

Minutes of the Regular Meeting of the Riverdale City Council held Tuesday, March 1, 2016, at 6:00 PM, at the Civic Center, 4600 S Weber River Dr., Riverdale City, Weber County, Utah.

Present:

City Council:

- Norm Searle, Mayor
- Brent Ellis, Councilor
- Gary E. Griffiths, Councilor
- Braden Mitchell, Councilor
- Alan Arnold, Councilor
- Cody Hansen, Councilor

City Employees:

- Rodger Worthen, City Administrator
- Stacey Comeau, Human Resources
- Cody Cardon, Business Administration/City Treasurer
- Shawn Douglas, Public Works Director
- Rich Taylor, Community Services
- Dave Hansen, Police Chief
- Jared Sholly, Fire Chief
- Jackie Manning, City Recorder

Visitors:

- Charles Kerkvliet
- Dave Leahy
- Scout Troop 201 Ogden City

5:58:35 PM

A. Welcome and Roll Call

Mayor Searle called the meeting to order and welcomed all in attendance, including all Council Members and all members of the public. Mayor Searle recognized the scouts from troop 201 of Ogden City. Mayor Searle invited the troops to get a packet to help them acquire their citizenship badge. The packet is also available on the Riverdale City Website.

B. Pledge of Allegiance

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

6:01:31 PM

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.

6:02:06 PM

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. There were no comments made.

6:03:08 PM

E. Presentations and Reports

1. Mayors Report – Mayor Searle invited the council to report on their various committees in which they serve.

a. Council Committee Assignment Reports

Councilor Ellis commented on the Zika Virus that is spread through mosquitoes. Councilor Ellis explained the mosquitoes that carry the Zika virus are a warm species that breed in small bodies of water. They are generally located in tropical areas, not typical of Utah climate.

Councilor Mitchell stated the Bonneville Communities that Care (CTC) have been monitoring the marijuana bills that are currently being discussed at the legislature. There will be a training on March 8th from 1:00 PM to 4:00 PM at the community center.

6:05:27 PM

2. Discussion and Consideration to add “Kid Lane” to 1150 West.

Mayor Searle stated he was approached by residents who live on 1150 West and asked if they could add “Kid Lane” to 1150 West. This change would honor families that have lived in Riverdale for many years, as that was the nickname for 1150 West in years past. Mayor Searle believed the name change would be a nice historical reference for future generations and invited comments.

There was a brief discussion regarding the requested sign addition and how to implement this change. Mayor Searle recommended a brown sign to indicate historical reference with the city logo displayed. Mr. Douglas stated this would be a street marker sign, so it would not compete with the existing street markers. There was a general consensus showing

support for this sign designation.

6:10:02 PM

F. Consent Items

1. Review of Meeting Minutes from February 16, 2016 City Council Regular and Work Session.

Mayor Searle asked for any changes to the regular and work session meeting minutes for the City Council Meeting held on February 16, 2016. There were no requested changes to the meeting minutes.

MOTION: Councilor Mitchell moved to approve the regular and work session meeting minutes for the City Council Meeting held on February 16, 2016. The motion was seconded by Councilor Arnold. There was not any discussion regarding this motion. The motion passed unanimously.

6:10:43 PM

G. Action Items

1. Consideration of Resolution 2016-05, Amending HR Policy 3-2 General Practice, 9-18 Severance Pay.

Stacey Comeau, Human Resources summarized an executive summary from the packet which explained:

The requested change in 3-2 General Practice, will allow compliance with updated state and federal law. The requested change for 9-18 Severance Pay is being proposed because Riverdale City desires to attract and retain the very best applicants and employees. Recent events in Salt Lake City (where the Mayor fired a numerous amount of department heads without cause) has caused the desire to review the policies and compare them to what other cities are offering their at-will employees.

Councilor Griffiths inquired as to which cities were researched. Ms. Comeau listed a few of the cities offering severance pay to their eligible employees: Layton, Clearfield, Park City, Salem, Logan, Murray, Jordan Valley Water Conservancy District, South Jordan, Syracuse, and the State of Utah. This was not a complete list of cities that were researched for this proposal.

Councilor Griffith discussed the impact on the budget having a severance package available for employees during a transition in leadership. He asked Ms. Comeau to explain the proposed plan.

