



**RIVERDALE CITY COUNCIL AGENDA  
CIVIC CENTER - 4600 S. WEBER RIVER DR.  
TUESDAY MARCH 3, 2015**

Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **March 3, 2015** at 6:05 PM at the Riverdale Civic Center, 4600 South Weber River Drive.

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

Members Excused: Michael Staten, Councilor

Others Present: Rodger Worthen, City Administrator; Michael Eggett, Community Development Director; Roger Bodily, Fire Chief; Steve Brooks, City Attorney; Dave Hansen, Police Chief; Ember Herrick, City Recorder and eight members of the public including Greg Graves, Warren A. Harms, Jayne Carlson, Jared Johnson, Neal Clarke, Tommy Clarke, Bradland Jackson, and David Leahy.

**A. Welcome & Roll Call**

Mayor Searle called the meeting to order and welcomed all in attendance including all Council members. Scout Bradland Jackson introduced himself saying he is with Troop 187 and working on his Citizenship in the Community merit badge.

**B. Pledge of Allegiance**

Councilor Ellis 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.

Riverdale residents Jayne Carlson and Warren Harms said they moved to Riverdale recently and would like the city to petition Trader Joes to open a store in Riverdale because the nearest location is currently located in Salt Lake City. Ms. Carlson said Trader Joes is community friendly supporting local schools and food banks and would draw customers to Riverdale and benefit adjacent retailers. She said Trader Joes has a reputation of offering competitive pay and benefits to their employees and there is a simple form interested cities can fill out to request the corporate office consider opening a Trader Joes in your area. Ms. Carlson said this business would benefit the community and she offered to get signatures on a petition or to help Riverdale's Community

Development Department to entice this business to come to Riverdale. Mayor Searle thanked them for their comments and said many residents have made similar request on Facebook for a Whole Foods, Sprouts and Trader Joes. Community Development Director Michael Eggett said he is aggressively reaching out to new businesses including Trader Joes with a marketing packet designed to promote the community to retailers.

Neal Clarke said he has lived in Riverdale for more than seven years and he thanked city officials for all they do to foster a family friendly environment in Riverdale and fund family oriented activities. He said his family loves the trail, BMX bike park and Riverdale Recreation Center.

There were no additional comments.

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

Mayor Searle said law enforcement officers across the nation have been subjected to criticism and he is proposing a Riverdale Law Enforcement Appreciation Week from March 23 to March 31, 2105. He said he receives letters in support of local police officers regularly and wants to recognize the Riverdale Police Department, Weber County Sheriff's Office, Utah Highway Patrol, and 75<sup>th</sup> Air Base Wing Security Forces Squadron at the March 17, 2015 Council meeting. He said during Law Enforcement Appreciation Week the city will arrange a lunch with kids event at the local elementary schools, an open house at the Riverdale Police Station on Monday, March 30, 2015, and a Police Recognition Luncheon at the police station on Tuesday, March 31, 2015. Mayor Searle encouraged members of the Council to send him their ideas for Riverdale Law Enforcement Appreciation Week. Councilor Griffiths said local boy scouts should be involved while working on merit badges that require them to interact with law enforcement officers including crime prevention and fingerprinting. Councilor Hunt asked when the next Citizen's Police Academy is planned and Mayor Searle said later in 2015.

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

Mayor Searle asked if there were any changes to the previous meeting minutes and none were noted.

**Motion:** Councilor Hunt 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 Ordinance 864 adopting proposed changes to Riverdale's billboard ordinance for conversion of traditional billboards to electronic messaging billboards**

Mayor Searle said the first action item on tonight's agenda is consideration of Ordinance 864 adopting proposed changes to Riverdale's billboard ordinance for conversion of

traditional billboards to electronic messaging billboards. Community Development Director Michael Eggett said the proposed changes to RCC 10-16-7 and 10 were honed through weeks of Planning Commission discussions including a public hearing where input was received from sign companies with billboards in Riverdale.

Councilor Ellis asked Yesco Representative Jared Johnson for his input on the proposed changes. Mr. Johnson said his company manufactures electronic signs out of Logan, Utah for all the major billboard companies in Utah and after an opportunity to review Riverdale's proposed sign language amendments, all the stakeholders have expressed their support.

