

Minutes of the Regular Meeting of the Riverdale City Council held Tuesday, July 19, 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-participated by conference call

Braden Mitchell, Councilor Alan Arnold, Councilor Cody Hansen, Councilor

City Employees: Rodger Worthen, City Administrator

> Steve Brooks, City Attorney Scott Brenkman, Police Chief

Cody Cardon, Business Administrator/Treasurer

Mike Eggett, Community Development

Jackie Manning, City Recorder

Visitors: Charles Kerkvliet Dave Leahy Paul Flaig

Lori Fleming Elizabeth Hunt

Todd Meyers

Thomas Hunt

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 stated Councilor Griffith will be participating by conference call.

Pledge of Allegiance

Mayor Searle invited Councilor Ellis 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 decisions 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. There were no comments made.

E. Presentations and Reports

1. Mayors Report

Mayor Searle had nothing to report.

2. City Administration Report

Rodger Worthen, the City Administrator, recognized Rich Taylor, the Community Services Director, for all his work regarding the Old Glory Days celebration. Mr. Worthen stated staff is looking to improve the display for fireworks in the future. Mr. Worthen discussed Fire Chief Sholly will maintain the current fire site plan.

Mr. Worthen highlighted the employee anniversaries as seen in the packet. Mr. Worthen explained the city is temporarily over one an employee, which will be corrected by next month. The additional employee is due to the Utility Clerk retiring and allowing her to train her replacement.

Mr. Worthen briefly discussed the Community Development report and the Treasury report and invited questions. He briefly discussed the ambulance fees and thanked Fire Chief Sholly for his diligence in updating the ambulance billing issues.

Mayor Searle presented awards to two employees, Fire Fighter David Ermer, and Police Officer Rusty Bingham, for their years of service. Mr. Ermer has been with the City for 20 years and Mr. Bingham has been with the City for five. Every five years employees are presented a certificate for their years of service.

Mayor Searle recognized Kevin Fuller, a police officer, for his 18 years of service in Riverdale City, Mayor Searle discussed Officer Fullers accomplishments throughout his tenure in Riverdale City. He discussed his dependability and willingness to continue to serve the police department. He helped to make the department better with his scheduling implementation and his computer knowledge. Mayor Searle thanked Officer Fuller for all his time and service in the City of Riverdale and wished him well in his retirement.

Mr. Fuller thanked the Riverdale City Council and Mayor for their positive treatment and support. He stated Riverdale City has a great police force. He was happy to have been a part of the department. Police Chief Scott Brenkman discussed his years of service with Officer Fuller and all his efforts and accomplishments within that time-frame. He wished him the best in the future. Each Councilmember expressed their gratitude to the police department and wished Officer Fuller well.

3. Swearing in new Police Officers

Police Chief Brenkman introduced the four newly hired Police Officers: Luigi Panunzio, Matthew Phillips, Robert Lovato and Ryne Schofield. He discussed their work experience and qualifications. The City Recorder, Jackie Manning, swore in the new police officers.

F. Consent Items

1. Review of Meeting Minutes for City Council Special Meetings held on June 23, 2016 and the Regular Meeting and Work Session held on July 5, 2016.

Mayor Searle asked for any additional changes to City Council Meeting minutes, to which there were no requested changes.

MOTION: Councilor Mitchell moved to approve the consent items as proposed.

Councilor Ellis seconded the motion. There was not any discussion regarding this motion.

The motion passed unanimously in favor.

G. Action Items

1. (Item tabled from July 5, 2016 Regular City Council Meeting)

a. Consideration of Final Site Plan for Maverik, Inc., 900 West Riverdale Road, Riverdale, Utah 84405.

MOTION: Councilor Arnold made a motion to untable the discussion from the July 5, 2016 regular

City Council Meeting regarding the final site plan approval for Maverik, 900 West

Riverdale Road, Riverdale Utah, 84405. Councilor Mitchell seconded the motion. All voted

in favor.

Mike Eggett, Community Development Director, summarized the executive summary which explained:

Maverik, as represented by Todd Meyers and Elizabeth Hunt, has applied for a Final Site Plan review of a Gas Station and Convenience Store Site Plan located at 899 West Riverdale Road 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. This Preliminary Site Plan was approved previously by the Planning Commission on May 10, 2016 and was recommended for City Council approval by the Planning Commission on June 14, 2016, with the understanding that the applicant is to resolve all outstanding staff concerns and comments. This matter was also previously reviewed by the City Council and tabled relative to concerns associated with the landscaping requirement associated with this site proposal. Maverik has prepared updated landscaping plans and desires to present their updated plans to the City Council in an effort to resolve previously discussed concerns.

