

Minutes of the Regular Meeting of the Riverdale City Council held Tuesday, February 7, 2017, at 6:00 PM, at the Civic Center, 4600 S Weber River Dr., Riverdale City, Weber County, Utah.

Present: City Council: Norm Searle, Mayor
Braden Mitchell, Councilor
Brent Ellis, Councilor
Gary E. Griffiths, Councilor
Alan Arnold, Councilor
Cody Hansen, Councilor

City Employees: Rodger Worthen, City Administrator
Steve Brooks, City Attorney
Scott Brenkman, Police Chief
Jared Sholly, Fire Chief
Mike Eggett, Community Development
Jackie Manning, City Recorder

Excused:

Visitors: Charles Kerkvliet Dave Leahy Daniel Thurgood

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.

B. Pledge of Allegiance

Mayor Searle invited Rodger Worthen 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 open communications.

E. Presentations and Reports

1. Mayors Report

Mayor Searle stated he serves on the Waste Transfer Committee, a committee established to help resolve some of the recycling program issues of the Weber County Transfer Station, such as affordability. He commented regarding a recent meeting in which the recycling company claimed to be losing money annually, and as a result they are looking at raising recycling fees as a means of recouping costs. No final decisions have been made regarding which approach would be best for the cities or the Weber County Transfer Station. Weber County currently has a request for proposal (RFP) for contracts with recycling companies. Mayor Searle discussed the various options being explored regarding recycling and will update the Council as information becomes available.

Councilor Griffiths asked about the possibility of trading recyclable goods, such as top soil, in exchange for recycling services.

Mayor Searle stated tomorrow afternoon he, as well as Rodger Worthen, Shawn Douglas, and Brent Ellis, will be meeting with the Riverdale City Lions Club regarding the development of the pocket park located at 4400 South and Parker Drive. The Lions Club has approached the City with the desire of donating a picnic table, and possibly a decorative rock for that park. Mayor Searle noted the Lions Club has continually donated a lot of money to Riverdale City.

a. Council Committee Assignment Reports

Mayor Searle reported on the recent press conference conducted by Bonneville Communities that Care (CTC) that was hosted at the South Ogden City Fire Station, regarding the awareness for underage drinking, by placing wraps on various city vehicles.

2. Fire Department Update

Jared Sholly, the Riverdale City Fire Chief, was in attendance to address concerns expressed by the City Council at the previous City Council Meeting.

Chief Sholly presented information to the Council with statistics pertaining to mutual aid that the Riverdale City Fire Department gives to other cities, as well as mutual aid received from other cities to Riverdale City. The information also included emergency response trends, as well as equipment cost estimates and accident types.

Chief Sholly discussed the various responsibilities of cities within Weber County, as assigned by Weber County. He explained Riverdale City has had the responsibility of housing the Heavy Rescue Vehicle for the past 14 years. Chief Sholly explained the response criteria in using the Heavy Rescue Vehicle in other cities. He referred to the information handout for statistics pertaining to the Heavy Rescue responses to other cities.

Chief Sholly discussed the process of coverage when the Heavy Rescue is assisting an accident which occurred in another city. He explained the Fire Captains and/or Chief Sholly call through dispatch or the internal paging system, when they know they will be detained at an accident and/or fire. Chief Sholly estimated 50 percent of the time the fire department has been successful in having the station staffed when responding to an outside city. He provided various examples of incidents that occurred in the past year in relation to staffing coverage. Chief Sholly stated his top priority is to ensure Riverdale City has fire coverage before responding to outside cities. Chief Sholly referred to the data provided to the Council and explained Riverdale City received more assistance from outside cities, than what Riverdale City provided to other cities. Chief Sholly discussed the limited staffing in the fire department not only in Riverdale City, but in outside cities as well, which causes the need for the mutual support between cities to ensure proper coverage for everyone within Weber County.

Chief Sholly explained there were only 4 times when the Heavy Rescue was in use in another city (in the last year) which resulted in Riverdale receiving outside coverage from another city. Chief Sholly expressed the true issue regarding ambulance coverage, which totaled 75 times when Riverdale City was out on a call and unable to respond internally. Chief Sholly explained his data was based on 1,476 calls since his time of employment.

