



**RIVERDALE CITY COUNCIL AGENDA
CIVIC CENTER - 4600 S. WEBER RIVER DR.
TUESDAY –APRIL 1, 2014**

Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **April 1, 2014** at 6:00 PM at the Riverdale Civic Center, 4600 South Weber River Drive.

Members Present: Norm Searle, Mayor
Don Hunt, Councilor
Gary Griffiths, Councilor
Brent Ellis, Councilor

Member Excused: Braden Mitchell, Councilor
Michael Staten, Councilor

Others Present: Rodger Worthen, City Administrator; Steve Brooks, City Attorney;
Shawn Douglas, Public Works Director; Michael Eggett,
Community Development Director; Roger Bodily, Fire Chief;
Ember Herrick, City Recorder and two members of the public
including David Leahy, and Charles Kerkvliet.

A. Welcome & Roll Call

Mayor Searle called the meeting to order and welcomed all in attendance including all Council members except for Councilors Staten and Mitchell who are excused and he welcomed new City Administrator Rodger Worthen.

B. Pledge of Allegiance

Councilor Hunt led the Pledge of Allegiance.

C. Moment of Silence

Mayor Searle called for a moment of silence when he asked everyone to remember our police officers, fire fighters, U.S. military service members and members of our community who are ill.

D. Open Communications

Mayor Searle invited any member of the public with questions or concerns to address the Council for approximately three minutes and Riverdale Resident David Leahy said the bricks in the walkway of Riverdale City's Memorial are disintegrating. Mr. Leahy said a lot of money has been invested into Riverdale's Memorial and he recommended Riverdale's Risk Management Committee evaluate this possible trip hazard because weeds will continue to grow between the bricks and this will likely be an ongoing problem. Councilor Hunt asked if this is a design problem and Councilor Griffiths asked if the city stores replacement bricks. Public Works Director Shawn Douglas said the city has bricks in storage for this purpose and his staff annually replaces between 30 and 40 bricks as soon as the weather permits after the freeze and thaw season has ended each spring. He said the memorial bricks will be replaced before Memorial Day services in May.

E. Presentations and Reports

Mayor Searle said a group of German students will be in Riverdale on a cultural exchange for two weeks in April. He said Councilor Mitchell will attend a welcome party for the students as Riverdale's representative on April 9, 2014 at Bonneville High School because everyone else will be attending the ULCT training in St. George.

Mayor Searle said he toured the city's water tanks with City Administrator Rodger Worthen and Mr. Douglas and he was impressed with the engineering oversight and he encouraged the Council to visit the site and inspect the work. According to Mayor Searle, painting the city's water tanks will extend their life 30 years.

Mayor Searle said a six week citywide fitness program called Live Fit starts Monday, April 14 at 6 p.m. at the Riverdale Civic Center. He said a lecturer will speak about a wellness topic for 15 minutes followed by a trail walk/run. Mayor Searle said over 100 residents have already signed up and he invited all residents to participate and preregister online at www.riverdalecity.com.

Mayor Searle said April 1, 2014 is National Mayor's Service Recognition Day and he read a proclamation honoring individuals in Riverdale who donate their time to serve in our community including reading tutors, members of the Veterans Advisory Group, Planning Commission, Communities That Care, Bicycle Pedestrian Committee, Old Glory Days Committee, and Live Fit Committee.

Mayor Searle asked for any questions or comments on the Recorder's Report or Communities that Care (CTC) Report included in the packet and none were noted. He read a comment from Councilor Staten in support of efforts to curb teen use of e-cigarettes which Councilor Staten described as a gateway drug and a statement about Councilor Staten's desire for local, county and state officials to impose restrictions on e-cigarettes, where legal. Mayor Searle said the Weber Area Council of Governments tried to get a bill through the 2014 legislative session to address e-cigarettes but it didn't pass. Councilor Ellis asked Police Chief Dave Hansen if e-cigarettes are a problem his officers are encountering and Chief Hansen said it is impossible to regulate the chemicals in e-juice and the FDA and state should be the agencies addressing this, not individual municipalities. According to Chief Hansen, the e-cigarette industry is trying to self regulate by claiming they don't sell to anyone under 19 years old but he said if there is no tobacco being sold law enforcement would not be able to take action against a supplier that sales e-cigarettes and e-juice to minors. Chief Hansen said the chemicals in e-cigarettes haven't been tested and the health care community doesn't yet understand the long term health impacts on children and adults. He said he was disappointed that the state didn't pass legislation addressing e-cigarettes in 2014 because the problem of teen smoking is becoming more rampant. Mayor Searle said the FDA needs to create guidelines and regulate e-cigarettes and the substances people smoke in them.

