



**RIVERDALE CITY COUNCIL AGENDA  
CIVIC CENTER - 4600 S. WEBER RIVER DR.  
TUESDAY –NOVEMBER 18, 2014**

Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **November 18, 2014** at 6:00 PM at the Riverdale Civic Center, 4600 South Weber River Drive.

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

Member Excused: Don Hunt, Councilor

Others Present: Rodger Worthen, City Administrator; Michael Eggett, Community Development Director; Rodger Bodily, Fire Chief; Ember Herrick, City Recorder and five members of the public including Scott Ashby, Scott Hansen, Cody Deeter, Charles Kerkvliet and David Leahy.

**A. Welcome & Roll Call**

Mayor Searle called the meeting to order and welcomed all in attendance including all Council members except Councilor Hunt who is excused.

**B. Pledge of Allegiance**

City Administrator Rodger Worthen 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, 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.

Scott Ashby said he is with Boy Scout Troop 266 and is attending tonight's meeting with his grandfather Scott Hansen to work on his citizenship in the community merit badge.

Riverdale resident David Leahy said the Veterans Day Ceremony was a success and he thanked all those who participated in the program and worked behind the scenes prior to the ceremony including Riverdale Public Works employees and Custodian Chris Stone. Mayor Searle said the program was a fitting tribute to the veterans and he recognized Mr. Leahy and Charles Kerkvliet for their contributions and Mr. Kerkvliet's granddaughter Mckayla Orr who led the pledge of allegiance.

Riverdale Youth City Council Mayor Nicole Grose said Riverdale's Halloween Festival at the Community Center was a success with members of the Youth City Council and their supervisor Community Services Coordinator Rich Taylor working together to double the turnout over the previous year. She said the event included hayrides, a spook alley, face painting, games, food and prizes and the total cost of the activity was \$550. Miss Grose thanked the stores that donated candy and TJ and Bubba's Trailers for lending their ATVs for the hayrides. She said the activity was family friendly with games for all ages and the plan for 2015 is to expand the event to accommodate a larger crowd and collect food donations to help a local food pantry.

Councilor Mitchell said his family attended the festival and there was great community support at the event and Councilor Ellis said his grandchildren had a wonderful time and it appears planning the activity was a good chance for the Youth City Council to develop their leadership skills. Mayor Searle thanked Miss Gross for her report and Mr. Taylor for his supervision and coordination.

#### **E. Presentations and Reports**

Mr. Worthen recognized the police for catching a wanted robbery suspect and diffusing a suicide threat involving a woman with a gun in a busy store parking lot and the fire department for putting out three fires in the previous month. He noted staff with anniversaries in the month of October thanking them for their service, including Earlene Lee and Matt Sorenson who have 15 years with the city and Steve Brooks who has worked for Riverdale City for a decade. Mayor Searle and Mr. Worthen presented Mr. Brooks with a service recognition award. Mr. Worthen asked for any questions about the treasury reports or staffing authorization report and none were noted.

Accountant Jeff Ambrose with Christensen, Palmer & Ambrose gave a report on Riverdale's Fiscal Year 2013-2014 Audit. He thanked Business Administrator Lynn Fortie for the financial records he provided during the audit and noted only two changes were required. Mr. Ambrose explained the Independent Auditors' Report, the Internal Control and Compliance Report, the Utah Legal Compliance Report and Management Letter stating there were no modifications or significant findings or discrepancies in Riverdale's 2013-2014 audit. He said over \$5 million dollars of Riverdale's \$6.9 million dollar budget is sales tax generated and the city's largest expenditure is for public safety. According to Mr. Ambrose, Riverdale's fund balances are growing faster than the city's liabilities and he asked for any questions about the report and Councilor Griffiths said Riverdale expends more for public safety because of the city's large retail district. Mr. Worthen thanked Mr. Ambrose for his report.

Councilor Staten gave a report on the League of American Bicyclists awarding Riverdale City bronze recognition for being a Bicycle Friendly Community. According to Councilor Staten, the purpose of the designations is to give guidelines and goals to cities who want to become more bicycle friendly. Councilor Staten said Riverdale received the bronze designation because it has a bicycle and pedestrian plan, a certain percentage of city streets striped with bike lanes that connect to the city's trail system, and hosted some bike activities in the last year. He thanked the Mayor, Council and staff for their support of his initiative and said he hopes the city will work towards silver recognition in the next four years as city streets are modified to better accommodate all modes of transportation.

Councilor Staten said city must reapply after four years and he briefly described what the city would need to do to get a silver designation.

