Burrows said Councilors Searle and Mitchell requested the Council review this policy again and consider repealing it and so staff has placed it on tonight's agenda for discussion and consideration of amendment. Councilor Arnold said he disagrees with the Mayor's statement that there wasn't full disclosure about the impetus behind the request for free ambulance transportation at the time the Council voted on it on August 3, 2010. Councilor Arnold said he was the only Council member who voted against Resolution 2010-28 which passed with three Council members in favor, one abstention and one opposed.

Motion: Councilor Arnold moved to approve Resolution 2013-6 Chapter 9-17 Ambulance Transportation of Employees, Elected or Appointed Officials and Household Family Members. Councilor Mitchell seconded the motion.

Mayor Burrows said he stands by his statement that there wasn't full disclosure about who requested this employee benefit and why it was being requested back in 2010 and Councilor Arnold started speaking about specifics and suggested the Council pull and read the August 3, 2010 meeting minutes. Mayor Burrows recommended this discussion end outside of an executive session because there could be legal implications. There was no additional discussion on the motion.

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

11. Consideration of Resolution 2013-9 adopting an interlocal agreement with Weber County for the 2013 Municipal Election including ‘Vote-by-Mail’

Mayor Burrows said the eleventh action item is consideration of Resolution 2013-9 adopting an interlocal agreement with Weber County for the 2013 Municipal Election including ‘Vote-by-Mail’. Mr. Hansen said this interlocal will allow Riverdale City to work with Weber County to hold a 2013 municipal election in Riverdale this November. He said Weber County has provided the city with statistics from previous elections which indicate that average voter turnout is only 25 percent of registered voters but 80 percent for those who vote by mail by requesting an absentee ballot. According to Mr. Hansen, Weber County estimates that Riverdale City could increase voter turnout to 50 percent or higher by conducting an all by mail election in 2013 where ballots are mailed out 28 days before a primary and general election to all registered voters living in Riverdale’s five voting precincts. He said staff is recommending the Council support a 2013 vote-by-mail election in the interest of encouraging broader voter participation. Councilor Mitchell asked about the cost Weber County will assess the city for a vote-by-mail versus a traditional election. Mr. Hansen said Weber County quoted the city \$6,252.48 for a vote-by-mail election with all of Riverdale’s current 4,213 registered voters being sent a ballot and an estimated 50 percent of voters expected to return ballots or \$3,957.00 for a traditional election with an estimated 25 percent of voters turning up at Riverdale’s polling location to complete a ballot. Mr. Hansen said Weber County’s estimate includes the cost of both a primary and a general election and has a not to exceed amount of \$12,500 quoted. He said staff’s vote-by-mail recommendation is not being made because Riverdale is looking for the most cost effective election option but in the interest of encouraging greater voter participation. Mr. Hansen recommended Riverdale budget \$15,000 for their 2013 election which he said is the same amount the city budgeted for the 2009 and 2011 elections. He said Riverdale City has authority through state law to print its own ballots and conduct its own election without assistance from Weber County but outsourcing helps utilize the latest technology and cap the city’s costs.

Mr. Hansen asked for any Council concerns over the vote-by-mail option and Councilor Searle said if voters are required to go to a polling location they exercise their civic duty and show through their effort their desire to be involved in the election process. Councilor Searle said he also has a question about the requirement that all voters sign their ballots so that their signatures can be compared to signatures on file with Weber County. Councilor Staten said he often signs his name differently on documents so that is a concern for him as well but he said he likes the idea of voting by mail as it is hard for him to make it to the polls before or after work on Election Day. He said he is cautiously optimistic that voting by mail will increase voter participation and help voters make more educated decisions because they will have more time to fill out their ballots and research any of the issues they are not familiar with before Election Day. The City Recorder said in response to Councilor Searle’s concern only Riverdale residents that have taken the time to register to vote will be sent a ballot. She said Weber County will compare the signature on each ballot they receive with the signature on the voter’s driver’s license or

ID card and if the signatures don't match the voter will be contacted to verify the authenticity of the ballot so that it can be counted. There were no additional questions or comments.

Motion: Councilor Arnold moved to approve Resolution 2013-9 adopting an interlocal agreement with Weber County for the 2013 Municipal Election including 'Vote-by-Mail'. Councilor Hunt seconded the motion.

Mayor Burrows asked for discussion on the motion and there was none.

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

H. Discretionary Items

Mayor Burrows asked if there were any discretionary items and Councilor Mitchell said he is glad to see the Fire Chief's truck driving around Riverdale City again and Chief Roger Bodily filling that position. Councilor Arnold welcomed Mr. Eggett and said the Council looks forward to working with him. There were no additional discretionary items.

I. Adjournment:

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

Approved: May 7, 2013

Attest:

Bruce Burrows, Mayor

Ember Herrick, City Recorder