

Minutes of the Regular Meeting of the Riverdale City Council held Tuesday, January 15, 2019, at 6:00 p.m., at the Civic Center, 4600 S Weber River Dr., Riverdale City, Weber County, Utah.

Present: City Council: Norm Searle, Mayor
Braden Mitchell, Councilmember
Brent Ellis, Councilmember
Alan Arnold, Councilmember-participated via conference call
Cody Hansen, Councilmember
Bart Stevens, Councilmember

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

Excused:

Visitors: Sam Hendrickson Maddie Gonzales David A. Leahy
Chuck Kerkvliet Suzette Demar

A. Welcome & Roll Call

The City Council meeting began at 6:07 p.m. Mayor Searle called the meeting to order and welcomed all in attendance, including all councilmembers and all members of the public.

B. Pledge of Allegiance

Mayor Searle invited Councilmember Hansen 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. Public Comment

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. No action will be taken during public comment.

Sam Hendrickson and Maddie Gonzales, members of student government for Bonneville High School, explained the senior class party gives students a fun, drug & alcohol free place to celebrate graduation. They asked if Riverdale City would help provide funding for this annual event. Mayor Searle explained it was in the budget.

Dave Leahy, a Riverdale City resident, stated the new plaques, near the purple-heart, on the Veterans Memorial looks good. He thanked the city staff members who assisted in completing that project.

E. Presentations and Reports

1. Mayors Report

There was no report for this item.

2. Bonneville High School Students – Regarding Annual Senior Class Party

This item was discussed during public comment.

3. City Administration Report

Rodger Worthen, the City Administrator, summarized the administration report which outlines staff anniversaries, full time employee (fte) allocation, community development (i.e. new businesses coming into the community or existing business remodels), individual staff monthly progress reports, and the condition of the treasury. Mr. Worthen thanked Rich Taylor, the Community Services Director, for all his hard work and efforts. Mr. Worthen informed the council that Cody Cardon was rehired as the Business Administrator.

4. Annual Court Report

F. Consent Items

1. ~~Consideration to approve the City Council meeting minutes from: January 2, 2019 City Council Work Session and Regular Meeting.~~

This item was not discussed due to a meeting date error.

G. Action Items

1. Consideration and discussion to accept the financial audit for fiscal year 2018, as performed by Christensen, Palmer and Ambrose.

Jeff Ambrose, with Christensen, Palmer & Ambrose, summarized the executive summary which explained:

The City is required to undergo an annual fiscal year financial and Utah State Compliance audit performed by an independent certified public accounting firm. After this audit is completed the results are presented to the Mayor and City Council for acceptance and the financial statements are required to be submitted to the State of Utah.

Mr. Ambrose thanked city staff, Stacey Comeau and Cody Cardon, for all their assistance in providing information for the audit. Mr. Ambrose stated the auditor report was clean, meaning there were no findings and no required adjustments. Mr. Ambrose provided a break-down of Riverdale City's expenditures and fund balances, as seen in the audit report. A copy of the report was retained for public record.

MOTION: Councilmember Mitchell moved to accept the results of the financial audit for fiscal year 2018, as performed by Christensen, Palmer, and Ambrose. Councilmember Ellis seconded the motion.

Mayor Searle invited discussion regarding the motion, to which there was none.

CALL THE QUESTION: Councilmembers Mitchell, Arnold, Hansen, Stevens, and Ellis all voted in favor of the motion.

2. Consideration of Resolution 2019-01, an Interlocal Agreement between Riverdale and Weber County relating to obligations required for general permit for discharges from small municipal separate storm sewer systems (MS4's) Permit No. UTR090000.

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

Riverdale City has been a member of the Weber County Storm Water Coalition for several years. This coalition provides training and education to help meet the state storm water requirements. This formal agreement will allow Riverdale City to continue participation in the coalition and provide documentation to the state showing membership. The fee for the coalition will be approximately \$2,000.00 per year. This could go up or down slightly depending on how many cities participate in the coalition. It will be paid for with money budgeted in the storm water budget.

MOTION: Councilmember Hansen moved to approve Resolution 2019-01, an Interlocal Agreement between Riverdale and Weber County relating to obligations required for general permit for discharges from small municipal separate storm sewer systems (MS4's) Permit No. UTR090000. Councilmember Mitchell seconded the motion.

Mayor Searle invited discussion regarding the motion, to which there was none.

ROLL CALL VOTE: Councilmembers Arnold, Hansen, Stevens, Ellis and Mitchell all voted in favor of the motion.

3. Consideration of Ordinance 905, amendments to Title 3 Chapter 2, Liquor Control.

Jackie Manning, the City Recorder, summarized the executive summary which explained:

The state legislature has made numerous updates to state liquor laws. In order to keep Riverdale City in compliance with state code, massive amendments are to be considered with Ordinance 905. Each section of Title 3 was carefully reviewed and revised to ensure full compliance of the law. These proposed changes were reviewed and by the City Attorney.

