



**RIVERDALE CITY COUNCIL AGENDA  
CIVIC CENTER - 4600 S. WEBER RIVER DR.  
TUESDAY –FEBRUARY 4, 2014**

Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **February 4, 2014** at 6:02 PM at the Riverdale Civic Center, 4600 South Weber River Drive.

Members Present: Norm Searle, Mayor  
Michael Staten, Councilor  
Braden Mitchell, Councilor  
Don Hunt, Councilor  
Brent Ellis, Councilor  
Gary Griffiths, Councilor

Others Present: Larry Hansen, City Administrator; Steve Brooks, City Attorney;  
Michael Eggett, Community Development Director; Dave Hansen,  
Police Chief; Ember Herrick, City Recorder and six members of  
the public including David Leahy, Chuck Kerkvliet, Doug  
Peterson, Duncan Murray, Bethany Michaels and Alexandros  
Koloveas

**A. Welcome & Roll Call**

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

**B. Pledge of Allegiance**

Councilor Ellis led the Pledge of Allegiance.

**C. Moment of Silence**

Mayor Searle read the quote “most people are as happy as they make up their minds to be” from Abraham Lincoln and said within all of us is the power to choose whether or not to be happy. Mayor Searle’s quote was followed by a moment of silence when he asked everyone to remember our police officers, fire fighters, and U.S. military service members.

**D. Open Communications**

Mayor Searle invited any member of the public with questions or concerns to address the Council for approximately three minutes.

Bonneville High School students Bethany Michaels and Alexandros Koloveas said they have been working on a school project to encourage entrepreneurship and wanted to share some of their ideas on how government can support start ups with the Mayor and Council. Ms. Michaels said offering small business loans to start ups with credible business plans and encouraging business schools in the community could foster new innovation. Mr. Koloveas said the city could also offer sales tax deductions to new businesses. City Administrator Larry Hansen said Riverdale City’s commercial district is the lifeblood of the community and he encouraged the students to research the non-profit association SCORE where retired executives mentor new business owners and help startups secure funding. Councilor Hunt

said becoming an entrepreneur is difficult and he admires individuals that help create jobs. He commended the students on their project.

**E. Presentations and Reports**

Mayor Searle said on January 29, 2014 he and three other adults attended the Local Officials' Day at the State Legislature with 15 members of Riverdale's Youth City Council. Mayor Searle said new technology in public schools was debated and a motivational speaker talked about how he had overcome physical limitations to win an NCAA wrestling championship. He said it was a fun and informative day and he commended the local participants and the Utah League of Cities and Towns for hosting the event.

Mayor Searle said the public is invited to attend a Town Hall Meeting Wednesday February 12, 2014 at 8 p.m. at the Riverdale Senior Center address 4433 S. 900 W. where Governor Herbert and local Representative Brad Dee will be speaking. He said the Riverdale Substance Abuse Court (RSAC) graduation is scheduled for Thursday, February 5, 2014 and he invited anyone with interest to attend.

There were no questions about the Recorder's Report or the Community Development Report.

Councilor Staten gave a presentation on the Riverdale Bicycle and Pedestrian Transportation Plan which he said was created using the state of Utah's guide by a lay committee of six residents that met twice a month. He said he served on the committee and volunteered his time and expertise to create the plan to save the city the cost of hiring a consultant. According to Councilor Staten, he would like to see the committee's plan and recommendations incorporated into the transportation section of Riverdale City's General Plan to give the city leverage to negotiate with Wasatch Front Regional Council (WFRC), Weber County, and the Utah Department of Transportation (UDOT) when these agencies are doing work on Riverdale streets. Councilor Staten said he would also like to see the committee's work continue in an advisory role to staff, but the last direction from Council was that the committee be disbanded at completion of the plan with staff using the document for guidance as road work is completed throughout the city.

Councilor Staten referenced a map of proposed projects created from a modified WFRC map identifying the safest routes for cyclists and pedestrians to get around town. Councilor Staten discussed a list of projects organized by priority that the committee had identified including each project's estimated cost and he said bike education and public outreach are also important. According to Councilor Staten, in the previous fiscal year Riverdale's Council authorized the expenditure of \$15,000 to stripe bike lanes and signage on 4400 South and 700 West between 4400 South and 4600 South. He said bike lanes benefit the entire community as a traffic calming measure as well as creating a path for cyclists to use and he said signs and pavement markings on existing streets can help make roads safer for everyone.

Councilor Staten talked about what percentage of the community experts estimate will use bike amenities if they are established in a community and the difference between

class one, two, and three road projects. He referenced the network plan which outlines access to recreation areas and schools and helps cyclists travel between neighboring cities and said Riverdale has accomplished a lot and is ahead of many neighboring cities.

