



**RIVERDALE CITY COUNCIL AGENDA
CIVIC CENTER - 4600 S. WEBER RIVER DR.
TUESDAY –AUGUST 20, 2013**

Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **August 20, 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
Braden Mitchell, Councilor
Michael Staten, Councilor
Alan Arnold, Councilor

Others Present: Larry Hansen, City Administrator; Steve Brooks, City Attorney;
Dave Hansen, Police Chief; Shawn Douglas, Public Works
Director, Michael Eggett, Community Development Director;
Roger Bodily, Fire Chief; Norm Farrell and Bart Poll with the
Public Works Department; Ember Herrick, City Recorder and five
members of the public including Cody Hansen, Raylin, Allen,
Charles Kerkvliet and David 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.

C. Moment of Silence

Mayor Burrows read a quote from George Washington's 1796 farewell address about how to fix the true nature of government and make liberty indispensable. Mayor Burrows called for a moment of silence when he asked everyone to remember our U.S. military service members.

D. Open Communications

Mayor Burrows invited any member of the public with questions or concerns to address the Council.

Riverdale Resident Raylin asked Riverdale City to investigate if the personal information of her juvenile child was released in a GRAMA request six months ago as personal matters sensitive to her family are being reported by the media. She said that she had contacted the Riverdale Police Department and is now appealing to the Council for assistance in protecting the anonymity of a juvenile crime victim. City Attorney Steve Brooks said he is not familiar with the case but he personally reviews all GRAMA requests and police reports are only released after personal information has been redacted. Mr. Brooks said he will follow up on this matter and report back to the

petitioner and Mayor Burrows asked Mr. Brooks to step outside and speak with the resident privately.

E. Presentations and Reports

Mayor Burrows said the Utah League of Cities and Towns conference is coming up in September and all Council members are encouraged to attend. He said Riverdale City will be launching their new phone system on Thursday August 22, 2013 but the phones and computer server will be down during the transition from 3 p.m. on Wednesday evening until sometime on Thursday. Mayor Burrows said the city has made this information available to the public by posting a notice on Riverdale's website and social media sites and he said the work will in no way affect emergency services available by calling 9-1-1 or Weber County Dispatch. Mayor Burrows read a proclamation in support of September School Attendance month.

City Administrator Larry Hansen said Tony Divino recently had a grand reopening following months of remodeling and In-N-Out Burger and a second Subway Restaurant location have both opened in Riverdale. He pointed out two new flat screen televisions mounted around the room which were purchased for the court and Council's use with court grant money. Mr. Hansen said Riverdale has set record attendance numbers in the summer of 2013 at the Roy Aquatic Center during nine city sponsored free swim nights. He said the city continues to operate in accordance with staffing authorization with 72 employees which is two under the 74 authorized and he informed the Council that a new full-time police officer has been hired and is scheduled to start in two weeks to replace an employee that recently retired. Mr. Hansen recognized employees with date of hire anniversaries in August including Norm Farrell and Bart Poll that have both worked for Riverdale's Public Works Department for 15 years. Mr. Hansen and Mayor Burrows gave Mr. Farrell and Mr. Poll recognition certificates on behalf of their valuable years with the city.

There were no items on the Recorder's Report.

F. Consent Items

- 1. Review of meeting minutes from:
July 16, 2013 City Council Work Session
July 16, 2013 City Council Regular Session
July 16, 2013 City Council Executive Session Real Estate
July 16, 2013 City Council Executive Session Legal**

Mayor Burrows asked if there were any changes to the 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 Ordinance 844 amending RCC 1-9-2 to allow Riverdale department heads to designate purchase authority within their department up to a limit of \$1,000 from the current \$500**

Mayor Burrows said the first action item is consideration of Ordinance 844 amending RCC 1-9-2 to allow Riverdale department heads to designate purchase authority within their department up to a limit of \$1,000 from the current \$500. Business Administrator Lynn Fortie said this came about following several requests from department heads to help expedite routine, budgeted expenditures and he said he recommends approval. Councilor Mitchell asked when this \$500 amount was last increased and Mr. Fortie said more than 22 years ago before he started working for the city. There were no additional comments or questions.

