

Minutes of the Regular Meeting of the Riverdale City Council held Tuesday, May 3, 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: Steve Brooks, City Attorney
Cody Cardon, Business Administration/Treasurer
Dave Hansen, Police Chief
Jared Sholly, Fire Chief
Rich Taylor, Community Services Director
Mike Eggett, Community Development
Jackie Manning, City Recorder

Excused: Rodger Worthen, City Administrator

Visitors: Charles Kerkvliet Dave Leahy K. Delyn Yeates
Jerry Stenquist Lori Fleming Jeremy Hansen
Stephen Stenquist J. Clark Drew Pherrow
Brandon Peterson Curtis Jones Jon Ritchie
Roger Green Dave Pierson Mike Payne
Trent Thompson Lynn Wright Scout Troop 266

The audience was full, standing room only. Not every member in the audience signed in.

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 excused the City Administrator who is not in attendance due to a medical issue.

B. Pledge of Allegiance

Mayor Searle invited Mike Eggett, with Community Development, 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.

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.

K. Delyn Yeates, a resident of Layton City, stated he is acquiring a property along Ritter Drive that was previously approved for an assisted living facility called Aunt Nancy. He expressed concern regarding the road blockade on the west portion of Ritter Drive and estimated the closure to be approximately 800 feet. He didn't understand the purpose the blockade was serving. He felt the blockade could hinder his ability in developing the previously approved assisted living facility and asked the City Council if they would consider opening Ritter Drive.

Mayor Searle explained the history of Ritter Drive and described Ritter Drive as narrow road, with limited sidewalks, making the road dangerous for pedestrians. He discussed the previous closure of the western portion of Ritter Drive. Mayor Searle felt the overall goal is to one day re-open Ritter Drive. He discussed the study that was conducted previously of Ritter Drive. Mayor Searle explained he is working with the City Administrator, Rodger Worthen, and the City Engineer, Scott Nelson, in acquiring a cost estimate for road improvements such as widening Ritter Drive, adding sidewalks, curb, and gutter. The cost estimate has not been provided as of yet. He also discussed the need for additional studies on Ritter Drive. Mayor Searle discussed the possibility of a roundabout on the east end of Ritter Drive.

Mr. Yeates discussed the previously approved development agreement for the Aunt Nancy business which would require the applicant to widen the road abutting their property along Ritter Drive, as well as add curb, gutter, and sidewalk, should the assisted living facility be developed. He asked if the Council would consider opening that portion along Ritter Drive in the "near" future. Mayor Searle stated they would need 2 City Council members to have this item on the agenda.

Councilor Arnold discussed the strategic planning meeting which took place on February 20, 2016. He stated Ritter Drive was discussed during that meeting to which the consensus/feeling of the Council was in favor of considering to open Ritter Drive. Councilor Arnold discussed the prior traffic studies of Ritter Drive and the results of the study which indicated Ritter Drive has the capacity of 14,000 cars per day. He estimated an average traffic flow for Ritter Drive was 2,000 to 3,000 cars per day. He stated he would be in favor of having this item on the next City Council agenda and asked for a second. Mayor Searle stated they would put it on a future agenda.

Councilor Griffiths discussed the issues with Ritter Drive. He discussed accidents along the narrow winding road. He discussed how the placement of the sun can hinder a drivers ability to see pedestrians. He discussed residents who live along that road that don't look when backing out of their driveways. He didn't see how opening the road would be better for the assisted living facility. Councilor Griffiths felt it would cost too much money to make road improvements to Ritter Drive. He disclosed that he lives on Ritter Drive and safety was his number concern.

Mayor Searle discussed the different access points Mr. Yeates could use as an alternative to opening Ritter Drive. He stated they will put this discussion on a future agenda.