Below are references to state laws and rules that pertain to liquor laws:

Title 32B Alcoholic Beverage Control Act

https://le.utah.gov/xcode/Title32B/32B.html?v=C32B_1800010118000101

Utah Department of Alcoholic Beverage Control (DABC) 2012 Update Guide for Cities

https://abc.utah.gov/laws/documents/local_ordinance_and_abc_act.pdf

Title R81. Alcoholic Beverage Control, Administration effective October 1, 2018

<https://rules.utah.gov/publicat/code/r081/r081.htm>

Liquor Laws Affecting Residents & Visitors (DABC)

https://abc.utah.gov/laws/law_residents.html

Frequently Asked Questions (DABC)

https://abc.utah.gov/laws/law_faqs.html

Councilmember Hansen asked if Riverdale City had stricter liquor requirements than the State of Utah. Mrs. Manning confirmed Riverdale was not more strict than the State. Councilmember Ellis thanked Mrs. Manning for her diligence in updating the ordinance. Councilmember Mitchell asked for clarification regarding the single event permit definition, specifically in reference to the two time periods listed within the ordinance. Mrs. Manning explained those time frames were worded identically to what is in state code. There was a brief discussion regarding the amount of single events allowed per year.

MOTION: Councilmember Ellis moved to approve Ordinance 905, amendments to Title 3 Chapter 2, Liquor Control, as written. Councilmember Hansen seconded the motion.

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

ROLL CALL VOTE: Councilmembers Hansen, Stevens, Ellis, Mitchell and Arnold all voted in favor of the motion.

4. Consideration of Resolution 2019-02, multiple amendments to the consolidated fee schedule 1-12.

Mrs. Manning summarized the executive summary which explained:

There are two proposed revisions to the consolidated fee schedule. The first, in 1-12-3 Liquor Licenses, for the purpose of keeping consistency with the liquor ordinance. The change updates the name of various liquor licenses and adds a fee for taverns.

The second proposed revision would be to add a section (1-12-13) for annexation fees. Currently, Riverdale City does not have within the fee schedule a fee for the annexation application/process. The review process for annexations is lengthy and requires review from multiple staff members, such as, the City Recorder, the City Planner (Community Development Director), the City Engineer, and other staff as needed. Annexations also require multiple notifications and publications. The estimated time frame from start to finish is 6-8 months. Because of the heavy staff involvement, notification and publication fees, requirements, and length of time to complete, most cities within Utah require a fee for the annexation application process.

MOTION: Councilmember Hansen moved to approve Resolution 2019-02, multiple amendments to the consolidated fee schedule 1-12. Councilmember Stevens seconded the motion.

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

ROLL CALL VOTE: Councilmembers Stevens, Ellis, Mitchell, Arnold, and Hansen all voted in favor of the motion.

H. Closed Executive Session

(Roll Call Vote) Consideration of adjourning into a Closed Executive Session pursuant to the provisions of Section 52-4-205 of the Open and Public Meetings Act for the purpose of strategy sessions to discuss pending or reasonably imminent litigation.

MOTION: Councilmember Hansen moved to enter into the executive closed session for the purpose of strategy sessions to discuss pending or reasonably imminent litigation. Councilmember Mitchell seconded the motion.

Mayor Searle invited discussion regarding the motion, to which there was none.

ROLL CALL VOTE: Councilmembers Ellis, Mitchell, Arnold, Hansen and Stevens all voted in favor of the motion.

The executive session began at 6:35 p.m. and ended at 6:55 p.m.

MOTION: Councilmember Ellis moved to leave the executive closed session and resume the open portion of the regular city council meeting. Councilmember Arnold seconded the motion.

Mayor Searle invited discussion regarding the motion, to which there was none.

ROLL CALL VOTE: Councilmembers Mitchell, Arnold, Hansen, Stevens and Ellis all voted in favor of the motion.

I. Discretionary Items

Mayor Searle discussed the upcoming legislative session for 2019, and explained sales tax will be a topic of discussion with regard to the possibility of taxing services. He briefly discussed continued efforts in the current changing the redistribution of sales tax, which is distributed throughout cities based on populations. There was a brief discussion regarding online sales tax, and it was unknown how, if, or when, the state would distribute those taxes.

Mr. Worthen reminded the Council of the annual training in St. George, Utah that is hosted by the Utah League of Cities and Towns, the week of April 24th. Any councilmember interested in attending will need to notify Mr. Worthen or Mrs. Manning.

J. Adjournment.

MOTION: Having no further business to discuss, Councilmember Hansen made a motion to adjourn. The motion was seconded by Councilmember Ellis; all voted in favor. The meeting was adjourned at 7:01 p.m.

Norm Searle, Mayor

Jackie Manning, City Recorder

Date Approved: February 5, 2019