F. Consent Items

- 1. March 4, 2014 City Council Work Session
March 4, 2014 City Council Regular Session
February 22, 2014 Strategic Planning meeting**

Mayor Searle asked for any changes or corrections to the meeting minutes and none were noted.

2. Consideration of approving language for anodized historical marker plaque as part of Riverdale City's Historical Preservation Project

Mayor Searle said the proposed language for the first historical marker plaque is still in the works and the Council won't act on this proposed agenda item tonight.

3. Consideration of Riverdale Bicycle and Pedestrian Transportation Plan as an advisory document for staff

Mayor Searle said Councilor Staten asked that his comments about the Riverdale Bicycle and Pedestrian Transportation Plan be read during tonight's public meeting: "To quote from the minutes of the strategic planning meeting: 'Councilor Staten asked if the Riverdale Bike Pedestrian Transportation Plan could be adopted by resolution what the legal implications would be and Mr. Brooks said there would be none and Mr. Hansen suggested instead that it be listed as a consent item on a future agenda.' I hope the council will take this step to endorse the plan – as the city attorney said, it doesn't obligate the city to follow the plan, and our staff will continue to implement the plan as they see fit, with council and mayor oversight; however, it is an endorsement that carries PR value."

Councilor Ellis thanked the committee and Councilor Staten for their work on the plan and said he supports the document as an advisory document for staff. Mayor Searle said a lot of time went into this plan and it contains a lot of good ideas for future consideration.

Motion: Councilor Ellis moved to approve the consent items. Councilor Griffiths 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 Resolution 2014-8 declaring 20 police service revolvers as surplus property

a. Public hearing to declare 20 police service revolvers as surplus property

b. Consideration of Resolution 2014-8 declaring 20 police service revolvers as surplus property

Chief Hansen clarified the guns being surplus are semi-automatic hand guns not revolvers as listed on the agenda and he said policy requires a public hearing be held to surplus the weapons. He said new training guidelines instruct officers to drop their clips when they are reloading and this has created additional wear and tear on the equipment. Chief Hansen said if the old hand guns are exchanged through the state bid contract the cost of the new weapons will be \$130 per gun. Councilor Ellis noted the weapons won't

be resold by Riverdale City like other surplus items but will be exchanged through a licensed gun dealer out of Salt Lake City. Councilor Hunt said the price of the new weapons is determined by state bid. Chief Hansen said officers will have the option to purchase their old hand gun at cost plus \$50 for a processing fee. Mayor Searle said the police department is requesting that 20 guns be surplus but the list of serial numbers included in the packet only has 19 gun serial numbers listed on it. Chief Hansen said there are 20 guns to be surplus and one serial number was accidentally omitted.

Mayor Searle opened the public hearing to receive public comments and questions on the proposal to declare 20 police service revolvers as surplus property and no comments were received.

Motion: Councilor Hunt moved to close the public hearing. Councilor Ellis seconded the motion.

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

Call the Question: The motion passed unanimously.

Mayor Searle read Councilor Staten's comments on tonight's action items as follow: "Based on the information in the packet, the proposed action items are acceptable to me, including the surplus property declaration, awarding of the storm water projects, changes to the fee schedule (I particularly agree with the lessened penalties for late dog licensing as the current structure does encourage people to try to stay under the radar if they don't get it done in time), and the proposed amendments to the emergency operations plan." Mayor Searle asked for additional discussion on surplus the police hand guns and there was none.

Motion: Councilor Hunt moved to approve Resolution 2014-8 declaring 20 police service revolvers as surplus property. Councilor Griffiths seconded the motion.