Ms. Comeau explained in order to be eligible for the severance pay an employee must be employed for at least one year. For the first 1-2 years an employee is eligible for one month of severance pay. For every year after the second year of employment, the severance pay would increase to a half month of salary not to exceed 6 months.

Ms. Comeau discussed the impact it can have on a city when there is a mass termination of department heads, due to the institutional knowledge and experience they hold. She discussed the tenured department heads that Riverdale City has.

Councilor Mitchell inquired if the severance pay would include the Police and Fire Chief. Ms. Comeau confirmed it would due to the fact that Riverdale City is not a first or second class city. There are 7 department heads that would be affected by this policy. There was a clarification that this policy would not benefit the Human Resources position as it is not a department head position.

Councilor Mitchell stated he did research regarding severance pay in other cities, and the proposal appears to model closely to Layton City. He expressed concern this would have on the budget. He discussed Riverdale's continuance of seeking the best department heads. He discussed the competitive pay offered to Riverdale Staff. He discussed the option of reducing the maximum to 3 months of salary. He noted this policy may make it difficult to terminate an employee if there ever was just cause. There was a discussion regarding the difficulty of defining what "due cause" would mean with an emphasis on the strain it could put on the budget if terminating an employee was found necessary.

Councilor Griffiths expressed concern regarding elected officials abusing severance pay. He stated he would be more in favor of 3 months. Councilor Arnold stated he was opposed to the proposed severance pay due to the effects it could have on the budget. He expressed gratitude for current department heads and noted he did not foresee a mass termination of department heads in Riverdale City. He felt the employees were paid well and as long as they continue doing a good job, he didn't feel a future Mayor would take the same course of action as Salt Lake City.

Councilor Hansen mirrored Councilor Arnolds comments. Councilor Hansen inquired about how often policies are amended. Ms. Comeau responded she consistently reviews the policy for needed updates to remain in compliance with the state, or foreseen changes within the city and brings them to the Council accordingly.

Mr. Douglas discussed the urgency in adopting a severance pay to help attract top employees to Riverdale. He indicated new employees seeking careers in local government are hesitant to take department head, or appointed positions, due to the potential instability/unpredictability of employment.

Police Chief, Dave Hansen, echoed Mr. Douglas's comments. He stated this proposed policy would not benefit him personally, but felt there needed to be job security for future department head and appointed positions if the City desired to retain the most qualified employees and provide a competitive employment to entice qualified applicants to apply. He felt this was especially true for the Police Department, where there is a new trend with the second in command being hesitant to step into the position of a Police Chief as it is not a protected position. He expressed the need to feel secure for those supporting families. He reiterated that department heads and appointed employees terminated for cause would not be offered severance pay. This only applies to a situation in which newly elected officials come into office and terminate the majority, if not all, department heads without due cause.

Councilor Mitchell felt the recent hires made by the City have been great choices and didn't feel the City was struggling to find applicants. He felt in the future if the city struggles to find good applicants that would be a more appropriate time to implement a severance pay policy.

Councilor Arnold felt Riverdale has great employees and felt the need to take care of employees. He didn't see the need to implement a severance pay policy that may have the potential of hurting the budget should an employee need to be terminated in the future for due cause. He discussed the difficulty of clear documentation in order to show termination was for cause.

There was a unanimous expression from the council to revisit this policy in the future should it become an issue, but as for now they felt the Riverdale employees were well taken care of. Mr. Worthen discussed the various cities he witnessed first-hand of newly elected officials terminating department head employees without due cause. He explained the occurrence in Salt Lake City caused the department heads to discuss the potential of a Severance Pay policy, which then caused Ms. Comeau to research the matter further. Mr. Worthen stated he understood that it was unlikely that anything like that would happen in Riverdale. He stated as always, the staff will do as directed by Council.

MOTION: Councilor Arnold moved to APPROVE 3-2 General Practice Policy Amendment for Resolution 2016-05, and moved to DENY 9-18 Severance Pay Policy. Councilor Griffith seconded the motion.

Mayor Searle invited discussion regarding the motion. There was not a discussion.

ROLL CALL VOTE: Councilors Mitchell, Arnold, Hansen, Griffiths, Ellis all voted in favor of the motion.

2. Public Hearing: Consideration of Resolution 2016-03, Adjustment to Fire Budget for Fiscal Year 2015-2016.

Fire Chief Sholly summarized and executive summary in the packet which explained:

Chief Sholly proposed an amendment to the Fire Department budget in the amount of \$16,708 for fiscal year 2015-2016, to purchase equipment that would be used in unit dispatch and response needs.