Lori Fleming, 1229 W 5175 S Riverdale, Utah, is affiliated with Golden Spike Realty and the Northern Wasatch Realtors Government Affairs Committee. The committee works with Cities regarding property rights to protect the public. She provided real estate information for Riverdale City for the month of February:

- 15 listings total as of May
- 17 homes under contract in May
- Average Sales Price approximately \$202 thousand dollars
- Average days on the market: 9
- Average square footage 1,980 square feet

D. Presentations and Reports

1. Mayors Report

Mayor Searle read a letter that was sent from a husband and wife (David and Lynnette Pagano) who recently moved into the senior center. The letter expressed gratitude to employees Chris Stone and Shawn Jensen for their hard work and compassion towards the residents at the Senior Center.

Mayor Searle invited the scouts to introduce themselves and their troop. Troop 266 was present to help earn their citizenship merit badge.

Mayor Searle reported on Communities that Care that promote against underage drug use and drinking. Mayor Searle reported on the program that was conducted by Communities that Care involving uplifting songs. There were about 1,000 people at the town hall meeting/performance.

2. Firefighter Swearing in and Badge Ceremony

Jared Sholly, the Fire Chief, performed a badge ceremony for the new firefighters. The City Recorder, Jackie Manning, swore in Steven Stenquist as a new Captain for the Riverdale City Fire Department. Lynnsey Fisher was sworn in as a new firefighter for Riverdale City. After the firefighters were sworn in they each received a badge that was pinned by a family member.

Jared Sholly gave a brief history of fire fighters. He discussed the historical figures throughout history that served as a fire fighter. Chief Sholly discussed the badge point system and the meaning behind each value.

E. Consent Items

1. Review of Meeting Minutes for City Council Meetings held on April 19, 2016 Regular Meeting and Work Session.

Mayor Searle asked for any changes to City Council Meeting minutes. There were no requested changes.

2. Consideration to appoint Lieutenant Scott Brenkman as the new Police Chief beginning July 1, 2016.

Mayor Searle explained he and the City Administrator reviewed applications for the Police Chief position and felt Lieutenant Scott Brenkman would do a great job as the police chief. Councilor Ellis expressed appreciation to the police department.

Lieutenant Scott Brenkman stated he was humbled and honored to take on the challenge as the new police chief. He expressed appreciation to the police staff that showed their support. He expressed appreciation for his family and all their love and support in his police career. He thanked Chief Dave Hansen for his mentorship. He felt Riverdale City had one of the greatest police officers out there.

The Mayor invited Chief Hansen to speak. Chief Hansen commented on the integrity and character of Lieutenant Brenkman. He discussed the progression of the Lieutenant Brenkman and felt he would be a great police chief. Chief Hansen expressed how impressed he was with Lieutenant Brenkman in dealing with the public and handling police staff. Chief Hansen thanked the Council for all of their continued support to the police department.

MOTION: Councilor Mitchell moved to approve consent item 2, appointment of Lieutenant Scott Brenkman as the new Police Chief beginning July 1, 2016. Councilor Ellis seconded the motion. There was not any discussion regarding this motion. The motion passed unanimously.

3. Consideration of a request to be on the next City Council agenda on May 17, 2016; requested by Jeremy Hansen, SMART (Sheet Metal Air Rail & Transportation) Union; regarding Railroad and public safety.

Jeremy Hansen, SMART Union, asked if the City Council would pass a resolution showing support for the Federal Railroad Administration (FRA) rule regarding minimum train crew size. The proposed rule requires two-person train crews on crude oil trains and established minimum crew size standards for most main line freight and passenger rail operations. The FRA also intends to advance a rulemaking on train securement and recommends a rulemaking on the movement of hazardous materials. Mr. Hansen discussed the dangers of transporting chemicals on the train. He stated the SMART Unions intent was to promote the railroad safety. Mr. Hansen discussed the dangerous chemicals transported. He stated this resolution could force the railroad to consider the two man requirement.

Councilor Griffith asked if there was opposition from the railroad regarding this proposal. He expressed his concern at using the word "force". Mr. Hansen stated there is no opposition at this time.

Mayor Searle clarified this consent item was strictly to allow this discussion as an item on the next agenda item. Councilor Hansen disclosed that Jeremy Hansen is his brother.

