

Minutes of the Regular Meeting of the Riverdale City Council held Tuesday, September 15, 2015, at 6:12 PM, at the Civic Center, 4600 S Weber River Dr., Riverdale City, Weber County, Utah.

Present:

City Council: Norm Searle, Mayor
Don Hunt, Councilor
Braden Mitchell, Councilor
Brent Ellis, Councilor
Gary E. Griffiths, Councilor-participated by conference call
Michael Staten, Councilor-participated by conference call

City Employees: Rodger Worthen, City Administrator
Steve Brooks, City Attorney
Lynn Fortie, Business Administrator
Dave Hansen, Police Chief
Mike Eggett, Community Development Director
Jackie Manning, City Recorder

Visitors: Charles Kerkvliet Dave Leahy Dee Hansen

A. Meeting Called to Order

Mayor Searle called the meeting to order and welcomed all in attendance, and noted for the record that all members of the council were present, with the exception of Councilor Staten and Councilor Griffiths who participated by conference call.

B. Pledge of Allegiance

Mayor Searle invited Chief Hansen to lead the Pledge of Allegiance.

C. Moment of Silence

Mayor Searle called for a moment of silence and asked everyone to remember our police officers, fire fighters, U.S. Military service members and members of the City Council as they make decision this evening.

D. Open Communications

Mayor Searle invited any member of the public with questions or concerns to address the Council and asked that they keep their comments to approximately three minutes.

Dave Leahy, 864 W 4300 S, Riverdale, UT, provided an update regarding the memorial. He discussed the current conditions of the pictures indicating they were beginning to crack and appear weather worn. He confirmed they removed some of the more severe damaged photos and reported they have employed Ogden Blue to assist with the new photos.

Mr. Leahy is proposing 27 flags printed in black and white to be placed on the Veterans Memorial; which will include the history pertaining to the flags. The goal is to have the project completed by Veterans Day in November of this year. Mr. Leahy confirmed he reviewed each picture carefully to ensure they do not violate any copyright laws.

Mr. Leahy provided instruction regarding placing the American Flag half staffed. He explained the proper procedure would be to first lower all other flags prior to lowering the American Flag. The intent is to keep the American Flag remaining above all other flags at all times. The mayor and council expressed gratitude for Mr. Leahy's hard work.

E. Presentations and Reports

1. Mayors Report: Mayor Searle expressed gratitude for the Riverdale Police Department and their response to the homicide on Sunday. This is the first homicide in Riverdale City in approximately 30 years and the prompt response from the police department allowed a smooth investigation and ended with a suspect in custody.

Mayor Searle reminded the Council of the ribbon cutting for Bravo Arts Academy on September 19th to which all are invited. He reminded the Council on September 26, 2015 Communities that Care will team up with the police department and host a drug take back day, at RC Willey in Riverdale. This event provides the opportunity to residents to properly dispose their old prescriptions.

2. City Administration Reports: Mr. Worthen discussed the monthly August report and expressed appreciation for the police department and all of their hard work. It was noted that the condition of the treasury was provided in the packet. There was a brief discussion regarding the water meters and the transition of changing to electronic meters.

Councilor Mitchell inquired about the ambulance report and inquired if it was revenue, to which Mr. Fortie confirmed it was revenue. There was a brief discussion regarding ambulance revenue with questions pertaining to the variation in revenue amounts from year to year. It was confirmed by Mr. Fortie, that 2013 was the highest years of revenue comparatively. Councilor Mitchell inquired if any fees had changed, to which Mr. Worthen stated he will research and update the council should he find any fee changes.

Mr. Eggett reported on the upcoming businesses as seen in the packet. He stated they anticipate the Reeve and Associates building plans to be brought before the Council at the first meeting in October. He stated the business At Home continues to perform well and McDonalds remodel is complete. Mayor Searle stated Horrocks Engineering also moved to the area.

F. Consent Items

Mayor Searle asked for any changes to the City Council Work Session & Regular Meeting Minutes for the September 1, 2015 Regular and Work Session City Council Meeting. There were no changes to the meeting minutes.

MOTION: Councilor Hunt moved to approve the consent items including the City Council Meeting Minutes, as amended. Councilor Ellis seconded the motion.

Mayor Searle invited discussion regarding the motion, and no comments were made.

CALL THE QUESTION: The motion passed unanimously.

G. Action Items

1. Consideration of Resolution 2015-27 Kayak Damage Repair.

Mayor Searle summarized the executive summary which explained:

The City of Riverdale in July 2005 participated with Central Weber Sewer District to construct and provide recreational feature along the Weber River. At that time the City provided \$46,000 to assist the construction of the Kayak "wave" feature. The flood waters of 2011 damaged the feature and created a hazardous area for swimmers. Now the Sewer District and the City desire to reduce risk and potential liability by correcting the dangerous river condition.