Motion: Councilor Arnold moved to approve Ordinance 844 amending RCC 1-9-2 to allow Riverdale department heads to designate purchase authority within their department up to a limit of \$1,000 from the current \$500. Councilor Hunt 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 Burrows asked Mr. Fortie if he had any additional information about the new phone system and Mr. Fortie said the phones will integrate with city computers so the current network infrastructure won't support the new phone system. He said this is the reason that both the phones and the computer server must be offline for a while Wednesday evening into Thursday morning when the new system is expected to be up and running. Mr. Fortie said there is no optimal time for all the city's departments to be offline and many technicians will be working to make the disruptions in service as brief as possible. He asked for any additional questions or comments and there were none.

2. Consideration of Ordinance 839 Granting Questar Gas Company a Franchise for the Construction, Operation and Maintenance of a Gas Distribution System in Riverdale City

Mayor Burrows said the second action item is consideration of Ordinance 839 Granting Questar Gas Company a Franchise for the Construction, Operation and Maintenance of a Gas Distribution System in Riverdale City. City Attorney Steve Brooks said this is the first franchise agreement request Riverdale City has received from Questar and following his review of the document and the questions he asked to a Questar representative, he does not feel there are any disadvantages to the Council approving Ordinance 839 and entering into an agreement with this utility provider. Mayor Burrows asked for any comments or questions and there were none.

Motion: Councilor Searle moved to approve Ordinance 839 Granting Questar Gas Company a Franchise for the Construction, Operation and Maintenance of a Gas Distribution System in Riverdale City. Councilor Mitchell 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.

3. Consideration of Ordinance 842 proposed amendments to RCC 1-7-3 Appeal Board

Mayor Burrows said the next action item is consideration of Ordinance 842 proposed amendments to RCC 1-7-3 Riverdale City's Appeal Board. Mr. Brooks said he has identified situations where there could be a potential conflict of interest in having Riverdale's Risk Management Committee serve as the city's Appeal Board so he is recommending the board now be made up of three city employees with two alternates. Mayor Burrows asked for any comments or questions and there were none.

Motion: Councilor Arnold moved to adopt Ordinance 842 proposed amendments to RCC 1-7-3 Appeal Board. 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.

4. Consideration of proposed amendment to Parks & Trails usage Ordinance 843 amending RCC 7-5 and 7-7 Public Parks addressing rules and regulations in city parks

Mayor Burrows said the next action item is consideration of Ordinance 843 and proposed amendments to the rules and regulations in Riverdale's city parks and trails. Public Works Director Shawn Douglas said park pavilions are reserved until 10 p.m., which is later than when the park rules state facilities are scheduled to close: one half hour after sunset. He said by making the hours consistent year round from 6 a.m. to 10 p.m. there will be less confusion for police officers trying to enforce the rules and for people who use the parks and trails for exercise and recreation.

Councilor Staten said he sees runners and cyclists on the trail after dark and Councilor Mitchell said it is confusing because the hours on the trail throughout Weber County aren't consistent from city to city and he asked why there are closure hours for the trail. Mr. Douglas said his department and the police are recommending the same hours for the parks and trail system through Riverdale to minimize the impact to residents that live near these amenities. Councilor Staten also expressed concerns about people playing Frisbee golf and children playing on playground equipment after dark and he asked about possible restrictions for activities that could be dangerous after the sun goes down. Mr. Douglas said if there is Council consensus the ordinance would need to be amended to exclude certain groups from certain activities between the hours of 6 a.m. and 10 p.m. Police Sergeant Casey Warren said Riverdale police officers do not ticket people quietly exercising on the trail after hours or traveling through the city on a bicycle but the curfew is useful in handling noise complaints from nearby residents upset when people scream or play loud music while visiting a popular swimming hole in the area after dark. He said his officers have been patrolling the area of 4300 South and 600 West regularly in recent

weeks in response to noise complaints and reports of drug and alcohol abuse. Sergeant Warren requested signage with the new trail hours clearly listed to be posted at the entrances to the trail. Councilor Hunt said he has been contacted by a resident that lives near the swimming hole and he asked if the current ordinance is strong enough to address the neighbor's complaints. Councilor Staten said Riverdale's nuisance ordinance can address noise complaints even during the hours city amenities are open. Sergeant Warren said officers are documenting who they talk to and explaining the curfew to first time violators and ticketing repeat offenders but he said additional signage of trail hours would help educate the public.