Councilor Griffiths asked how the 200 foot distance will be calculated and Mr. Eggett explained how measurements will be taken and said electronic billboards must be orientated away from residences. Councilor Griffiths said he is comfortable with the final draft and proposed amendments to this ordinance. Councilor Mitchell said he likes the look of electronic billboards and appreciates the sign companies working with the city to reach a compromise. He said a commercial business adjacent to his neighborhood has an electronic sign with a dimmer that malfunctions from time to time and negatively impacts his community. According to Councilor Mitchell, when the dimmer isn't working, 200 feet isn't a sufficient distance to protect residences from light pollution and he wants to ensure that Riverdale's nuisance ordinance can address problems if they arise. Mr. Johnson said electronic billboards are different than electronic commercial signs because billboards are monitored and maintained by Yesco while private signs are sometimes improperly maintained by the businesses that own them. He said sign companies have been proactive in developing brightness and motion standards more conservative than state statute. Councilor Hunt said he thinks electronic signs look nice and he asked if Riverdale is being heavy handed in regulating the conversion of traditional billboards to electronic signs. Mr. Johnson said all of the sign companies he represents don't have issues with Riverdale's proposed sign ordinance changes and are comfortable allowing the city's nuisance ordinance to address any issues that may arise in the future. Councilor Ellis asked if other billboards in Riverdale are in the process of converting to electronic signs and Mr. Johnson said not that he is aware of.

Mayor Searle read comments submitted by Councilor Staten prior to tonight's meeting asking if the city could restrict billboard conversion to the city's interstates because he is opposed to electronic billboards on Riverdale Road. Mr. Eggett said if there is Council consensus to amend the language to only allow the signs on interstates he will make the change, but the current draft only restricts electronic billboards to state owned roads. Mr. Eggett said the city's billboards are located on Riverdale Road, Parker Drive, and I-15 and there is a moratorium on the construction of any additional billboards. Mr. Johnson said the restriction that billboards can't be converted to electronic signs if they are within 200 feet of a residence will insulate residences from electronic billboard light pollution.

Mayor Searle thanked Mr. Eggett and the Planning Commission for their well written and thought out recommendations to amend RCC 10-16-7 and 10.

**Motion:** Councilor Griffiths moved to approve Ordinance 864 adopting proposed changes to RCC 10-16-7 and 10 Riverdale's billboard

ordinance for conversion of traditional billboards to electronic messaging billboards. Councilor Hunt seconded the motion.

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

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

**2. Consideration of Resolution 2015-2 awarding a bid for 10” HDPE Waterline Replacement Crossing I-84 for Riverdale City following an RFP**

Public Works Director Shawn Douglas said the waterline crossing under I-84 needs to be replaced, which will require both ends of the line to be opened so that a camera can be fed through to see if there are no bends or fittings and pipe bursting is an option. If it isn't, a horizontal drill will be used to put in the new 10 inch pipe which he said will increase water capacity and improve flow. Mr. Douglas said a request for proposals was posted and noticed and four bids were received with the low bidder on the project Whitaker Construction in the amount \$89,949.00 for the pipe burst option and \$94,514.00 for the horizontal drill option. He requested the Council award the bid to Whitaker Construction for an amount not to exceed \$100,000.00. Councilor Mitchell asked why the bid came in at half the budgeted amount and Mr. Douglas said the equipment will already be in Utah for a project in Salt Lake City, saving Riverdale City a significant amount in machine transportation costs.

Councilor Hunt asked about the length of the waterline and Mr. Douglas said it is over 400 feet. Councilor Hunt asked if directional boring would be cheaper and Mr. Douglas said that would work in a city with clay soil but Riverdale has cobble rock. Mayor Searle asked about Whitaker Construction's reputation and Mr. Douglas said they typically handle large projects and have done good work for the city in the past putting in a pipe across the Weber River. Mayor Searle read comments submitted by Councilor Staten prior to tonight's meeting commending public works on securing a contractor able to do the work for half the budgeted amount.

**Motion:** Councilor Mitchell moved to approve Resolution 2015-2 awarding a bid for 10” HDPE Waterline Replacement Crossing I-84 for Riverdale City to Whitaker Construction for an amount not to exceed \$100,000.00. 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 Hunt, aye. The motion passed unanimously.