Recently, The Sewer District issued a construction contract to "fill-in" the area of the kayak feature that is a hazard. The District is ultimately responsible to complete the project, and did award a contract work for a cost of \$85,000, well under the engineers cost estimate of \$160k. Recently, the manager of Sewer District and the Chair of the Board approached Mayor Searle and the City Administrator to request participation from the City in the cost of construction. The Sewer District initially requested half of the cost, ultimately a proposed City participation amount of 40% was agreed upon; this joint participation would cost the City \$34,000. Candidly, the initial accommodation and construction of the Kayak feature by the City and Kayak enthusiasts placed the City into this present-day predicament.

The District has completed the work and the issue was discussed during the August 18th City council meeting, however, due to time constraints the City did not have time to budget for this project that necessitates use of funds from the City's capital fund. As such, a resolution has been prepared to authorize this expenditure. Mayor Searle stated the construction has been completed.

Public Hearing

MOTION: Councilor Hunt made a motion to open the public hearing. Councilor Mitchell seconded the motion. There was no discussion regarding this motion and all members of the council voted in favor.

There were no public comments made during the public hearing.

MOTION: Councilor Mitchell made a motion to close the public hearing. Councilor Ellis seconded the motion. There was no discussion regarding this motion and all members of the council voted in favor.

Councilor Hunt felt this kayak feature has had unintended consequences in conjunction with sewer district and has resulted in this liability issue for the city. He questioned if the Council were to participate in the cost of the repair, if it would continue to keep the City liable. Mr. Brooks felt if the Council took measures to prevent accidents it would lessen the liability for the City. There was a discussion regarding the possibility of an agreement which would eliminate all City involvement in the future, should this same area need to be repaired by the Sewer District again. There was a discussion regarding the removal of the feature entirely. Mr. Brooks explained the cost to remove the feature would be quite expensive and there was a general consensus to participate in the repair of the cost.

There was a discussion regarding the repair design of the kayak feature. The repair would eliminate the wave design, thus making the river safer and discouraging swimming in the area. It was noted there were larger rocks placed in the area in hopes to prevent future flooding.

MOTION: Councilor Hunt made a motion to approve Resolution 2015-27, Agreement between Riverdale City and The Central Weber Sewer District concerning payment and work to be performed in the Weber River located on, near or around the Kayak Park, in the amount not to exceed \$34,000. Councilor Ellis seconded the motion.

Mayor Searle invited discussion regarding the motion. There was no discussion.

CALL THE QUESTION: There was a roll call vote: Councilor Ellis, Staten, Mitchell, Hunt, and Griffiths all voted in favor. The motion passed unanimously.

2. Consideration of Resolution 2015-30 Surplus certain property that has been forfeited to the city.

Mr. Hansen summarized an executive summary that explained:

The attached list of property has been forfeited to Riverdale City by the Weber County Attorney's Office in regards to case #14-12316. All victims in this case have been reimbursed and the attached list of property is no longer of evidentiary value to the police department, or the county attorney. Once the property is declared as surplus, the police department and city would like to retain the property to use within the city by employees.

This involved a credit card fraud to local stores. The fraudulent persons were on drugs, from New York, and hitting the Wasatch Front. The property was returned to the victims, with some electronic devices turned over to the police department. They would like to surplus the property to allow city use of the recovered property. Any property that can't be used will be sold at auction.

MOTION: Councilor Mitchell made a motion to approve Resolution 2015-30, a Resolution declaring lost, stolen, unclaimed or evidence property held by the police department, as surplus; and authorizing the use or sale of the same. Councilor Ellis seconded the motion.

Mayor Searle invited discussion regarding the motion. There was no discussion.

CALL THE QUESTION: There was a roll call vote: Councilor Mitchell, Staten, Hunt, Griffiths, and Ellis all voted in favor. The motion passed unanimously.

H. Discretionary Items:

Councilor Griffiths inquired about the theft investigation of the lapidary equipment at the Senior Center. He estimated the cost of equipment to be around \$500. Chief Hansen stated he will look into the issue further. Mr. Brooks has been in conversation with one of the lieutenants with the Riverdale Police Department, and they have a suspect in mind.

Councilor Mitchell mentioned a post he saw on Facebook regarding graffiti throughout the City. Specifically the graffiti on the trail, viaduct, Riverdale Road and signs by the bridges near the storage sheds. Mayor Searle asked the councilor to send the information to him for further investigation.

Mayor Searle updated the council regarding the hiring of a fire chief. There was a brief discussion regarding fire districts and the legislature. Mr. Eggett indicated he has researched fire districts and found they cannot do a fire district due to legislature.

Mayor Searle attended a Weber Basin Water Conservancy briefing at Washington Terrace and he would like them to give a presentation at the next Council Meeting regarding the information. He felt it was important to educate the Council and public to conserve water.

I. Adjournment.

MOTION: Having no further business to discuss, Councilor Ellis made a motion to adjourn the Regular City Council Meeting; Councilor Mitchell seconded the motion. All voted in favor. The meeting was adjourned at 7:10 PM.

Norm Searle, Mayor

Jackie Manning, Admin Professional

Date Approved: **October 6, 2015**