MOTION: Councilor Mitchell moved to approve the consent items (1 and 3) as proposed. Councilor Ellis seconded the motion. There was not any discussion regarding this motion. The motion passed unanimously.

F. Action Items

1. (Item tabled from 4-19-16 City Council Meeting) Consideration of Resolution 2016-09, Adopting the Weber County Pre-Disaster Mitigation Plan.

MOTION: Councilor Arnold made a motion to untable the action item, consideration of resolution 2016-09, adopting Weber County Pre-Disaster Mitigation Plan. Councilor Griffith seconded the motion and all voted in favor.

Jared Sholly, Fire Chief, summarized an executive summary as seen in the packet which explained:

This approval is for a nationwide mitigation grant offered by Federal Emergency Management Agency (FEMA). In order to apply for the grant Riverdale City will need to submit a Notice of Interest (NOI) to the State of Utah. This resolution does not obligate Riverdale City to apply for a grant, but rather provides the opportunity should they so desire.

The Weber County Emergency Managers have spent a lot of time and effort in developing this plan for all the cities in Utah. The attached 401 page document represents the mitigation plan in its entirety. Chief Sholly explained Weber County had originally only made available the summary, which was presented at the prior meeting (April 19, 2016).

Councilor Ellis asked about a deadline to pass this resolution. Chief Sholly confirmed the deadline is mid-May. There was a brief discussion regarding the plan and Chief Sholly felt the plan provided a grant opportunity to Riverdale City. Chief Sholly discussed emergency preparedness with an emphasis on water purification. He discussed different projects the grant funds could be used for.

MOTION: Councilor Arnold moved to approve Resolution 2016-09, adopting the Weber County Pre-Disaster Mitigation Plan. Councilor Hansen 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. The motion passed unanimously.

2. Consideration of Resolution 2016-07 declaring unclaimed property as public interest use.

Steve Brooks, the City Attorney, summarized an executive summary, as seen in the packet, which explained:

Having followed the proper procedure for the disposition of unclaimed property, the Riverdale Police Department now ask for the consideration of Resolution 2016-07 declaring unclaimed property as public interest use as set forth by Utah State Code 77-24a-5(4) listed below:

Utah Code § 77-24a-5(4)

- (4) Before applying the lost or mislaid property to a public interest use, the agency having possession of the property shall obtain from the agency's legislative body:
- (a) permission to apply the property to a public interest use; and
 - (b) the designation and approval of the public interest use of the property.

Councilor Mitchell asked about the location of the surplus sale. Mr. Brooks stated he was unsure of the exact location, but the surplus sale will be advertised on the city website, the city facebook page, as well as the notice board.

MOTION: Councilor Ellis moved to approve Resolution 2016-07 declaring unclaimed property as public interest use. Councilor Arnold 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. The motion passed unanimously.

3. a. Public hearing to discuss adoption of the Riverdale City and RDA tentative budget for fiscal year 2016-2017.

Cody Cardon, Business Administrator/treasurer, summarized the executive summary, as seen in the packet, which explained:

The budget is the city's fiscal planning and control document compiled by the budget officer. It reflects estimates of revenues and expenditures by the department heads. It is adopted on a tentative basis by the governing body and is then amended through budget workshops sessions. There will be a Strategic Planning Meeting to discuss the final budget for fiscal year 2016-2017 on Saturday, May 14, 2016, from 8:00AM to 4:00PM, at the Senior Center in Riverdale City, prior to the adoption of the final budget in June.

Utah State Law requires municipalities to first approve a tentative budget at the first meeting in May.

Councilor Ellis expressed appreciation to Mr. Cardon in all of his hard work in preparing the budget. Mayor Searle the budget will be reviewed once more on Saturday, May 14, 2016 during the Strategic Planning Meeting.