**3. Consideration of Resolution 2015-3 awarding a bid for residential/commercial water meter upgrade to radio read for Riverdale City following an RFP**

Mr. Douglas said upgrading Riverdale's residential and commercial manual water meter system to a radio read system was discussed at the Strategic Planning meeting on February 28, 2015 and he asked if there are any additional questions. Councilor Ellis asked how the project will be rolled out and Mr. Douglas said crews will start with areas in the city where meters are spread out and more difficult to read like the homes on South Weber Drive and will do 20 percent of the city each year for five years. According to Mr. Douglas, with the new radio read system staff will be able to read the entire city's meters in three hours instead of the eight to ten days it currently takes his workers to manually read all the city's residential and commercial water meters. Councilor Griffiths said the new system will identify broken water lines sooner and will help with water conservation and Mr. Douglas said the meters will graph the times of day when water usage is the highest.

Mr. Douglas said his employees will install the meters to help keep project costs low. Councilor Mitchell asked if the meters can be shut off remotely via radio read and what the unintended consequences of this technology could be and Mr. Douglas confirmed the new technology is strictly a monitoring device and a manual valve must be physically closed to shut off someone's water. He said Riverdale is one of the last cities in the county to upgrade to a radio read system and Mr. Worthen said he supports the project for its water management and leak detection capabilities. Mayor Searle read comments submitted by Councilor Staten prior to tonight's meeting in support of the project.

**Motion:** Councilor Hunt moved to approve Resolution 2015-3 awarding a bid to Meter Works and Neptune Meters for residential/commercial water meter upgrade to radio read for Riverdale City for \$100,000 for five or six years for a project total of \$555,015.00. 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 Hunt, aye; and Councilor Griffiths, aye. The motion passed unanimously.

#### **4. Consideration of Resolution 2015-4 renewing an agreement for mutual aid for fire emergency services with Hill Air Force Base**

Chief Bodily said Riverdale's current mutual aid agreement for fire emergency services with Hill Air Force Base (HAFB) expires in June 2015 and Resolution 2015-4 will renew it for an additional five years. He said this agreement allows Riverdale City to call HAFB for fire or emergency situation and vice versa and doesn't obligate the city to send help or hold the city liable if Riverdale City's Fire Department is shorthanded or handling their own emergency situation. Councilor Mitchell asked if mutual aid has been given in the past and Chief Bodily said Riverdale responded to a plane crash at HAFB years ago and has assisted in extinguishing brush fires on base. Councilor Griffiths said HAFB has specialized equipment and a HAZMAT team that could prove invaluable to Riverdale in the event of an emergency associated with the many hazards located in the area including the rail road, freeways, airport and a busy commercial district. Councilor Hunt asked if Riverdale City's ability to provide mutual aid to HAFB could be diminished if the

Council approves a request to purchase a smaller ladder truck and Chief Bodily said HAFB has a couple of their own ladder trucks and would likely need manpower not equipment from Riverdale in an emergency situation. Mayor Searle read comments submitted by Councilor Staten prior to tonight's meeting in support of the mutual aid agreement.

**Motion:** Councilor Ellis moved to approve Resolution 2015-4 renewing an agreement for mutual aid for fire emergency services with Hill Air Force Base. Councilor Griffiths seconded the motion.

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

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

**5. Reauthorization of new project amount for the Riverdale Remodel of Fire Station 41 and Addition from the initial amount approved by the Council of \$450,000.00 for by an additional \$5,437.75 for a new total of \$455,437.75 (within budgeted amount of \$470,000.00)**

Mayor Searle read comments submitted by Councilor Staten prior to tonight's meeting asking for clarification of Mr. Brook's comment on the executive summary that read: "are these numbers correct? I thought the City Council approved a lot less than this! Or is the wording on this just different?" According to Mayor Searle, Councilor Staten expressed support for the project if the final cost is within the budgeted amount. Chief Bodily said the budgeted amount for the fire station remodel project was \$470,000 and he tried to keep the project under \$450,000 but the total was \$455,437.75. He said change orders included replacing the building's furnaces, relocating a utility meter, removing debris from the excavation site, modifying the exercise room ceiling, adding snow guards and repositioning rain gutters to allow proper drainage from the building's metal roof, and the cost of furniture, fixtures, and equipment. According to Chief Bodily, additional engineering costs were also accrued when CEC Engineering was asked to do work outside the original scope their agreement on this project.