Councilor Staten said he would also like the plan to be published on the city's website along with some online mapping tools so cyclists can plan bike trips through Riverdale. He said he would like cycling to be part of the Mayor's fitness initiative and for Riverdale's Police Department to enforce state cycling laws. Councilor Staten said outside funding could also be sought to fund some of the projects in the plan and he asked the Council members to familiarize themselves with the plan because they will determine what projects they want funded in the future. Councilor Griffiths asked if Public Works Director Shawn Douglas will review Councilor Staten's recommendations to implement into his capital projects plan. Mr. Hansen said Mr. Douglas and Community Development Director Michael Eggett will work together to identify projects they would like to see proceed and the Council will appropriate funding for initiatives they agree are in the best interest of Riverdale's 8,500 residents in future budgets. Councilor Staten said the plan can create value for the city long term if his proposed projects are implemented to create some positive publicity.

Councilor Hunt said wayfinding signs were criticized by Council previously but now he can see the value in the signs for individuals not familiar with Riverdale City. He told Councilor Staten the plan in its entirety can be overwhelming and he said projects will have a greater likelihood of being approved if they are considered in smaller pieces by the Council. Mayor Searle thanked Councilor Staten and the committee for their work on the plan and recommendations to improve Riverdale and said he is excited to see the completion of sidewalk along River Park Drive this year. Mayor Searle said he recently discussed widening the road under I-84 to make it more pedestrian and cycling friendly and UDOT representative Chris Peterson told staff the city would be responsible for funding the project estimated at over \$1 million. Mayor Searle said he will lobby Weber County's Transportation Committee and the mayors of Roy and Ogden to see if they would be willing to partner with Riverdale in funding this project and widening the overpass on 4400 South over I-15. There were no additional questions or comments.

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

Mayor Searle asked if there were any changes to the January 15, 2014 work session and regular Council meeting minutes and none were noted. He said the second item on the agenda is consideration of the appointment of Riverdale resident Cody Hansen to Riverdale's Planning Commission to finish Planning Commissioner Brent Ellis' term through January 31, 2016. He said three applicants expressed interest and he is asking the Council to ratify his selection of Cody Hansen now that City Administrator Larry Hansen has announced his retirement.

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

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

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

## **G. Action Items**

### **1. Consideration of Ordinance 850 adopting proposed amendments to RCC 10-10A-3F Special Regulations**

Community Development Director Michael Eggett said the first action item is consideration of Ordinance 850 adopting proposed amendments to RCC 10-10A-3F Special Regulations. He said this proposed amendment will add consumer loans that are not FDIC insured to Riverdale's special regulations designation in the same category as payday loans and check cashing businesses. According to Mr. Eggett, he worked with City Attorney Steve Brooks to create a definition that differentiates this type of consumer loan from those offered by banks and credit unions. Mr. Eggett said the code restricts one business per every 4,000 population so only two would be allowed in Riverdale with 8,500 residents. He said Riverdale's Planning Commission held a public hearing on January 28, 2014 where no dissent to the proposed amendment was received and the group voted unanimously to forward the change with a favorable recommendation to the Council for their consideration.

Councilor Hunt said in his opinion the free market should dictate which businesses are viable in a city but he said he understands staff's concern that these types of businesses could overrun the commercial district. He said he saw a recent news story which claimed some FDIC insured banks that operate in Utah are charging the same high interest rates as non-FDIC insured lending institutions. Councilor Hunt said if the Council is truly interested in protected consumers from predatory lending practices all banks and credits unions that charge high interest rates should be subject to the same limitations as consumer loan companies that aren't FDIC insured.

Councilor Mitchell asked how many of each type of business covered under the special regulations category are allowed under Riverdale City code and Mr. Eggett said two gold buyers, two pawnshops, two title loan businesses and two payday loan/check cashing/consumer loan companies. Mr. Eggett said with the addition of TitleMax Riverdale will be at its limit in all four categories with eight of these institutions. Councilor Mitchell asked how staff would handle a mixed request to operate a business that wanted to offer two services in different categories. Mr. Eggett said if the city was already at its limit under the special regulations section for one type of business the business owner could not offer both services. Mr. Brooks said in such cases denying one use but allowing the other would be legal under RCC 10-10A-3. Mr. Hansen said grocery stores in Utah are prohibited from selling hard liquor although they are not under the same restrictions in other states and he said this is an illustration of how states and cities can define the activity a national business is allowed to perform in their area in accordance with state and local legislation.

Councilor Staten said Ordinance 850 is only proposing amending RCC 10-10A-3F to add the category of consumer loans that aren't FDIC insured to the existing provision. He said the scope of tonight's action item is not to discuss density and how many of these types of businesses should be allowed and Councilor Mitchell disagreed. Councilor Ellis asked about title loans and Mr. Eggett said they are their own designation but are included under RCC 10-10A-3 because their practices are similar to the other businesses

in this category: gold buyers, pawnshops, payday loan/check cashing/consumer loan companies.

**Motion:** Councilor Mitchell moved to approve Ordinance 850 adopting proposed amendments to RCC 10-10A-3F Special Regulations. Councilor Griffiths seconded the motion.

