

Minutes of the Regular Meeting of the Riverdale City Council held Tuesday, March 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  
Shawn Douglas, Public Works Director  
Scott Brenkman, Police Chief  
Jared Sholly, Fire Chief  
Mike Eggett, Community Development  
Jackie Manning, City Recorder

Excused:

Visitors: David Combe Doug Clark

**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 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.

David Combe, a Riverdale City Resident, commented regarding the rezone application on the agenda, from Doug Clark. He stated he supported the idea and felt it would be a great improvement to the area. He was in favor of the rezone.

**E. Presentations and Reports**

**1. Mayors Report**

Mayor Searle gave an update regarding the baby the fire department delivered recently. He read a letter from the family expressing gratitude to those fire fighters who assisted in the delivery on January 31, 2017.

**F. Consent Items**

**1. Review of Meeting Minutes for City Council Meetings (Regular and Work Session) held on: February 7, 2017 and February 21, 2017.**

Mayor Searle asked for any changes to City Council Meeting minutes and there were none.

**MOTION:** Councilor Mitchell moved to approve the meeting minutes for the February 7, 2017 and February 21, 2017 City Council Work Session and Regular Meeting, as written. Councilor Ellis seconded the motion. There was not any discussion regarding this motion. The motion passed unanimously in favor.

**G. Action Items**

**1. Consideration of Ordinance 884, Amending the Riverdale City Code, Title 8 Chapter 5B Section 1, Storm Water Ordinance.**

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

Our current Storm Water Ordinance does not allow for any redevelopment or change to a building site footprint without upgrading the storm water system at the site. I believe this is overly burdensome for small site changes and building maintenance. We are proposing to update this to allow for a site change of up to 2000 sqft without modifications to the existing storm water system. This will allow property owners to make small changes to their site that would not be economically viable with the current ordinance. I recommend approval.

Councilor Hansen wanted to ensure all state requirements were still being met, and Mr. Douglas confirmed this ordinance was in compliance with the state. Councilor Mitchell thanked City Staff in their efforts to make Riverdale City a business friendly City.

**MOTION:** Councilor Arnold made a motion to approve Ordinance 884, Amending the Riverdale City Code, Title 8 Chapter 5B Section 1, Storm Water Ordinance. Councilor Ellis 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 of Ordinance 884.

**2. Consideration of Ordinance 885, Amending the Riverdale City Code, Title 10, Chapter 14, Section 12, "Nonresidential and Residential Development Landscape Requirements."**

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

During the joint strategic session last Fall, the City Council directed city staff to prepare an update to the landscape ordinances that supports improved landscaping standards and design concepts in nonresidential areas of the City. As a result of this direction, city staff worked on an update to the landscape ordinances reflective of comments made during that meeting, which includes: updates to required amounts for xeriscaping and drought-tolerant plantings, updates to the requirements for all landscape improvements, and updated requirements for the maintenance and upkeep of landscaped areas within the nonresidential areas. Additionally, new proposed language has been added to the residential landscaping section of the ordinances to better hold new residential property owners accountable for installing landscaping in yard areas along the roadways and fronting the residence.

In order to consider amending the City Code, Utah State Law requires that a public hearing regarding proposed changes to the City Code be held by the City. Therefore, a public hearing was held before the Planning Commission on February 28, 2017. At the conclusion of the public hearing, the Planning Commission reviewed the proposed landscaping ordinance amendment language and suggested changes to the proposed language. The Planning Commission then supported a favorable recommendation for the approval of the proposed landscaping ordinance amendment language with the addition of the discussed revisions to the language proposal.

Following City Council review and discussion in the matter, City Staff would suggest that the City Council take action to approve the proposed City Code changes, approve with suggested amendments or changes to the proposed language, table the matter if necessary, or not approve the proposed changes with the appropriate findings of fact to support the decision.

