



**RIVERDALE CITY COUNCIL AGENDA
CIVIC CENTER - 4600 S. WEBER RIVER DR.
TUESDAY –JULY 2, 2013**

Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **July 2, 2013** at 6:00 PM at the Riverdale Civic Center, 4600 South Weber River Drive.

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

Others Present: Larry Hansen, City Administrator; Steve Brooks, City Attorney; Michael Eggett, Community Development Director; Lynn Fortie, Business Administrator; Ember Herrick, City Recorder and seven members of the public including Brenton King, Bob Strong, Cody Hansen, Courtney J. Dayton, Brent Ellis, Annie Jensen and Shawn Jensen.

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

Mayor Burrows led the Pledge of Allegiance.

C. Moment of Silence

Mayor Burrows read a quote from John Adams and called for a moment of silence when he asked everyone to remember our U.S. military service members.

D. Open Communications

Mayor Burrows said Mickie Layton will be retiring at the end of June and he said Shawn Jensen will be replacing her so he asked him to attend tonight's meeting to introduce himself to the Council. Shawn Jensen said he just started working as Riverdale City's new Seniors Program Specialist and he introduced himself, his wife and three daughters. Mr. Jensen said he is excited about his new job and working with Riverdale residents. Mayor Burrows told the Council Mr. Jensen's wife grew up in Riverdale City and he welcomed him to the city staff.

Mayor Burrows invited any member of the public with questions or concerns to address the Council and there were none.

E. Presentations and Reports

Mayor Burrows said Old Glory Days is Thursday, July 4, 2013 and the Sunrise Service begins at 7 a.m. at the Riverdale Park amphitheater and he said he has lined up an excellent speaker.

He said the Council is also invited to attend an annual business luncheon on July 11, 2013 at noon to discuss how Riverdale can better serve its commercial district as part of Governor Herbert's initiative.

There were no items on the Recorder's Report and as an update to the Community Development Status Report Community Development Director Mike Eggett said In-N-Out Burger plans to open around the first of August.

F. Consent Items

Mayor Burrows asked if there were any changes to the June 18, 2013 Council 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.

G. Action Items

1. Consideration of an amended Conditional Use Permit Application for Hokulia Shave Ice

Mayor Burrows said the first action item is consideration of amending the conditional use permit application for Hokulia Shave Ice. Mr. Eggett said the petitioners Brenton King and Bob Strong are present to answer any questions the Council may have about their proposal to allow a seating area in the parking lot where this temporary business has been permitted to operate during the 2013 summer season. Mr. Eggett said the Planning Commission has evaluated the proposal and approved it by a vote of four in favor and two opposed with the caveat that the seating area be contained to improve safety for customers with an aesthetically pleasing barrier. He said the concept the petitioners have come up with includes temporary bamboo fencing of the seating area with posts secured in planter boxes with greenery, which meets the concerns of the Planning Commission and is now before the Council for their consideration.

Councilor Hunt asked if the seating area will be removed every evening and Mr. King said the fencing and tables will remain up throughout the season with the chairs stacked and chained at the close of business each day. Councilor Hunt said he doesn't like the idea of customers standing in the parking lot eating the product but he has concerns that allowing seating for this temporary business will set a negative precedent in Riverdale. City Attorney Steve Brooks said the city could look at amending Riverdale's seasonal business ordinance to restrict which temporary businesses are allowed to have seating areas. Mr. Hunt asked if the city should amend the ordinance first before permitting this conditional use permit to be altered to allow seating for Hokulia Shave Ice and Mr. Brooks said the ordinance can be amended at a later date.

Councilor Searle disclosed that his son works for Farr Better Ice Cream Co. and delivers product to the Hokulia location in Bountiful. Councilor Searle said the product is too large to allow children to take and eat it in a vehicle and he supports creating a seating

area in Riverdale so patrons won't be sitting on the ground or the curb of the parking lot because in his opinion a seating area will be safer and cleaner. Mr. Eggett said he contacted Bountiful City to inquire about their Hokulia Shave Ice stand and he said there have been no safety problems by allowing seating in the Slim Olsen's parking lot and the feedback was all positive in support of the temporary business.

Councilor Mitchell asked how long Hokulia has been in business and Mr. King said this is the chain's fifth season but first year collaborating with Farr Better Ice Cream Co. to allow franchises across Utah and incorporate ice cream into the product. Councilor Mitchell asked why seating was not included as part of the petitioner's original application for a conditional use permit if the owner knew seating would be needed and Mr. King said he assumed seating would be allowed and didn't ask permission because each city's ordinances are unique.

Councilor Arnold said he visited the Hokulia location prior to tonight's meeting and has concerns the current set up is not safe with people sitting on the curb and cars pulling up close to the stand. He said he would be in favor of a safe seating area but would like to see the business relocate to a different area of the parking lot where there is more room for seating and less traffic. Mr. King said the stand is at this location because it is the only area of the parking lot with the necessary power supply and he said Riverdale City and the Weber Morgan Health Department have made securing a temporary business at this location very difficult. He said Hokulia is providing a service to the community and employs 12 to 14 local workers but if additional restrictions are required, Hokulia will likely not return to this Riverdale location next year. Mr. Strong said the Weber Morgan Health Department has been very difficult to work with and he asked if Riverdale City has any influence over this agency. Mayor Burrows said the health department has strict food handling regulations and has even shut down vendors at Riverdale's Old Glory Days. He said Weber County has regular meetings like Riverdale City and he suggested the petitioners take their complaints about the health department to this agency to see if they can find a solution. Councilor Arnold said Riverdale does not want to discourage Hokulia from operating in Riverdale. He said he likes the concept but would like to find a location that would allow a larger seating area to allow Hokulia to safely expand their business. Councilor Staten said he likes Hokulia's concept and how it contributes to the community sense he is interested in fostering in Riverdale. He said he supports the petitioner's request and is optimistic Hokulia will set a good precedence for future seasonal businesses. There were no additional comments or questions.