A secondary component of this site plan request is the review, discussion, and consideration of the proposed Development Agreement with Maverik, Inc., which has been provided within this packet as well for review by the City Council. The City Attorney has reviewed this document and is comfortable with the language found therein. There is noted one small error in clause "3.2.1" of the agreement that probably should have the reference to "Section 8.1" made to Section "3.3" instead.

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 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 the southeast corner of 900 West and Riverdale Road on property currently owned by H&P Investments. 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 retail convenience store and gas station.

Attached with this executive summary is a document entitled "Final Site Plan Review – Riverdale Maverik"; this is a supplementary document addressing items on the Preliminary Site Plan application document. Also attached, following this executive summary, are current comments from the Public Works Director, the Fire Chief, the Police Chief, and contracted City Engineer for the proposed Maverik project. Key concerns noted by the City Engineer are tied to onsite detention standards and requirements imposed by the State of Utah, access management to Riverdale Road per UDOT requirements, and UTA bus signage replacement. The City Council should discuss any concerns raised by these summaries.

In addition to the Preliminary Site Plan documentation, a packet referencing the exterior building elevation design have been provided. The attached building renderings, materials summary, and landscaping have been reviewed by the City's Design Review Committee on April 29, 2016 wherein the Design Review Committee approved the submitted landscaping, materials, and overall aesthetics of the proposed structure.

Signage for the site is regulated per City Code 10-16 (specifically section 8.(b.) for Commercial Districts); the applicant should be directed to adhere to this Code when contemplating signage.

Councilor Mitchell thanked Maverik in their efforts to meet the Riverdale Ordinance and stated he is happy to see them come into the city. He inquired about the total parcel area and asked if it was different from the previously submitted plan.

Todd Meyers, from Maverik Incorporated, stated the site plan is laid over the same space. Mr. Meyers explained the difference is the common driveways area, which were reduced. This change was to allow for more landscaping. Mr. Eggett stated even with the change Maverik is still in compliance with the Riverdale City Code.

Councilor Ellis asked about the bus stop relocation. Mr. Eggett stated he and Mr. Worthen have been in close contact with UTA (Utah Transit Authority) in regards to the locating the bus stop in front of Wal-Mart with the hope of having a more established and elaborate seating area. The change of the bus stop location would also change the routing slightly and cause it to run eastbound. Nothing has been finalized at this point, but it is appearing to be favorable among all the parties involved.

MOTION: Councilor Arnold moved to approve Final Site Plan for Maverik, Inc., 900 West Riverdale

Road, Riverdale, Utah 84405. Councilor Mitchell seconded the motion.

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

CALL THE QUESTION: The motion passed unanimously in favor.

(Item tabled from July 5, 2016 Regular City Council Meeting)

b. Consideration of Resolution 2016-20 adopting a Development Agreement between Riverdale City and Maverik, Inc.

MOTION: Councilor Ellis made a motion to untable the discussion from the July 5, 2016 regular

City Council Meeting regarding the adoption of Resolution 2016-20 a Development Agreement between Riverdale City and Maverik, Inc. Councilor Arnold seconded the motion. All voted

in favor.

Mr. Eggett stated there is a clause within the Development agreement that references an incorrect section. If the Council approves the Development Agreement he would encourage them to note that change in their approval. Councilor Hansen inquired about clause 1.3 found within the Development Agreement. Mr. Eggett explained this references a Development Agreement between Riverdale City and Wal-Mart which addresses the parking area located on the south side of Wal-Mart. He discussed the previous agreement and the connectivity that was agreed to at that time.

There was a brief discussion regarding truck routing for Maverik. Mr. Eggett discussed the cross access connection which will be used through Wal-Mart access area to avoid blocking the intersection. Councilor Hansen referred to an error within the agreement that stated "alternation" and requested it be change to "alteration".

MOTION: Councilor Arnold moved to approve Resolution 2016-20 adopting a Development

Agreement between Riverdale City and Maverik, Inc with the appropriate changes as recommended by Mike Eggett and Councilor Hansen. Councilor Mitchell seconded the

motion.

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

ROLL CALL VOTE: Councilor Griffiths, Ellis, Mitchell, Arnold, Hansen all voted in favor. The motion passed

unanimously in favor.