Councilor Ellis said he toured the new facility and the dormitories and exercise room look great and he complimented the contractor on blending the new addition with the original building. Chief Bodily said the new exhaust system prevents fumes from settling in the building and the new bedrooms rectify fire and building code violations he claims the old dormitories violated.

Councilor Hunt said this request for the Council to approve expenditures that have already been spent for change orders that did not come to the Council for approval first is not how projects have been handled in the past. He asked what would happen if the Council were to deny this reauthorization of a new project amount for the Riverdale fire station remodel. Mr. Worthen said staff didn't have time to get Council approval of the change orders and Chief Bodily said if he does another project in Riverdale City in the future he will add a 20% contingency fund to cover any unforeseen project costs over the initial budget. Councilor Hunt said although Mr. Worthen and Chief Bodily informed the

Council at the February 3, 2015 Council meeting that the project was over budget and would require change orders, in his opinion they should have brought the change orders forward as they became necessary during the project instead of putting the Council in a bad position asking them to approve an expenditure already made. Mr. Worthen said this is why it is important to have contingency funding built into project costs.

Mayor Searle thanked Chief Bodily for all his hard work on this project and Chief Bodily invited the Mayor and Council to the ribbon cutting ceremony and open house.

**Motion:** Councilor Mitchell moved to approve reauthorization of a new project amount for the Riverdale Remodel of Fire Station 41 and Addition from the initial amount approved by the Council of \$450,000.00 by an additional \$5,437.75 for a new total of \$455,437.75. Councilor Ellis seconded the motion.

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

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

**7. Consideration of Resolution 2015-6 adopting a contract for park consultant services for a new Riverdale Park located at address 900 South River Park Drive**

Mr. Worthen said Resolution 2015-6 will adopt a professional services contract to hire JUB Engineering for \$17,000 to consult with the Mayor's Ad Hoc Park Committee to plan a new park for the 17 acres at address 900 South River Park Drive. Mr. Worthen said staff solicited six firms, five submitted bids and then he used a scoring process to narrow the proposals down to two which he interviewed. He said he is recommending JUB because during the interview the consultant seemed familiar with the area and the fact that Riverdale owns additional acreage on the east side of the river also being considered for future park development. Mr. Worthen said the \$17,000 consultant fee is under the budgeted amount approved by the Council of \$20,000 and will include the consultation, concept plan design, and construction cost estimate.

Mayor Searle read a statement from Councilor Staten submitted prior to tonight's meeting stating this his engineering firm also submitted a bid for this project and so he won't be offering comment on tonight's proposal because it could be perceived as a conflict of interest.

Councilor Ellis said he and Councilor Hunt were both selected to serve on the Mayor's Ad Hoc Park Committee and he said he is excited to work with a professional landscape architect to develop a master concept plan. He said there are size limitations associated with the property and he is excited to see how an architect will recommend amenities be positioned and how this park will tie into the city owned property across the river. JUB Architect Greg Graves said the goal will be to create a green space that can be tied into the adjacent city owned property without disrupting the natural beauty of the tree lined river corridor and will tie into the existing trail system. Councilor Griffiths said

Riverdale residents love the river trail and this park will be behind the city's commercial district so it will likely be a draw for Wal-Mart customers too. Councilor Hunt asked what is the greatest challenge associated with this property and Mr. Graves said traffic flow and parking will both need to be considered. Councilor Hunt said the park area on the west side is too small to develop into sports fields and he said he would like the committee to brainstorm ways the city could restrict park use to Riverdale residents.

**Motion:** Councilor Mitchell moved to approve Resolution 2015-6 adopting a professional services agreement with JUB Engineering for park design consultant services not to exceed \$17,000 for a new Riverdale Park located at address 900 South River Park Drive. Councilor Ellis 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 Hunt, aye; and Councilor Griffiths, aye. The motion passed unanimously.

**6. Consideration of Resolution 2015-5 awarding a bid for a licensed attorney to provide Public Defender services in the Riverdale Justice Court**

Mr. Brooks said Riverdale's Public Defender Jake Linares gave his notice several weeks ago and he put out an RFP prompting six candidates to submit bids. Mr. Brooks said one bid was too high but he interviewed the other five candidates and picked two for the Council's consideration: Paul Olds and Derek Williams. He said both candidates have impressive experience, professional qualifications, and references and he said either attorney will serve the city well. According to Mr. Brooks, the next fiscal year's budget may include a pay increase for the city's public defender because the wage has been stagnant for several years, even after the state mandated municipalities provide a public defender for drug court two extra hours every week. Councilor Ellis said he was impressed with Mr. Williams' resume and Mr. Brooks said Mr. Williams speaks Spanish which could save the city the cost of hiring an interpreter.