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

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

2. Consideration of awarding 2014 Riverdale City Storm Water Projects

Mr. Douglas said Riverdale City bid four storm water projects for 2014 and they came in slightly over budget, but the enterprise fund is healthy and staff is recommending the Council award the job to the lowest bidder Leon Poulsen Construction for \$301,992.50. He said if the Council wants to stay under budget, one of the projects can be postponed until the next fiscal year, but he warned the bids will likely be higher a year from now and the low bid is reasonable. Councilor Ellis asked what the project budget was and Mr. Douglas said \$275,000. Councilor Hunt asked why prices are up and Mr. Douglas said recession recovery prices should be expected to continue to climb.

Motion: Councilor Ellis moved to award the 2014 Riverdale City Storm Water Projects to Leon Poulsen Construction for \$301,992.50, plus engineering costs. Councilor Griffiths seconded the motion.

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

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

Mr. Douglas said the public will be happy to see these projects completed.

3. Consideration of Resolution 2014-9 amending Riverdale's Consolidated Fee Schedule

a. RCC 1-12-8 Fire Department Fees

b. RCC 1-12-4A(4) Animal Fees

Riverdale Fire Chief Roger Bodily said the city's ambulance fees are determined by the state annually and the city has received the new numbers for rate increases based on the city's revenues and cost of doing business. He said the fee for basic ground ambulance will be \$615.00, intermediate ground ambulance \$813.00 and paramedic ground ambulance \$1,189.00, per transport. According to Chief Bodily, the other fees including mileage, wait time and surcharges will remain the same. Mayor Searle asked about the difference between basic and intermediate ground ambulance transport and Chief Bodily said it deals with the training level of staff and the ability of the city to receive higher reimbursement rates for Medicare and Medicaid patients.

Chief Hansen said he is proposing the late fee for dog license renewals be lowered from \$25 to \$10 because of numerous complaints from Riverdale seniors that forget to license their pet before the deadline and can't afford the \$25 late fee. He said his office has been inundated with requests to waive the late fee and so he is recommending the fee be decreased to \$10 which should encourage compliance. Councilor Ellis said in his opinion higher penalties encourage people to lie and lower fines could actually help the city collect more fees in the long run so he supports the proposed change. Councilor Griffiths asked what the fees are used for and Chief Hansen said it subsidizes Riverdale's animal control costs and the money goes back into Riverdale's General Fund. Councilor Griffiths recommended Chief Hansen write a newsletter article to help educate residents and explain why late fees are assessed and how the money is used.

Councilor Hunt shared an anecdote about a Riverdale family that lost their home in a fire and requested suspension of utility services temporarily until they could get back on their feet. He said staff did not make a special exception for this family and in his opinion this is no different than waiving the late fee on an animal license. Councilor Hunt said if staff makes special considerations for one group it will create an entitlement mentality among residents and he shared another anecdote about a mobile home owner who requested an RDA loan to repair a porch. He said Riverdale has established license fees and late fines and the Council can't accommodate one group and not another without appearing unfair or opening the floodgates to requests for leniency. Councilor Griffiths said the RDA example was a request for a loan, not an entitlement or a fee waiver. Mr. Eggett said the RDA recently decreased the available home improvement loan amounts for mobile

homes from \$5,000 to \$500. Councilor Griffiths said once an RDA loan has been paid off a mobile home owner could apply for another one.

Councilor Griffiths asked what the procedure for a dog license renewal is and Chief Hansen said staff sends out reminder letters and then Riverdale's Animal Control Officer goes door to door investigating complaints about unlicensed dogs. Councilor Ellis asked how common waiver requests are and Chief Hansen said Lieutenant Scott Brenkman handles these requests and communicated to him that he was overwhelmed with waiver requests from Riverdale residents and recommended the Council consider lowering the late fee.

Mayor Searle said he agrees with Councilor Hunt that the city should act consistently but the late fee of \$25 is excessive and \$10 seems to be a more moderate late fee. He said the city needs to be cautious in waiving service fees for utilities because all property owners pay to maintain the infrastructure, even if they aren't living in the home. Councilor Hunt said dog owners are given notice that they need to renew before the deadline and he can't support a decrease in late fees because in his opinion these two policies aren't consistent and the family with the fire damage didn't get a break in their utility fees after their house fire. Councilor Griffiths asked City Attorney Steve Brooks what makes a home a viable property and about the possibility of relief from utility fees after a house fire and Mr. Brooks said the city treats a property with utility obligations in good condition the same as one with fire damage. Councilor Griffiths asked about Riverdale's past practice in utility billings for homes affected by the canal break in 1999 and Mr. Hunt said affected residents had access to unmetered water.