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

Charles Kerkvliet, 859 W 4300 S, Riverdale, UT, asked about adding a line item to the budget for the Veterans Memorial. Mayor Searle asked if there was something specifically that needed to be repaired. Mr. Kerkvliet responded that the photographs in general need yearly repairs. Mayor Searle stated there are funds currently available in the Veterans Memorial and the City may review future requests when funding is no longer available through the Veterans Memorial Fund. Mr. Kerkvliet explained he has been seeking funding from the City for the Veterans Memorial since the time it was built. Mayor Searle invited Mr. Kerkvliet to send him an email with a list of items that need to be repaired and they can review the existing funds of the Veterans Memorial.

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

b. Consideration to adopt resolution 2016-08, the Riverdale City and RDA tentative budget for fiscal year 2016-2017.

There was no further discussion regarding this item.

MOTION: Councilor Arnold moved to approve Resolution 2016-08, the Riverdale City and RDA tentative budget for fiscal year 2016-2017. Councilor Hansen seconded the motion.

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

ROLL CALL VOTE: Councilors Arnold, Hansen, Griffiths, Ellis, Mitchell. The motion passed unanimously.

4. Consideration of Final Site Plan Approval ARS Flood and Fire Clean-Up Parking Plan and Storm Water/Drainage System Improvements, 1708 West 4800 South, Riverdale, Utah 84405.

Mike Eggett, in Community Development, summarized an executive summary, as seen in the packet, which explained:

ARS Flood and Fire Clean-Up have applied for a Final Site Plan review of a Parking Improvement Plan and Storm Water System/Drainage Improvements Plan for property they own located at 1708 W 4800 South in a Planned Regional Commercial (CP-3) zone. The reason for this site plan application, is the separation of the ARS building to accommodate a building lease for a recreational/gymnasium facility on site. Due to the proposed recreation facility use on site, the parking code requires a larger amount of parking stalls than can currently be facilitated on the site with the current parking field. A public hearing is not required to consider this site plan proposal. The Final Site Plan for ARS Flood and Fire Clean-Up was reviewed by the Planning Commission on April 26, 2016; during this meeting, the Planning Commission provided a recommendation for City Council approval of the proposed ARS Flood and Fire Clean-Up Site Plan as has been provided in the packet. Following the presentation and discussion of the proposal, the City Council may make a motion for approval of the Parking Improvement and Storm Water System/Drainage Improvements Plan proposal, approval of the proposed site plan with any requested modifications, or not approving the Parking Improvement and Storm Water System/Drainage Improvements Plan proposal, subject to the appropriate findings of fact.

Title 10 Ordinance Guidelines (Code Reference)

This Final Site Plan review is regulated under City Code 10-25 "Development in All Zones", and is affected by City Codes 8-5 "Storm Water Management", 10-10B "Planned Commercial Zones (CP-1, CP-2, CP-3)", 10-14 "Regulations Applicable to All Zones", 10-15 "Parking, Loading Space; Vehicle Traffic and Access", and 10-16 "Sign Regulations".

The proposed development parcel is located on property currently owned ARS Flood and Fire and is located on the old Crown Bedroom warehouse site, an existing non-approved storage buildings area to the north of the warehouse building, and property located to the north of the storage buildings area. Historically, the non-approved storage buildings area had buildings constructed without the appropriate permitting or land use approvals for development on this site and, as a result, the current owners have opted to remove one of the buildings all together to accommodate more parking on the site. The desire to lease a portion of the building for use as a 10,000 sf recreational/gymnasium facility is the reason that this site plan proposal has been prepared. Due to the significant impacts to the parking area and based upon standards found in Title 10, Chapter 15 of the City Code, the applicant is required to establish more parking for the site at a ratio of 1 space per every 200 sf of recreation area. There is an opportunity for ARS to share parking stalls with the recreational center use as long as the business hours of operation do not overlap.

Based upon the improvements being made to the site for additional parking area and in order to resolve issues that currently exist on the site as a result of the non-approved storage buildings area, there is a need to establish and install storm water and drainage system improvements that better facilitate the storm water activity on the site and protect the area from negative environmental impacts due to the change. The submitted "ARS Maintenance/Record Keeping" document and the "ARS Storm Water Management" document address this very matter and have been provided with this application.