There was clarification regarding the data contained on the image trend incident report as seen below:

Heavy Rescue 41

❖ Riverdale Auto Accidents (Responded Heavy Rescue 41)



IMAGETREND
FIRE BRIDGE

Incident Type Report (Summary)
From 02/01/16 To 01/30/17
Report Printed On: 01/30/2017

Incident Type	Count	Percentage
3 Rescue & Emergency Medical Service Incident		
Rescue, EMS incident, other (300)	5	0.34%
Medical assist, assist EMS crew (311)	163	11.07%
Emergency medical service, other (320)	17	1.15%
EMS call, excluding vehicle accident with injury (321)	473	32.11%
Motor vehicle accident with injuries (322)	161	10.93%
Motor vehicle/pedestrian accident (MV Ped) (323)	2	0.14%
Motor vehicle accident with no injuries. (324)	33	2.24%
Extrication, rescue, other (350)	5	0.34%
Extrication of victim(s) from building/structure (351)	1	0.07%
Extrication of victim(s) from vehicle (352)	12	0.81%
Trench/below-grade rescue (354)	2	0.14%
Extrication of victim(s) from machinery (357)	1	0.07%
Total	875	59.41%

Mutual Aid Received

No Riverdale Units Available	# of Times
Heavy Rescue Out of Town	4
Medical (No Ambulance Available)	75
Assisted Riverdale Units	
Auto Accident (Additional Ambulance/Engines supporting Riverdale Units)	46
Structure Fire	11
Hazardous Materials	2
Medical (First Responders)	6
Fire Alarm	1
Vehicle Fire	1
Other Rescue	1
Total	147

Mayor Searle expressed the key point of this information is that Riverdale City is always covered, but sometimes they receive assistance from other cities. Chief Sholly emphasized the limited staffing in the fire department in any city due to limited funding. Chief Sholly stated he is consistently working towards possible solutions in limiting the amount of times Riverdale City Fire Department is unavailable to respond to ambulance calls.

Chief Sholly referred to the itemized equipment sheet:

Value of Heavy Rescue Program

Item	Value
Heavy Rescue 41 Equipment	\$246,355
Heavy Rescue 41	\$65,000
Heavy Rescue 42 Equipment	\$90,000
Heavy Rescue 42	\$50,000
2,464 Hours of Training (5 Years)	\$53,000
(This is figured on approximate hourly wage of \$21.50 per hour)	
Total	\$504,355

Chief Sholly discussed the benefit of the level of training given to the Riverdale Fire Department as a result of housing equipment such as the Heavy Rescue.

Chief Sholly discussed how alternating the fire vehicles will extend the life of the fire apparatus. Chief Sholly discussed the types of accidents in which the Fire Department responds in relation to use of the Heavy Rescue vehicle. Chief Sholly displayed images of various accidents which would qualify for Heavy Rescue use. The closest heavy rescue is in the South Davis Metro in Bountiful. Chief Sholly discussed the various equipment in Davis County and compared them to the equipment located at Riverdale City.

Councilor Hansen wanted to ensure there was not a disproportionate financial burden being placed on the Riverdale City residents as a result of hosting the Heavy Rescue Vehicle. He felt the larger surrounding cities may be able to absorb/facilitate the costs of the Heavy Rescue better than Riverdale City. Chief Sholly didn't feel that larger cities could necessarily handle the additional responsibilities of the Heavy Rescue. He provided the example of Ogden City, and indicated they are struggling to address their in city calls resulting in Ogden City requesting assistance for 10 plus calls per day. He explained Ogden City is responsible for Hazmat Unit for Weber County. Each City has a different role and responsibility within Weber County. Councilor Hansen expressed concern regarding the expense of the Heavy Rescue. Councilor Hansen questioned whether Riverdale City should be a regional resource. Chief Sholly discussed reduction in costs in relation to training.

There was a discussion regarding the reimbursement process for the Fire Department. Chief Sholly explained he can claim reimbursement for various clean-ups, etc. It was explained Riverdale City does not get reimbursement for assisting other cities regarding calls. It is a mutual benefit between all the Cities within Weber County to provide back up for each other when needed due to limited staffing within each municipality.