Mr. Worthen and Community Development Director Michael Eggett gave a report on the first meeting of the Riverdale Park Committee held November 13, 2014 and attended by staff and five members of the public the Mayor selected to serve on the committee. According to Mr. Worthen the scope of the committee was discussed at this first meeting and the size of the 17 acre piece of property including roadblocks to development like its proximity to the Weber River. He said the next meeting is scheduled for January 8, 2014 and in the future a request will come before the Council to put out an RFP to hire a park planner consultant to work with the committee. Mr. Worthen said this expense wasn't budgeted for so it will need to be a part of the next year's budget or the current fiscal year's budget will need to be amended through a public hearing. Councilor Staten asked if the committee is only addressing development of the city's land on the west side of the river and Mr. Worthen said the committee may also address the east side. There were no additional questions or comments.

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

Mayor Searle asked if there were any changes to the October 21, 2014 Council meeting minutes and none were noted.

**Motion:** Councilor Mitchell 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 Weber River Bank Restoration Project**

Mayor Searle said the first action item is consideration of funding for the Weber River Bank Restoration Project. Public Works Director Shawn Douglas said the bank was damaged during the flooding in the spring of 2011 and he said his staff will do the work under the oversight of RiverRestoration.org. Mr. Douglas said this is a FEMA approved project and every effort will be made to get FEMA to help pay a portion of the total project cost but he said the city needs to do the repair work now while the river is low and before the ice forms. He said \$250,000 is the amount budgeted for the project but the actual cost will likely be \$100,000 and he asked for any questions. Councilor Mitchell asked when work will start and Mr. Douglas said in the next few weeks unless there is too much ice in the river which could delay the project until early spring 2015. Councilor Ellis thanked staff for taking on this project to keep costs low and Mayor Searle asked what portion FEMA could pay and Mr. Douglas said the percentage depends on the final project cost. Mayor Searle said Central Weber Sewer is planning to fix the hole in the river near the former kayak park this winter while water levels are low and he asked for any additional questions or comments and none were noted.

**Motion:** Councilor Ellis moved to approve \$100,000 in funding for the Weber River Bank Restoration Project. Councilor Mitchell 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 Griffiths, aye; and Councilor Ellis, aye. The motion passed unanimously.

**2. Consideration of final payment of \$43,887.06 to UDOT for Riverdale Water Line Project**

Mayor Searle said the second action item on the agenda is consideration of a final payment of \$43,887.06 to the Utah Department of Transportation (UDOT) for the Riverdale Water Line Project. Mr. Douglas said the water line that was replaced runs from Gibby's Floral across Riverdale Road to 1500 West and the Council previously approved this expense and now the work is complete final payment is being requested. Councilor Mitchell complimented Mr. Douglas on his foresight to replace this line while UDOT had the road torn up and Mr. Douglas said it should be a considerable savings over time to Riverdale City and he thanked the Council for approving the project ahead of schedule. Mayor Searle asked for any additional questions or comments and none were noted.

**Motion:** Councilor Staten moved to approve final payment of \$43,887.06 to UDOT for a Riverdale Water Line Project. Councilor Mitchell seconded the motion.

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

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

**3. Consideration Resolution 2014-27 adopting a Transportation Coalition request**

Mr. Worthen said he is asking for direction from the Council about Riverdale City joining a Transportation Coalition through the adoption of Resolution 2014-27 and a \$500 donation. He said the coalition is comprised of the Utah League of Cities and Towns (ULCT), the Utah Association of Counties (UAC), the Salt Lake Chamber of Commerce and several private businesses. Mr. Worthen said the coalition's purpose is to create a communications campaign to educate Utah residents about the importance of maintaining Utah roads for transportation. He said the coalition will also be lobbying legislators this January for a quarter percent sales tax increase to be paid directly to cities to help them maintain their roads by supplementing the B and C road fund deficiencies. Mr. Worthen said the \$500 donation will give Riverdale access to the coalition's toolkit with promotional materials that can be used in the city's newsletter, website, utility bills etc.

Mr. Worthen said he is recommending the Council adopt this resolution and make the \$500 donation because a sales tax increase is preferable to a gas tax increase that won't tax all modes of transportation that add wear and tear to Riverdale streets and don't use traditional fuels. According to Mr. Worthen, the B and C road funds Riverdale City receives annually haven't increased to keep up with inflation and the rising costs of road materials. He said as vehicles become more fuel efficient they are able to travel longer distances on less fuel which also exacerbates the road fund shortfall. Mr. Worthen said some Utah roads only get potholes filled because there aren't funds to do proper maintenance, which increases the expense when the road finally needs to be replaced. Mayor Searle said by 2040 the number of cars on Utah roads is expected to double.