The property is located in a CP-3 zone and all uses listed in the C-3 zone (whether permitted or conditional) would be available for potential development and use on this lot. Per the applicant, the current uses are service based business, warehouse, and proposed recreational uses.

This matter was reviewed by the Planning Commission on April 26, 2016. At the conclusion of the discussion regarding this site plan, the Planning Commission provided a motion to recommend City Council approval of the proposed ARS Flood and Fire Clean-Up Site Plan.

Attached with this executive summary is a document entitled "Final Site Plan Review – ARS Flood and Fire Clean-Up – Plan & Drainage Pond Improvements"; this is a supplementary document addressing items on the Final Site Plan application document. Also attached, following this executive summary, are comments from the Public Works Director, the Fire Chief, the Police Chief, the City Administrator, and contracted City Engineer. The Planning Commission should discuss any concerns raised by these summaries.

Staff would encourage the City Council to review this matter and then discuss the plan with the petitioner. Following the discussion, the City Council may make a motion for final site plan approval of the Parking Improvement and Storm Water System/Drainage Improvements Plan proposal, approval of the proposed site plan with any requested modifications, or not approving the Parking Improvement and Storm Water System/Drainage Improvements Plan proposal, subject to the appropriate findings of fact.

There was a discussion regarding the parking lot pertaining to the uneven asphalt. Mr. Eggett stated the applicant would be willing to level the parking lot. Councilor Mitchell felt the new building and signage cleaned up the area. Councilor Ellis discussed the traffic increase for the ARS building and asked that ARS employees become aware and considerate of the residents who live in that area.

MOTION: Councilor Hansen moved to approve Final Site Plan Approval ARS Flood and Fire Clean-Up Parking Plan and Storm Water/Drainage System Improvements, located 1708 West 4800 South, Riverdale, Utah 84405. Councilor Arnold seconded the motion.

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

CALL THE QUESTION: All voted in favor. The motion passed unanimously.

5. Consideration of Final Site Plan Approval for H&P Investments Flex Space Building, 770 West River Park Drive, Riverdale, Utah 84405.

Mike Eggett, in Community Development, summarized an executive summary, as seen in the packet, which explained:

H&P Investments, as represented by Dave Pierson, have applied for a Preliminary/Final Site Plan review of a Flex Building Site Plan that will operate as a business park/office located at approximately 4800 South River Park Drive in a Regional Commercial (C-3) zone. This site plan is being proposed for development on property currently owned by H&P Investments. A public hearing is not required to consider this Site Plan proposal. The Final Site Plan was reviewed by the Planning Commission on April 26, 2016 and during the meeting the Planning Commission recommended City Council approval of the proposed H&P Investments Site Plan, as provided hereafter. Following the presentation and discussion of the proposal, the City Council may make a motion for approval of the H&P Investments Flex Building proposal, approval of the proposed site plan with any requested modifications, or not approving the H&P Investments Flex Building proposal, subject to the appropriate findings of fact.

Title 10 Ordinance Guidelines (Code Reference)

This Preliminary/Final Site Plan review is regulated under City Code 10-25 "Development in All Zones", and is affected by City Codes 10-10A "Regional Commercial Zones (C-1, C-2, C-3)", 10-14 "Regulations Applicable to All Zones", 10-15 "Parking, Loading Space; Vehicle Traffic and Access", and 10-16 "Sign Regulations".

The proposed development parcel is located on property currently owned by H&P Investments and is located directly south of the Tony Divino Toyota site. The property is in a C-3 zone and all uses listed in this zone (whether permitted or conditional) would be available for development and use on this lot. Per the applicant, the desired uses are professional office, warehouse, and small business type uses.

A Design Review Committee meeting was held on April 11, 2016 to review the building design concept, building materials, and landscaping plan for the proposed H&P Investments Flex Building. During the meeting, the elevation drawings, construction materials, and landscaping concepts were reviewed and discussed. At the conclusion of the meeting, the Committee approved the proposed design drawings, materials, and landscaping plan.