Councilor Hansen clarified his concerns were regarding finances concerning the Heavy Rescue Vehicle specifically. Chief Sholly felt the benefit of the Heavy Rescue justified the cost. Chief Sholly discussed the reimbursement of training he receives as a result of Heavy Rescue. Chief Sholly further explained if funding was a concern the Council could approach the Weber County Commission relating to funding for the Heavy Rescue.

There was a brief discussion regarding the agreement pertaining to paramedic responses. Chief Sholly stated he is looking into the matter further, in hopes to better the situation.

Councilor Griffith expressed appreciation regarding the team work of the surrounding cities working together to provide coverage in Weber County. He felt it was good to share resources for the common good.

Councilor Mitchell referred to a previous incident where the Riverdale City Fire Department saved one a neighbors life. He discussed the gratitude expressed by his neighbor in relation to the Fire Department. Councilor Mitchell expressed concern regarding fire station coverage. Chief Sholly stated he will look into coverage and discuss it during the strategic meeting.

F. Consent Items

1. Review of Meeting Minutes for City Council Meetings held on January 17, 2017 Regular Meeting and Work Session.

Mayor Searle asked for any amendments to the meeting minutes. [During the Work Session Meeting Councilor Ellis requested a correction to the Meeting Minutes on page 3, line 56, in the City Council Work Session Meeting on January 17, 2017. He requested "to all" be added after the word "fair."]

2. Planning Commission Appointment of Lori Fleming to serve an additional 4-year term from February 2017 to January 2021.

Mayor Searle explained two planning commission terms have expired, Lori Fleming and Michael Roubinet. Ms. Fleming has accepted to serve another 4 year term. The Mayor is actively searching to fill the other planning commission opening.

MOTION: Councilor Hansen moved to approve the consent items as amended during the work session meeting. Councilor Mitchell seconded the motion. There was not any discussion regarding this motion. The motion passed unanimously in favor.

G. Action Items

1. Consideration of Final Site Plan Approval of Verizon Wireless Rooftop Tower & Support Facilities, located 4848 S 900 W, Riverdale, UT 84405

Mike Eggett, community development director, summarized the executive summary which explained:

Verizon Wireless and Technology Associates, as represented by Daniel Thurgood, have applied for a Site Plan review for a new small cell tower installation and supporting facilities located on the Walmart building and adjacent to the south end of the building at approximately 4848 South 900 West in a Regional Commercial (C-3) zone. This site is the existing 900 West Walmart building and parking area. The property is currently owned by Wal-Mart Real Estate Business Trust. A public hearing is not required to consider this Site Plan proposal. This proposed final site plan was reviewed by the Planning Commission on January 24th, 2017 and received a favorable recommendation to City Council for approval of the proposed site plan. Following the presentation and discussion of the proposal, the City Council may make a motion to approve the Verizon Wireless small cell installation project site plan proposal, approve the proposed site plan proposal with any requested modifications/amendments, or not approve the Verizon Wireless small cell installation project site plan, with the respective findings of fact to support the decision.

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 "Commercial Zones (C-1, C-2, C-3)", 10-14 "Regulations Applicable to All Zones", 10-15 "Parking, Loading Space; Vehicle Traffic and Access", 10-16 "Sign Regulations", and 10-17 "Wireless Telecommunications Zoning Regulations".

The property is in a Regional Commercial C-3 zone and the desired use of this property, as a small cell tower installation, would be a conducive use in this zone.

Attached with this executive summary is a document entitled "Final Site Plan Review – Verizon Wireless Small Cell Installation"; this is a supplementary document addressing items of note or concern as identified on the Commercial Site Plan application review. Also attached, following this executive summary, are comments from the Public Works Director, the Fire Chief, the Police Chief, and contracted City Engineer.

In addition to the Commercial Site Plan documentation, there is a supporting written response sheet required by City Code 10-17-6(A.)(3.), supporting documentation showing the distance measurement of 1000 feet as required by City Code 10-17-8(C.), a written statement of FCC regulation compliance as required by City Code 10-17-9, and the proposed site plan addition drawings for the cell tower installation.

Staff would encourage the City Council to review this matter and then discuss with the petitioner concerns noted by staff and/or the Planning Commission. Staff would then recommend that the City Council act and make a motion to approve the Verizon Wireless small cell installation project site plan proposal, approve the proposed site plan proposal with any requested modifications/amendments, or not approve the Verizon Wireless small cell installation project site plan, with the respective findings of fact to support the decision.