Chief Hansen said the purpose of the animal license late fee should be to incentivize compliance not create a hardship for residents. Mayor Searle said staff is only proposing a reduction in the late penalty for failing to license your dog before the deadline.

Motion: Councilor Ellis moved to approve Resolution 2014-9 amending Riverdale's Consolidated Fee Schedule. Councilor Griffiths seconded the motion.

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

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

4. Consideration of Resolution 2014-7 adopting proposed amendments to Riverdale City's Emergency Operations Plan

Chief Bodily said the Council has had over a month to review Riverdale's updated Emergency Operations Plan (EOP), which has been amended by every department in the city to accurately reflect current staffing and the roles of all essential staff in an emergency situation. He said Mayor Searle asked that the succession be clarified if he is not available to declare a state of emergency in the city and the city recorder noted the change. Chief Bodily said the Mayor and Council, all department heads, and essential staff will be sent an electronic copy, if this document is approved, so that they can

familiarize themselves with their duties and responsibilities. Councilor Ellis thanked staff for their hard work and complimented the comprehensive document and Chief Bodily gave credit to the city recorder who has spent many months getting input from staff, the county, and state to complete the revisions. Mayor Searle said the EOP must become a living document for the city and he challenged the Council and staff to familiarize themselves with their responsibilities in an emergency situation.

Councilor Griffiths said the annual Great Utah Shakeout event in April would be an ideal opportunity to stage a city wide mock disaster and evaluate the role of the Mayor and Council and essential staff following the exercise. He said a disaster doesn't necessarily need to be an earthquake and is more likely to be a major snowstorm in this area. Chief Bodily said his staff will prepare drills, table top exercises and eventually stage a city wide mock disaster in the coming year for training purposes. He said Riverdale's Fire Department will be participating in a mass causality drill in Ogden this April 17, 2014 for The Great Utah Shakeout to practice transporting injured patients.

Councilor Hunt said he went through the CERT training a few years ago but his skills are rusty and Councilor Ellis requested the city have periodic trainings so CERT members can refresh their skills and network with each other. Chief Bodily said in an emergency event citizens that have received proper training will revert back to what they have been taught. He said he recently discussed the need for additional CERT training exercises and regular mock disaster drills with Riverdale Captain Dave Ermer who oversees the program. Chief Bodily said the EOP is a living document that will continue to be amended as needed and he promised additional trainings and drills to help the community and staff prepare.

Motion: Councilor Hunt moved to approve Resolution 2014-7 adopting proposed amendments to Riverdale City's Emergency Operations Plan. Councilor Griffiths seconded the motion.

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

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

Executive Session

Consideration of recess into Closed Executive Session for the purpose of strategy sessions to discuss the purchase, exchange, or lease of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms pursuant to Utah Code §52-4-5(1)(a)(iv).

Motion: Councilor Hunt moved to recess into closed executive session for the purpose of strategy sessions to discuss the purchase, exchange, or lease of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms pursuant to Utah Code §52-4-5(1)(a)(iv). 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 recessed into closed executive session at approximately 7:16 p.m.

Motion: Councilor Griffiths moved to adjourn out of closed executive session for the purpose of strategy sessions to discuss the purchase, exchange, or lease of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms pursuant to Utah Code §52-4-5(1)(a)(iv). Councilor Ellis seconded the motion.

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

Call the Question: The motion passed unanimously.

The Council meeting resumed at 7:47 p.m.

5. Consideration of action on purchase, exchange, or lease of real property

No action was taken on this item.

H. Discretionary Items

Mayor Searle asked if there were any discretionary items and none were noted.

Adjournment:

With no further business to come before the Council at this time, Councilor Ellis moved to adjourn the meeting. Councilor Griffiths seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 7:48 p.m.

Approved: April 15, 2014

Attest:

Norm Searle, Mayor

Ember Herrick, City Recorder