- 2. a. Consideration of Ordinance 880 adopting proposed amendments to the Riverdale City Code, Title 9 Building Regulations, Title 4 Chapter 2 Public Health and Safety (Fire Code).
 - Mr. Eggett summarized an executive summary in the packet which explained:

Recently, the State Legislature has passed a bill updating the building codes for the State and, as a result, the City should update these building codes. In addition, City Staff has been approached regarding properties throughout the City and City ordinances that are impacting those properties. Finally, there have been some issues in the past relative to site plan approvals and final subdivision approvals relative to the timing of the project's vesting rights/viability. As a result of these three above-noted matters, a packet of information has been provided to discuss suggested code revisions relative to the above-noted matters. In order to consider amending the City Code, Utah State Law requires that we hold a public hearing regarding proposed changes to the City Code. Therefore, a public hearing was held with the Planning Commission on June 28, 2016 to consider these proposed Code changes, and advertised accordingly to the public per State Law. Following the public hearing, the Planning Commission discussed the proposed Code changes and provided a favorable recommendation to the City Council for approval of the proposed changes.

Following this executive summary document is the proposed City Code amendment language, as reflected in the respective titles and chapters of City Code. Additionally, City Attorney Steve Brooks has reviewed the proposed City Code amendments and is in support of the proposed amendments as attached to this executive summary document.

MOTION:

Councilor Mitchell made a motion to approve Ordinance 880 adopting proposed amendments to the Riverdale City Code, Title 9 Building Regulations, Title 4 Chapter 2 Public Health and Safety (Fire Code). Councilor Ellis seconded the motion.

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

ROLL CALL VOTE:

Councilor Ellis, Mitchell, Arnold, Hansen, Griffiths all voted in favor. The motion passed unanimously in favor.

- b. Consideration of Ordinance 881 adopting proposed amendments to the Riverdale City Code, Title 10 Zoning and Subdivision Regulations (Multiple Chapters).
- Mr. Eggett summarized an executive summary which explained:

Title 10 Ordinance Guidelines (Code Reference)

Non-dwelling parking standards are regulated under City Code 10-15 "Parking, Loading Space; Vehicle Traffic and Access", specifically section 3. Site development standards for higher density residential areas (i.e. apartment complexes) are regulated under City Code 10-9F "Multiple-Family Residential Zone (R-5)", specifically section 4. All building codes are found within Title 9 "Building Regulations". Fire code regulations are found within City Code 4-2 "Fire Code". Subdivision review and approval is regulated under City Code 10-21 "Subdivisions". Site plan review and approval is regulated under City Code 10-25 "Development in All Zones".

Councilor Ellis clarified this ordinance would have a positive impact on the property owners and commercial. Mr. Eggett felt it would and explained the site plan expiration would protect the city interest.

There was a discussion regarding commercial set-backs as they related to R5 high density zone with an emphasis regarding the length of the set-back. The council felt comfortable with the 30 foot set-back proposed after the discussion.

MOTION:

Councilor Ellis made a motion to approve Ordinance 881 adopting proposed amendments to the Riverdale City Code, Title 10 (Multiple Chapters). The motion was seconded by Councilor Mitchell.

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

ROLL CALL VOTE:

Councilor Mitchell, Arnold, Hansen, Griffiths, and Ellis all voted in favor. The motion passed unanimously in favor.

Mayor Searle called for a motion to adjourn into the executive session.

MOTION:

Councilor Hansen made a motion to adjourn into a closed executive session pursuant to the provisions of Section 52-4-205 of the Open and Public Meetings Law for the purpose of discussing the purchase, exchange, or lease of real property. Councilor Arnold seconded the motion.

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

ROLL CALL VOTE: Councilor Arnold, Hansen, Griffiths, Ellis and Mitchell all voted in favor. The motion

passed unanimously in favor.

H. Executive Closed Session

Consideration of adjourning into Closed Executive Session pursuant to the provisions of Section 52-4-205 of the Open and Public Meetings Law for the purpose of discussing the purchase, exchange, or lease of real property (roll call vote). This session was requested by Councilor Hansen and Councilor Mitchell.

MOTION:

Councilor Mitchell made a motion to adjourn out of the closed executive session back into the regular City Council meeting. Councilor Arnold seconded the motion.

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

ROLL CALL VOTE:

Councilor Hansen, Griffiths, Ellis, Mitchell, and Arnold all voted in favor. The motion

passed unanimously in favor.

I. <u>Discretionary Items</u>

There were no discretionary items discussed.

J. 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 7:22 PM.

Norm Searle, Mayor	Jackie Manning, City Recorder

Date Approved: August 2, 2016