This matter was reviewed by the Planning Commission on April 26, 2016. At the conclusion of the discussion regarding this site plan, the Planning Commission provided a motion to recommend City Council approval of the proposed H&P Investments Flex Building Site Plan.

Attached with this executive summary is a document entitled "Final Site Plan Review – H&P Investments – Flex Building 1"; this is a supplementary document addressing items on the Preliminary/Final Site Plan application document.

Also attached, following this executive summary, are comments from the Public Works Director, the Fire Chief, the Police Chief, the City Administrator, and contracted City Engineer. The Planning Commission should discuss any concerns raised by these summaries.

Staff would encourage the City Council to review this matter and then discuss the plan with the petitioner. Following the discussion, the City Council may make a motion for final site plan approval of the H&P Investments Flex Building proposal, approval of the proposed site plan with any requested modifications, or not approving the H&P Investments Flex Building proposal, subject to the appropriate findings of fact.

Councilor Arnold inquired about sidewalk in that area. Mr. Eggett explained the City put in a sidewalk approximately 2 years prior. Mayor Searle discussed the existing lien on this property for the sidewalk placement. The lien, involving the applicant, is currently being resolved with the City Administrator.

MOTION: Councilor Arnold moved to approve Consideration of Final Site Plan Approval for H&P Investments Flex Space Building, 770 West River Park Drive, Riverdale, Utah 84405. Councilor Ellis seconded the motion.

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

CALL THE QUESTION: The motion passed unanimously. All voted in favor.

G. Discretionary Items

Councilor Arnold stated he sent an email to Mr. Worthen regarding handicap parking at Golden Spike Park. Councilor Arnold explained there are currently no handicap markings in the parking lot and felt this was something that needed to be remedied immediately. He explained Mr. Worthen responded that this was something that city staff will address when they restripe the entire parking lot, but Councilor Arnold did not feel the handicap marking should wait. City Attorney Brooks stated he will follow up with Public Works Director regarding this matter.

Councilor Ellis complimented Rich Taylor, Community Services Director, regarding the Live Fit program at the Community Center. He felt it was a successful program.

Mr. Brooks asked for clarification regarding the future agenda item, Ritter Drive. He asked if Councilor Griffiths was the second to adding this discussion on the next agenda. Councilor Griffith clarified he was not the second. Councilor Arnold stated the Mayor was the second. [There was confusion as to whether or not this item had a second. Therefore, it was placed on the May 17, 2016 City Council Agenda to be voted as a consent item to determine whether or not it should be placed as an action item/discussion on a future agenda.]

Mr. Brooks asked for further clarification as to what the Council would like to see regarding the Ritter Drive discussion. Councilor Arnold stated they have studied Ritter Drive already and he felt the situation is different now that Riverdale Road is open. At the time Ritter Drive was closed Riverdale Road was under construction. He suggested having it on the agenda as an action item to consider opening Ritter Drive contingent upon the Aunt Nancy developing their business and following through with their road improvements as described in the developers agreement.

Mr. Eggett stated the new Aunt Nancy developer is exploring the possibility of amending the Site Plan which would be brought before the Planning Commission and then to the City Council. Councilor Arnold reiterated that opening Ritter Drive could be contingent upon the Aunt Nancy project developing. He stated there is no reason to open the road if Aunt Nancy does not develop. He clarified by having this as a formal action item on the next City Council meeting it will allow the developers to know exactly where the City Council stands.

Mr. Brooks asked for clarification regarding the SMART union if the City Council would like the Railroad to come and comment as well. There was a consensus from the Council to invite the Railroad. There was a consensus to hear the proposal of the SMART Union at the next meeting, before drafting and approving a resolution.

H. 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 7:13 PM.

Norm Searle, Mayor

Jackie Manning, City Recorder

Date Approved: **May 17, 2016**