Councilor Searle said in the summer it gets lighter earlier and some people like to exercise early before work so he recommended the parks and trails open at 5 a.m. instead of 6 a.m. Mr. Hansen asked if enforcing the 5 a.m. curfew would be difficult with limited overnight public safety staffing and Sergeant Warren said it should not be a problem and he advocated a later closing time of 11 p.m. in consideration of fishermen that use the trail and often don't get back to their vehicles until after dark. Councilor Searle said he wouldn't support an 11 p.m. closure because residents that live near Riverdale's parks and trails have a reasonable expectation of peace and quiet after 10 p.m. Councilor Staten asked if there is consensus to amend the ordinance to allow Riverdale's parks and trail to open at 5 a.m. instead of 6 a.m. as originally proposed.

Motion: Councilor Arnold moved to adopt Ordinance 843 amending RCC 7-5 and 7-7 Public Parks addressing rules and regulations in city parks with amendment to change open time 5 a.m. close 10 p.m. Councilor Searle seconded the motion.

Mayor Burrows asked for discussion on the motion and Councilor Mitchell asked for consensus to amend the ordinance to allow Riverdale's parks and trails to close at 11 p.m. instead of 10 p.m. as proposed. Councilor Arnold said he has concerns about noise and he said he would not like to see music allowed in city parks and trails after 10 p.m. Mr. Douglas said if there is Council consensus to close the parks and trail at 11 p.m. pavilion and tennis court lights would stay on until 11 p.m. too and he said a 10 p.m. closure was the consensus of both the public works and police departments. Mayor Burrows said public safety officers can use their professional discretion if groups are not violating the city's noise ordinance or participating in prohibited or illegal activities after hours. Sergeant Warren assured the Council that Riverdale City Officers will not give citations to people exercising on the trail after hours if they are not disturbing the peace. There were no additional comments or questions.

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

5. Consideration of Resolution 2013-30 adopting the Municipal Wastewater Planning Program 2012 Self-Assessment Report

Mayor Burrows said the next action item is consideration of Resolution 2013-30 adopting the Municipal Wastewater Planning Program 2012 Self-Assessment Report. Mr. Douglas said an annual report of the city's wastewater management was required for years, then discontinued and now has been reinstated. He said Riverdale's sewer system is in very

good condition because routine maintenance work is regularly done on the system. Mayor Burrows asked for any comments or questions and there were none.

Motion: Councilor Searle moved to adopt Resolution 2013-30 adopting the Municipal Wastewater Planning Program 2012 Self-Assessment Report. Councilor Staten 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.

6. Consideration of \$50,244.00 Jacobsen lawnmower purchase for Riverdale City Public Works Department

Mayor Burrows said the next action item is consideration of the \$50,244.00 purchase of a Jacobsen lawnmower for Riverdale City's Public Works Department. Mr. Douglas said his department's current mower is 13 years old and is requiring more maintenance each year which also causes delays when the machine is being repaired in the shop and his staff gets off their weekly mowing schedule. He said in the last year his crews have repaired the mower decks twice when welds on the main arm fractured causing lengthy repairs. According to Mr. Douglas, the Jacobsen mower was the lowest of the three bids and will have the same cutting swath as the mower his crews are currently using so he is recommending its purchase for \$50,244 which is within the budgeted amount for the purchase approved by the Council in June. Councilor Searle asked what the other bids were and Mr. Douglas said all large mowers have hydraulic motors allowing them to mow up hills and making them an expensive piece of equipment. Mr. Douglas said he received two bids from Toro one for a mower comparable to the Jacobsen mower he is recommending the city purchase with a bid over \$57,000 and a smaller model priced at over \$52,000 and a third bid from John Deere for \$53,000. Councilor Searle asked what the warranty is on the Jacobsen mower and Mr. Douglas said most lawnmowers come with a standard one year warranty and the public works mechanics on his staff will maintain the machine in accordance with the owner's manual. He said he anticipates the new mower will be used to mow Riverdale's park lawns for 13 to 14 years because the city's current mower was used by South Ogden for three years before Riverdale City purchased and used it for an additional 10 years.