**Title 10 Ordinance Guidelines (Code Reference)**

Residential and nonresidential landscaping standards are regulated under City Code 10-14-12 "Nonresidential and Residential Development Landscape Requirements". 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".

Landscaping percentages established within the proposal are suggestions for discussion purposes and may be changed accordingly by the Planning Commission with a supportable reason for the proposed changes to these established percentages.

A supplementary packet of landscaping information from other communities was also provided to the Planning Commission and reviewed to allow for additional discussion relative to the proposed amendments.

The attached documentation has been reviewed and changed multiple times by the City Attorney Steve Brooks and City Administrator Rodger Worthen in order to put together a proposal that matches guidance provided to City Staff by the City Council.

Steve Brooks, the City Attorney, stated he had some proposed revisions to help address the concerns expressed during the work session meeting. Mr. Brooks recommended the following changing:

10-14-12 (A) Residential "...An escrow agreement may be issued with a temporary certificate of occupancy which includes a time certain for installation of the landscaping and irrigation system by the owner/developer..."

10-14-12 (B) 2-New Development: (k) 3: "Plant species that are a public nuisance or that cause excess litter shall be avoided"

Councilor Mitchell clarified during the work session his main concern was regarding an owner having to put the irrigation and landscaping in before occupancy.

Councilor Arnold referred to 10-14-12 (B) 1. Refurbished Existing Developments, "...fifty percent (50%) of which shall be in the form of Xeriscape..." Councilor Arnold clarified the wording does not allow flexibility for an applicant to do more than fifty percent of their landscaping Xeriscaped as it is written "shall be". Mr. Brooks suggested changing the wording from "shall be fifty percent" to "no less than fifty percent." Mr. Eggett clarified this wording would also be applicable to section 2, and Councilor Arnold confirmed.

**MOTION:** Councilor Arnold made a motion to approve Ordinance 885, Amending the Riverdale City Code, Title 10, Chapter 14, Section 12, "Nonresidential and Residential Development Landscape Requirements", with the proposed changes as read by City Staff. Councilor Griffiths 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 of ordinance 885.

**3. Consideration of Ordinance 886, rezone request for property located approximately 535 W 5400 S in Riverdale City change from Single-Family and Single-Family with Rental Unit Residential (R-2) zoning to Multiple-Family Residential (R-3) zoning.**

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

Doug Clark, the petitioner in this matter, is requesting a rezone of property located at approximately 535 West 5400 South from the current Single-Family and Single-Family with Rental Unit Residential (R-2) zone to a proposed Multiple-Family Residential (R-3) zoning to allow for potential future development opportunity for this property. This request is for approximately 0.34 acres of land that would be affected by the proposed rezone request (see the attached zoning map document for more information).

As required by State Code and to allow for public commentary, a public hearing was held with the Planning Commission on February 28, 2017 regarding this rezone request. At the conclusion of the public hearing and Planning Commission discussion in the matter, the Commission supported a favorable recommendation to the City Council to approve the rezone request, as submitted by Mr. Clark, from the current R-2 zoning to the requested R-3 zoning.

Following any discussion in the matter, the City Council may make a motion to approve this proposed rezone request, approve the requested rezone with any additional requirements, table the matter for further discussion, or not approve the rezone request based upon sufficient findings of fact to support the City Council's decision.

**Title 10 Ordinance Guidelines (Code Reference)**

This rezone request is regulated under City Code 10-5 "Rezone Requests" and is affected by City Codes 10-10-9C "Single-Family and Single-Family with Rental Unit Residential Zone (R-2)" and 10-10-9D "Multiple-Family Residential Zone (R-3).

The petitioner's property is currently listed in the County Records under the ownership of DC Properties LLC. The property is currently being utilized as a vacant lot with a small residence to the south adjacent to an existing apartment complex property also owned by Doug Clark and zoned with an R-4 zoning (Multiple-Family Residential Zone).