Weber County Fire Departments, as well as the Weber County Dispatch center, made the decision last year to upgrade to "Spillman". This software program will be used to dispatch fire/EMS units, give patient and fire information over computers, unit tracking of fire apparatus, ambulances and paramedic rescues within the Weber County area. The commitment has already been made by Riverdale to participate in this program by the previous Fire Chief.

MOTION: Councilor Ellis made a motion to open the public hearing. Councilor Mitchell seconded the motion. All voted in favor.

6:37:52 PM

PUBLIC HEARING OPEN. There were no comments made during the public hearing.

MOTION: Councilors Mitchell made a motion to close the public hearing. Councilor Ellis seconded the motion. All voted in favor.

Councilor Hansen inquired about the yearly licenses and an unmarked line in the budget. Chief Sholly explained it is for the service of having IT for the units. Councilor Hansen referred to the prior year strategic planning budget discussion where Lynn Fortie, the previous business administrator, discussed the possibility of purchasing 5 tablets for the fire department. Chief Sholly confirmed the tablets were never purchased.

Councilor Hansen asked if the chief had approached Weber County to consider covering costs for the Heavy Rescue vehicle. Chief Sholly stated he had not approached Weber County because they had paid Riverdale's share for the original purchase of the unit in the amount of \$65,000.00. He felt it was an asset to have the vehicle in Riverdale and overall Weber County has participated in cost share for the unit. Weber County has even participated in vehicle

equipment purchases. Weber County has asked the Chief in the future if Riverdale would assist in more cost sharing. Chief explained the total annual fee and what the funds would be used for.

MOTION: Councilor Arnold moved to approve Resolution 2016-03, Adjustment to Fire Budget for Fiscal Year 2015-2016. Councilor Griffiths seconded the motion.

Mayor Searle invited discussion regarding the motion. There was not a discussion.

ROLL CALL VOTE: Councilors Hansen, Griffiths, Ellis, Mitchell, Arnold all voted in favor.

3. Consideration to Award bid for 4400 Outfall Treatment Project.

Shawn Douglas, Public Works Director, summarized an executive summary in the packet, which explained:

The bid opening for the Storm Water Outfall Project was held the prior week. There was only one bid submitted. Counter Point Construction was the low bidder by default. The bid amount was \$165,000.00. The bid was above the budgeted amount of \$155,000.00. The Storm Water Enterprise Fund has sufficient reserves to complete the project. Mr. Douglas recommended approval.

MOTION: Councilor Arnold moved to award the bid to Counter Point Construction for the 2016 4400 Outfall Treatment Project, in the amount of \$165,000.00. Councilor Mitchell seconded the motion.

Mayor Searle invited discussion regarding the motion. There was not a discussion.

ROLL CALL VOTE: Councilors Griffiths, Ellis, Mitchell, Arnold, Hansen all voted in favor.

4. Consideration of Resolution 2016-06, Adopting the Annual Municipal Waste Water Report Covering all Areas Within the Incorporated Boundaries of Riverdale City.

Mr. Douglas summarized an executive summary in the packet, which explained:

The Municipal Waste Water Planning Program is required by the State Division of Water Quality. The Public Works Department has completed the report as required by the Division of Water Quality. The system is in good condition and the maintenance program that the City has in place will keep it functioning well. During the last year there has been one sewer back up, but no overflows. Mr. Douglas recommended approval for this resolution.

MOTION: Councilor Arnold moved to approve Resolution 2016-06, Adopting the Annual Municipal Waste Water Report Covering all Areas within the incorporated boundaries of Riverdale City. The motion was seconded by Councilor Mitchell.

Mayor Searle invited discussion regarding the motion. There was not a discussion.

ROLL CALL VOTE: Councilors Ellis, Mitchell, Arnold, Hansen, Griffiths all voted in favor.

6:44:13 PM

H. Discretionary Items

Mr. Worthen stated in regards to the second action item on the agenda, any future budget amendments will be brought before the council as needed.

6:45:32 PM

I. Adjournment.

MOTION: Having no further business to discuss, Councilor Mitchell made a motion to adjourn. The motion was seconded by Councilor Ellis ; all voted in favor. The meeting was adjourned at 6:45 PM.

Norm Searle, Mayor

Jackie Manning, City Recorder

Date Approved: **March 15, 2016**