Motion: Councilor Arnold moved to approve the amendments to a Conditional Use Permit Application for Hokulia Shave Ice. Councilor Staten seconded the motion.

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

Call the Question: The motion passed unanimously.

2. Consideration of contract approval to Intellisys for an amount not to exceed \$70,000 for a Zultys phone system for Riverdale City

Mayor Burrows said the second action item is consideration of contract approval to Intellisys for an amount not to exceed \$70,000 for a Zultys phone system for Riverdale City. Business Administrator Lynn Fortie said he has reviewed all the proposals he received after publishing a request for proposals and is recommending Intellisys' Zultys phone system because of the price and features the phone system can offer all the different departments in Riverdale City. Mr. Fortie said he is also proposing a redundancy option of the city's phone network to be housed at Riverdale's public works building to back up the civic center if that line were to go down or be damaged. Councilor Mitchell said the Civic Center and Public Works Building are in the same area of the city and he asked if the redundancy system should be housed in another city building like the Senior or Recreation Center in another part of the city. Mr. Fortie said it is possible to have a second line at another location in the city but there will be an ongoing monthly cost of an additional line at that location.

Mr. Fortie said he is requesting a not to exceed amount of \$70,000 to allow some flexibility in the purchase so that certain buildings with special phone needs like a bell on the outside of the building can be accommodated. Councilor Arnold said he is glad to see the amount requested for the city's new phone system is only 70 percent of what the Council budgeted for the project. There were no additional comments or questions.

Motion: Councilor Arnold moved to grant contract approval to Intellisys for an amount not to exceed \$70,000 for a Zultys phone system for Riverdale City. Councilor Mitchell seconded the motion.

Mayor Burrows asked for discussion on the motion and Councilor Hunt said this purchase will use three fourths of the city's IT budget for fiscal year 2013-2014 and he asked Mr. Fortie if he will have sufficient funds in his budget for the rest of the city's IT needs throughout the fiscal year. Mr. Fortie said the majority of Riverdale's computers were upgraded in the previous fiscal year and the only IT expenses he is anticipating in the next year are to upgrade computers scheduled for replacement which he has included in the budget and to fix any equipment that may become damaged or break. There were no additional questions or comments.

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 Resolution 2013-26 proposed amendments to the Economic, Transportation, Public Facilities and Infrastructure, Parks and Recreation and Implementation sections of the General Plan

Mayor Burrows said the third action item is consideration of Resolution 2013-26 proposed amendments to the Economic, Transportation, Public Facilities and Infrastructure, Parks and Recreation and Implementation sections of the General Plan. Mr. Eggett said all of the city departments impacted by these sections of the General Plan proposed for amendment had an opportunity to review the language and make changes. He said during the review and comment period staff received a comment from Councilor Searle suggesting a minor wording change to references of areas where "baseball fields"

are proposed for development to be changed to “sports fields” to allow future Council’s flexibility in what sports amenities are built. Mr. Eggett said Councilor Staten suggested the removal of the word “envious” from the description of Riverdale’s sales tax and in the paragraph describing Riverdale’s dirt bike park and disc golf course as being popular “with residents” he said Councilor Staten recommended “and visitors” be added. Mr. Eggett said following a public hearing on proposed amendments to the General Plan Riverdale’s Planning Commission recommends approval of the proposed amendments to Riverdale’s General Plan. He asked if there were any questions or comments and there were none.

Motion: Councilor Searle moved to approve Resolution 2013-26 proposed amendments to the Economic, Transportation, Public Facilities and Infrastructure, Parks and Recreation and Implementation sections of the General Plan with noted amendments. Councilor Arnold 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; and Councilor Staten, aye; and Councilor Hunt, aye. The motion passed unanimously.

H. Discretionary Items

Mayor Burrows asked if there were any discretionary items and Councilor Mitchell said some residents contacted him about roosters and whether or not they are allowed in residential areas of Riverdale City. Mr. Hansen said roosters would be allowed in agricultural zones and Councilor Arnold said there was Council consensus to allow Riverdale’s nuisance ordinance to address issues associated with chickens, rooster and other farm animals in residential zones of the city. Councilor Mitchell said he will check with the complainant to see if the roosters are creating a nuisance and if so he will refer the complaint to Riverdale’s Animal Control Officer.

Councilor Mitchell said he had received a complaint about a strip along Parker Drive where the weeds need to be mowed down in an area where Riverdale City has extended the curb and sidewalk along an undeveloped area. Mr. Hansen said he will follow up with the public works department to ensure that the park strip is cleared before the Old Glory Days Celebration.

Councilor Searle said youth affiliated with Communities That Care (CTC) will serve the ice cream at the movie in the park on Wednesday evening July 3, 2013 and he said a few public service announcements aimed at discouraging teenage drinking and drug use will be shown before the movie. According to Councilor Searle, CTC will also set up an interactive and informative display with iPads in the park following the parade where the youth can win prizes and parents can get information. He encouraged the Council and public to visit the booth and support CTC. Councilor Mitchell asked staff to ensure that the sprinklers are turned off for Wednesday night’s movie in park and Mr. Hansen said he would follow up with Public Works Director Shawn Douglas.

I. Adjournment:

With no further business to come before the Council at this time, Councilor Arnold moved to adjourn the meeting. Councilor Staten seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 6:35 p.m.

Approved: July 16, 2013

Attest:

Bruce Burrows, Mayor

Ember Herrick, City Recorder