Councilor Mitchell asked if the current mower will be surplus and Mr. Douglas said Jacobsen is willing to take it in trade which could reduce the price by \$6,000. Councilor Mitchell asked how much Riverdale paid for the used mower from South Ogden ten years ago and Mr. Douglas said approximately \$13,700. Councilor Hunt asked if Mr. Douglas had done a cost comparison to see if there were potential benefits to rotating the equipment every three to five years like the public safety vehicles and Mr. Douglas said only the backhoe is traded in every two years and the other equipment is repaired until it can no longer be used. According to Mr. Douglas, South Ogden City has a different philosophy about equipment and a much higher equipment budget than Riverdale City's Public Works Department. Mayor Burrows asked for any additional comments or questions and there were none.

Motion: Councilor Arnold moved to approve the purchase of a \$50,244.00 Jacobsen lawnmower for Riverdale City Public Works Department. Councilor Hunt 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.

7. Consideration of Resolution 2013-31 canvassing, accepting and approving the results of the Municipal Primary Election held on August 13, 2013

Mayor Burrows said the next action item is consideration of Resolution 2013-31 canvassing, accepting and approving the results of the Municipal Primary Election held on August 13, 2013. City Recorder Ember Herrick gave a brief report on the Primary Election naming the four candidates that will be on November's ballot Brent Ellis, Gary E. Griffiths, Cody Hansen and Steve Hilton. She said voter turnout with vote by mail was 28.41 percent which more than doubles the 13.07 percent participation in the 2011 Primary and 27 percent from the 2011 General Election. Councilor Mitchell asked about voter ballots rejected because the signature on file did not match and Ms. Herrick said in the disposition report there were no ballots that were not counted because the signature could not be verified. Councilor Mitchell also asked if there were any complaints from individuals that claimed they did not receive their ballot in the mail and Ms. Herrick said the county mailed out ballots to anyone who claimed they did not receive one the first time and one registered voter who had moved and didn't update his address was allowed to vote provisionally at the Civic Center on Primary Election Day. Councilor Mitchell asked what feedback the city has received about the vote by mail process and Ms. Herrick said the overall response to her office has been positive especially from individuals that find it difficult to get to a polling location on Election Day. She said the only negative feedback she heard was from two older couples that came into her office to vote because they missed the election experience of going to the polls to cast their ballot. Ms. Herrick said she was glad the city had worked out an arrangement with Weber County to have a ballot drop box in the Civic Center for individuals that preferred not to return their ballot through the United States Postal Service and to allow the four out of 1,102 registered voters that preferred using a polling location to have the option of casting their ballot in person on Primary Election Day. Mayor Burrows asked for any additional comments or questions and there were none.

Motion: Councilor Staten moved to adopt Resolution 2013-31 canvassing, accepting and approving the results of the Municipal Primary Election held on August 13, 2013. Councilor Mitchell 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.

H. Discretionary Items

Mayor Burrows asked for any discretionary items and Councilor Mitchell thanked Riverdale City for keeping the city's finances in line so that the Council is not faced with difficult decisions like Farr West's City Council recently was to raise property taxes to pay for the city's public safety contract with the Weber County Sheriff's Department. 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 Staten seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 7:06 p.m.

Approved: September 3, 2013

Attest:

Bruce Burrows, Mayor

Ember Herrick, City Recorder