General Plan Guidance (Section Reference)
The General Plan use for this area is currently set as "Planned Commercial - High" and this proposed project would comply with this land use.

There were no additional comments regarding this item.

MOTION: Councilor Arnold moved to approve the Final Site Plan Approval of Verizon Wireless Rooftop Tower & Support Facilities, located 4848 S 900 W, Riverdale, UT 84405
Councilor Griffiths seconded the motion.

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

CALL THE QUESTION: The motion passed unanimously.

2. Consideration of Resolution 2017-01, Cell Tower Lease Amendment between Riverdale City and NCWPCS MPL 30-Year Sites Tower Holdings, LLC.

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

The City was recently contracted by NCWPCS (NCWPCS MPL 30 Year Sites Tower Holdings, LLC) about updating the lease agreement on the cell tower located by the public works building. The original lease on this cell tower was entered into with AT&T Wireless Services of Utah, Inc., on April 26, 2001 and a subsequent lease amendment was entered September 2, 2003. The lease expires May 31, 2031. Terms of the original lease and subsequent lease amendments allow for changes in the tenancy of the lease and any modifications jointly agreed to by the parties.

This request started off as a name change request by the new tenant, but also resulted in a thorough review of the maps and plats on the affected property, which NCWPCS paid for and which was beneficial to the City as well. [While reviewing the maps and plats, a legal description error was found and corrected.]

The lease was paid in full in the early years of the lease agreement so there is no loss or financial benefit outstanding to the city.

Councilor Ellis asked if the City could renegotiate the agreement after the lease agreement expires and Mr. Brooks confirmed.

Councilor Hansen had questions pertaining to number 4 on the amended agreement, regarding the Utility Easement and number 5, Assignment regarding sub-easements. He asked if this was creating a new revenue source for the applicant. Mr. Brooks explained the applicant leases a space from the City; the City is not involved in the actual decisions regarding sub-leasing for the tower. Mr. Brooks further explained there was similar language in the original agreement that allowed the applicant to sub-lease the tower.

There was a discussion regarding the original agreement in comparison to the amended agreement relating to sub-leasing with an emphasis of concern regarding additional revenue for the applicant. Mr. Brooks stated he did not feel that section 4 and 5 of the amended agreement changed the intent/content of the original agreement, rather clarified the language. Councilor Hansen disagreed and felt the City should take the additional revenue the applicant may acquire as a result of the amended agreement. Councilor Arnold echoed Councilor Hansen's comments.

MOTION: Councilor Mitchell made a motion to approve Resolution 2017-01, Cell Tower Lease Amendment between Riverdale City and NCWPCS MPL 30-Year Sites Tower Holdings, LLC. Councilor Ellis seconded the motion.

Mayor Searle invited discussion regarding this motion. Councilor Hansen expressed he felt the Council should take into consideration the opportunity to amend the agreement for the benefit of the city. Mr. Brooks discussed the history of the original agreement and explained when it originated municipalities in general were not aware of the direct benefit and potential revenue that could accrue over time, so they would take one time lump sums in lieu of monthly lease monies for cell towers. He didn't feel, as this agreement is already in place, that an amendment requesting a name change qualified for a negotiation for a new lease arrangement.

ROLL CALL VOTE: Councilor Ellis, Mitchell and Griffiths voted in favor. Councilor Hansen and Arnold voted in opposition. The motion passed with a majority vote in approving resolution 2017-01.

H. Discretionary Items

Councilor Arnold stated he was approached by a resident regarding vehicles parked on the street. He asked if they were being ticketed. Police Chief Brenkman stated the police department will make an attempt not to give a ticket, but there are times when they have to issue citations and impound vehicles. They work with public works department in spotting problem areas. Councilor Arnold asked if the police department would look closer at the street in which he lives. Councilor Griffiths stated City hall has had a lot of vehicles in front as well.

Councilor Hansen expressed appreciation to the Council for allowing him to ask questions and make comments during the meeting. He expressed how important it is to him to understand each item. Mayor Searle commended Councilor Hansen regarding his thoroughness.

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 7:15 PM.

Norm Searle, Mayor

Jackie Manning, City Recorder

Date Approved: **March 7, 2017**