Councilor Griffiths said this request appears to be an educational campaign more than a lobbying effort and Mr. Worthen agreed the coalition's primary purpose is to educate the public about the road fund shortfall. Councilor Mitchell asked if an increase in the gas tax is being advocated by the coalition and Mr. Worthen said lobbyists will be asking the state legislature for both a sales and a gas tax increase but the sales tax is preferable because it won't compete with Utah's Education System funding. Councilor Mitchell asked how Riverdale has handled previous requests to join coalitions in the past and Mr. Worthen said this is a unique transportation coalition with an educational agenda similar to the Communities That Care (CTC) Coalition Riverdale joined a few years ago to educate youth about substance abuse issues. Councilor Mitchell asked if this transportation coalition will request additional donations in the future and Mr. Worthen said that is unlikely as the coalition anticipates disbanding by June 30, 2015 and he reiterated the \$500 will give Riverdale City access to the coalition's communication tools. Councilor Staten said he works as an engineer and many of his projects have a transportation element to them. He said in Utah it is popular to cut transportation funding to pay for education which he said isn't wise because Utah's roads are the state's circulatory system and if they aren't properly maintained the whole economy could be negatively impacted. Councilor Staten said Utah thrives because it has a good transportation system in place and he said he supports this coalition. Mayor Searle asked for any additional questions or comments and none were noted.

**Motion:** Councilor Griffiths moved to approve Resolution 2014-27 adopting a Transportation Coalition request and \$500 donation. Councilor Ellis 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; and Councilor Staten, aye. The motion passed unanimously.

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

Mayor Searle asked for any discretionary items and Councilor Griffiths said members of the Riverdale Band have complained to him that their practice times at the Community Center are changed regularly to accommodate other events at the Riverdale Community Center and Mr. Worthen said he will work with Rich Taylor to resolve this.

Mayor Searle distributed copies of a citizen survey from one concerned resident who said she wanted to address the Mayor and Council to complain about the city ordinance that puts a lien for outstanding utility bills on homes in the city for sale that must be resolved before the new owner can sign up for the utilities to be turned back on. According to Mayor Searle, the complainant sold a home in Riverdale and the title company didn't see the city's lien so when the new homeowner signed up for utilities there was an outstanding balance of approximately \$140 the public works department and city administrator refused to waive. He said in his opinion the responsibility for the outstanding bill lies with the title company and the new homeowner should seek redress from them because they failed to do their due diligence. Mayor Searle asked for Council consensus in support of the current ordinance which he said appears to be working well to resolve unpaid utility bills and support was unanimous.

Councilor Griffith said he agrees with Mayor Searle the fault lies with the title company for not doing the proper research and he asked if the Council shouldn't be discussing this in a closed executive session because the complainant is calling for Mr. Worthen to be disciplined for his handling of the situation. Mr. Worthen said there is no need to go into a closed executive session and he said that he stands by his actions and was only enforcing the ordinances the Council has passed. According to Mr. Worthen the complainant came in five minutes before the office closed on a Friday evening and he spent an hour listening to her then followed up with her the following Monday after he researched the ordinance and spoke with Mr. Douglas. Mr. Worthen said the policy was created because the city was losing thousands of dollars annually in unpaid utility bills and when the city writes those costs off it causes the rates of all utility payers in the city to increase. He said he went out of his way to explain the ordinance to the new homeowners, the real estate agent that sold them the home, and the title company and the complainant was still not satisfied with the outcome. Mr. Douglas said staff doesn't make exceptions because they feel a responsibility to handle the public's money in accordance with the ordinances the Council passes. He said the liens have worked much better than using a collection agency and he wouldn't like to see the Council amend the ordinance because the liens are recorded with Weber County and can easily be found if home buyers and title companies do their due diligence.

Councilor Griffiths shared an anecdote about having his water turned off in the past and said when he paid the outstanding balance the city promptly turned his water back on. According to Councilor Griffiths, people should pay for what they use and exceptions shouldn't be made as the ordinances are designed to be applied universally.

Councilor Mitchell said it appears the complainant was upset because the \$140 outstanding utility balance was unexpected and he said there are payment plan options available and he said he would like the Council to address the woman's complaint rather than amend the entire ordinance because he agrees in most cases it is working well.

Mr. Brooks said no Council action can be taken on discretionary items not properly noticed on the agenda because the public and the complainant in this case need to be given proper notice that action may be taken to afford them an opportunity to attend the public meeting and speak, if they so desire.

Councilor Staten said he created a Facebook page for his fundraising efforts to raise money for the proposed Riverdale BMX Bike Park and he encouraged everyone to “like” the page. He said fundraising efforts include arranging a Layton BMX club to come perform tricks at a local car dealership where all the proceeds will be donated to rebuild Riverdale’s BMX Park. There were no additional discretionary items noted.

**I. Adjournment:**

With no further business to come before the Council at this time, Councilor Ellis moved to adjourn the meeting. Councilor Mitchell seconded the motion. The motion passed unanimously.

The meeting adjourned at approximately 7:34 p.m.

Approved: December 16, 2014

Attest:

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Norm Searle, Mayor

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Ember Herrick, City Recorder