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

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

## **2. Consideration of Ordinance 851 adopting proposed amendments to RCC 10-10-2 Definitions**

Mr. Eggett said the second action item is consideration of Ordinance 851 adopting proposed amendments to RCC 10-10-2 Definitions. He said Utah state code defines a family as four unrelated individuals outside of college towns and Riverdale needs to amend its definition from three to four to comply with state statute. Mr. Eggett said Riverdale's Planning Commission held a public hearing on January 28, 2014 where no dissent to the proposed amendment was received and the group voted unanimously to forward the change with a favorable recommendation to the Council for their consideration.

Councilor Mitchell asked when this state code was amended to four and Mr. Eggett said the statute shows it was last amended in 2012. Mr. Brooks said he believes the definition was amended following the outcome of a Utah County court case. Councilor Mitchell and Mayor Searle said they understand the city is required to comply with state law but they dislike the amendment and wish the limit could stay at three.

**Motion:** Councilor Ellis moved to approve Ordinance 851 adopting proposed amendments to RCC 10-10-2 Definitions. Councilor Hunt seconded the motion.

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

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

## **3. Consideration of recommendation on Resolution 2014-1 adopting proposed amendments to the Introduction section of the General Plan**

Mr. Eggett said the third action item is consideration of Resolution 2014-1 adopting proposed amendments to the Introduction section of the General Plan. He said staff from all impacted departments has reviewed the document and proposed amendments for the Council's consideration. Mr. Eggett said Riverdale's Planning Commission held a public hearing on January 28, 2014 where no dissent to the proposed amendment was received

and the group voted unanimously to forward the change with a favorable recommendation to the Council for their consideration. Mayor Searle complimented staff for their work and asked the Council for any questions or comments about the proposed changes and there were none.

**Motion:** Councilor Hunt moved to approve Resolution 2014-1 adopting proposed amendments to the Introduction section of the General Plan. Councilor Mitchell seconded the motion.

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

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

#### **4. Consideration of Ordinance 852 proposed amendment to RCC 1-6-3B Presiding Officer; Mayor Pro Tempore**

Mr. Brooks said the fourth action item is consideration of Ordinance 852 proposed amendment to RCC 1-6-3B Presiding Officer; Mayor Pro Tempore to create consistency by stipulating that the Council will appoint a Mayor Pro Tempore position after each municipal election to serve a two year term. He said the term limit is at the Council's discretion and he is only recommending adding it to the city code to clarify the policy for the future. Mr. Brooks asked for any questions or comments about the proposed changes and there were none.

**Motion:** Councilor Mitchell moved to approve Ordinance 852 proposed amendment to RCC 1-6-3B Presiding Officer; Mayor Pro Tempore. Councilor Hunt seconded the motion.

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

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

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

Mayor Searle asked if there were any discretionary items and Councilor Ellis said a resident that lives on 1700 West complained to him about traffic along the street outside of a new church that is operating out of the old Crown Bedroom Warehouse. According to Councilor Ellis, because there was insufficient parking at the warehouse parishioners parked along the road down the street from the church reducing an already narrow road to one lane. He asked if no parking signs would be appropriate on the east side of the road and Mr. Hansen said staff is working with representatives from the church to address these concerns. Mr. Eggett said a certificate of occupancy hasn't been issued so the building was used over the weekend without the building inspector's authorization.

Councilor Staten said a resident that runs along Riverdale's trail complained to him recently about dogs off their leashes chasing her and he asked the police to increase their

presence and have officers on bicycles issue citations to violators. Police Chief Dave Hansen said typically his officers don't bike on the trail in the winter because of the ice and snow but he said he will ask Riverdale's Animal Control Officer to increase her patrols and cite violators. Councilor Staten said the runner that complained to him said she sees an average of five dogs off their leash each time she runs on the trail, concentrated on the south end at the Frisbee golf park. Councilor Ellis asked if there is sufficient signage instructing dog owners to keep their dogs on a leash and Chief Hansen said he will evaluate the signage and make a recommendation to staff if it appears additional signage is needed. There were no additional discretionary items.

**Motion:** Councilor Hunt moved to adjourn into closed executive session to discuss the character, professional competence, or physical or mental health of an individual pursuant to Utah Code 52-4-205(1)(a). Councilor Mitchell seconded the motion.

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

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

The meeting adjourned into closed executive session at approximately 7:08 p.m.

**Motion:** Councilor Mitchell moved to adjourn out of closed executive session to discuss the character, professional competence, or physical or mental health of an individual pursuant to Utah Code 52-4-205(1)(a). Councilor Griffiths seconded the motion.

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

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

The meeting resumed at approximately 9:00 p.m.

**Adjournment:**

With no further business to come before the Council at this time, Councilor Staten moved to adjourn the meeting. Councilor Mitchell seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 9:01 p.m.

Approved: February 18, 2014

Attest:

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Norm Searle, Mayor

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Ember Herrick, City Recorder