Mr. Clark desires to consider the future development of this property for one single four-plex building that would look like a "big house" in design concept and provide two entrances in the front and two entrances in the rear to each respective unit in the structure.

The appropriate application and supporting documentation have been submitted and provided to the Planning Commission for review (please see attached documentation for more).

The General Plan designation for this property is established in the General Plan Land Use section as Residential – Low Density and the request is for a Residential – Medium Density request due to the nature of the Multiple-Family Residential (R-3) zoning proposal.

General Plan Guidance (Section Reference)  
Listed as Residential – Low Density, which is differing from the petitioner’s request for Residential – Medium Density use as a Multiple-Family Residential (R-3) zoned property.

Mr. Eggett read a letter from Brad Arave who lives adjacent to the area being considered for this rezone. The letter showed support for the rezone request.

Councilor Ellis asked if there were existing four-plexes within this area, and Doug Clark, the applicant, confirmed there were 2 four-plexes existing. Mr. Eggett stated the existing four-plexes are zoned R-4.

Mr. Clark referred to the packet materials and discussed the parking and the layout of the four-plex. He further explained they would have two bedrooms.

Councilor Arnold asked Fire Chief Sholly if the road width would be an issue for the fire apparatus. Mr. Clark confirmed the road width was approximately 15 feet, and Chief Sholly did not foresee any issues with the width. Mr. Clark confirmed there was no parking along that road.

Councilor Hansen asked about the mailboxes that align the road, and Mr. Clark stated he is looking at purchasing a multiple box stand, to remove the excess mailboxes.

**MOTION:** Councilor Arnold made a motion to approve Ordinance 886, rezone request for property located approximately 535 W 5400 S in Riverdale City change from Single-Family and Single-Family with Rental Unit Residential (R-2) zoning to Multiple-Family Residential (R-3) zoning. Councilor Hansen seconded the motion.

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

**ROLL CALL VOTE:** Councilor Griffiths, Ellis, Mitchell, Arnold, and Hansen all voted in favor of Ordinance 886.

**4. Consideration of approving the bid award to Smith Power Products, Inc for the purchase of a generator, in the amount of \$29,705.00.**

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

The City Staff obtained three bids from three different vendors for possible generators at the City’s Civic Center. An analysis of the bids has been compiled and based upon a review of the information we feel that the generator bid by Smith Power Products is the best option for the City. Smith Power Products’ bid is \$571 over the lowest bid by Precision Power. However, the bid by Smith Power Products’ includes a higher rated level of enclosure that would produce less noise and provide better weather protection for the generator. It also includes a larger fuel take that would provide for about 8 hours of additional run time at full load. To add a higher rated enclosure and larger fuel tank to the Precision Power Inc. generator would increase the total cost over the bid by Smith Power Products.

There were no additional questions or comments regarding this motion.

**MOTION:** Councilor Arnold made a motion to approve the bid award to Smith Power Products Inc, for the purchase of a generator, in the amount of \$29,705.00. 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, and Griffiths all voted in favor of the bid award.

**H. Discretionary Items**

Councilor Mitchell referred to Parker Drive near the storage sheds, and stated there appears to be water coming through the asphalt. He asked if this was due to the dirt placement on the adjacent property. Mr. Douglas was unsure if it was related to the dirt placement, but explained this is happening in 3 other areas throughout the City of Riverdale. He felt it was due to the saturation in the ground.

Councilor Ellis discussed a mud pit within his neighborhood which is attracting four wheeling vehicles. He asked if the Public Works Department would consider placing a "no trespassing" sign to discourage the off-roading activity. Mr. Douglas stated he could put up a sign to discourage the activity.

I. Adjournment.

**MOTION:** Having no further business to discuss, Councilor Arnold made a motion to adjourn. The motion was seconded by Councilor Mitchell; all voted in favor. The meeting was adjourned at 6:34 PM.

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Norm Searle, Mayor

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Jackie Manning, City Recorder

Date Approved: **March 21, 2017**