**Motion:** Councilor Ellis moved to approve Resolution 2015-5 awarding a bid for a licensed attorney to provide public defender services for the Riverdale Justice Court & RSAC to Derek Williams for the remainder of the 2014-2015 fiscal year. At which point the city could negotiate a two year contract with renewable options to extend. 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; Councilor Mitchell, aye; and Councilor Hunt, aye. The motion passed unanimously.

### **Executive Session**

Consideration of adjournment into Closed Executive Session for the purpose of strategy sessions to discuss pending or reasonably imminent litigation pursuant to Utah Code §52-4-5(1)(a)(iii)

**Motion:** Councilor Ellis moved to recess into closed executive session for the purpose of strategy sessions to discuss pending or reasonably imminent litigation pursuant to Utah Code §52-4-5(1)(a)(iii). Councilor Hunt seconded the motion.

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

The meeting recessed into closed executive session at approximately 7:35 p.m.

**Motion:** Councilor Hunt moved to adjourn out of closed executive session for the purpose of strategy sessions to discuss pending or reasonably imminent litigation pursuant to Utah Code §52-4-5(1)(a)(iii). Councilor Mitchell seconded the motion.

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

The public meeting reconvened at 8:17 pm.

### **H. Discretionary Items**

Mayor Searle asked for any discretionary items and said he has two that he didn't bring up at the Saturday strategic planning meeting. He said he would like someone from the Davis and Weber Counties Canal Company to report on the current status of the canal that broke and flooded the south side of Riverdale on July 11, 1999. Mayor Searle said no one was killed or seriously injured in that canal break but it could happen again and he said he would like to know how the canal is monitored. Councilor Griffiths said South Weber had a minor canal break within the last four years; he said he was President of the Riverdale Flood Association following the disaster in 1999. Councilor Griffiths described a monitoring system that was installed and a series of gates along the canal line beginning at the mouth of Weber Canyon where Pine View Reservoir empties into the Weber River, following the disaster. He said there was no way to divert the water in 1999, so to address that problem a series of canal gates were designed to shut automatically in the event of another canal break and stop the flow of water, diverting it down an old canal line. Councilor Griffiths said he and several of his neighbors sued the canal company to recover damages from the flood and he said it is in the best interest of the stakeholders to avoid another lawsuit. According to Councilor Griffiths, he walks the canal to inspect it annually for cracks and gopher holes and in 1999 the canal company created a maintenance budget that includes an official inspection every five years. Mayor Searle said he is concerned about another canal break in Riverdale and he asked staff to arrange to have a representative from the Davis and Weber Counties Canal Company to attend the next Council meeting and give a report on the canal's status.

Mayor Searle said he would like to start a "Lunch with the Mayor" event for school aged children because of the success of similar program in Kaysville and Clinton. According to Mayor Searle, teachers at Riverdale Elementary, Good Foundations Academy and

Washington Terrace Elementary would select a few students to be driven to the Community Center by police or fire truck for a pizza party and opportunity to have their photo taken with the mayor. He said he proposed the idea to Riverdale Elementary Principal Tommy Lee and Mr. Lee is in favor of it. **Mayor Searle asked for Council consensus to budget for one luncheon before the end of the current school year and if the program is successful, he may request to host it quarterly or monthly in the next fiscal year and consensus was unanimous.** Councilor Griffiths said he is in favor of any program designed to get children involved in politics. Councilor Ellis said the perception of the public about Riverdale's mayor and council has improved in the latest citizen survey and he said the upcoming fire department open house will be a good opportunity to further improve public relations. Mayor Searle said he tries to be open to citizen concerns and the upcoming law enforcement appreciation week is another positive public relations opportunity.

There were no additional discretionary items.

**I. Adjournment:**

With no further business to come before the Council at this time Councilor Griffiths moved to adjourn the meeting. Councilor Mitchell seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 8:28 p.m.

Approved: March 17, 2015

Attest:

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Norm Searle, Mayor

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Ember Herrick, City Recorder