

Minutes of the Regular Meeting of the Riverdale City Council held Tuesday, May 21, 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
Cody Hansen, Councilmember
Bart Stevens, Councilmember

City Employees: Rodger Worthen, City Administrator
Shawn Douglas, Public Works Director
Jared Sholly, Fire Chief
Jackie Manning, City Recorder

Excused: Steve Brooks, City Attorney
Mike Eggett, Community Development

Visitors: Mike Ford Susette Demar

A. Welcome & Roll Call

The City Council meeting began at 6:03 p.m. Mayor Searle called the meeting to order and welcomed all in attendance, including all Council Members and all members of the public. Steve Brooks, the City Attorney, and Mike Eggett, the Community Development Director, were both excused from this meeting.

B. Pledge of Allegiance

Mayor Searle invited Councilmember Stevens 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. There were no public comments.

E. Presentations and Reports

1. Mayors Report

Mayor Searle discussed the success of the recent ribbon cutting for Americarpets.

Mayor Searle informed the council of the upcoming Taxing Entity Committee (TEC) meeting which will be Thursday, 10:00 a.m. at the Riverdale Community Center. The purpose of the meeting will be to request an extension for the trigger date of the West Bench Redevelopment Area.

Mayor Searle reminded the council and public of the upcoming Memorial Day Ceremony that will take place on Monday at 9:00 a.m. It will begin by raising a flag in honor of all those who have lost their lives serving our country.

2. City Administration Report

Rodger Worthen, 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 noted the efforts of Cody Cardon, the Business Administrator, with regard to preparing the annual budget.

Councilmember Stevens asked if there was a new business to fill the recently closed Shopko business, and Mr. Worthen stated not at this time.

Mr. Worthen recognized employee Jake Peterson for his 5 years of service. Mr. Peterson will receive a certificate for years of service.

There was a brief discussion regarding an article that was in the Standard Examiner that announced a new Asian restaurant may be coming to Riverdale.

F. Consent Items

1. Consideration to approve the City Council meeting minutes from: Work Session and May 7, 2019 Regular Session.

Mayor Searle invited any corrections or comments regarding the above referenced meeting minutes. There were no requested changes for these minutes.

MOTION: Councilmember Mitchell moved to approve the consent items as proposed. Councilmember Ellis seconded the motion. There was not any discussion regarding this motion. The motion passed unanimously in favor.

G. Action Items

1. Consideration of Resolution 2019-10, the Annual Municipal Waste Water Report.

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

The Municipal Waste Water Planning Program is required by the State Division of Water Quality. Mr. Douglas completed the report as required by the Division of Water Quality. Riverdale City's sewer system is in good condition and the maintenance program that is in place keeps it functioning well. During the last year there were no waste water backups or overflows. Mr. Douglas recommended approval of this item. There was no discussion regarding this item.

MOTION: Councilmember Arnold moved to approve Resolution 2019-10, the Annual Municipal Waste Water Report. Councilmember Mitchell seconded the motion.

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

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

2. a. Consideration to approve the Final Site Plan and Amended Subdivision/Condominium Plat for Riverdale Business Park Phase 2, approximately 5187 South 1500 West, Riverdale, Utah 84405; requested by Mike Ford.

Rodger Worthen, the City Administrator, summarized the executive summary which explained:

Mike Ford, as represented by Reeve and Associates (project engineer), has applied for a Preliminary Site Plan and Amended Subdivision Plat/Condominium Plat review of a new retail business and warehousing condominium building project located at approximately 5187 South 1500 West, to be known as Riverdale Business Park Phase 2. On April 23, 2019, the Planning Commission reviewed the Final Site Plan and Amended Plats for the Riverdale Business Park Phase 2 project and provided a favorable recommendation to City Council for approval of the Site Plan and Amended Plats for this project, with the understanding that the applicant resolve all outstanding staff concerns. Staff concerns have been resolved by the applicant's engineering firm and this matter is now before the City Council.

This parcel is zoned in the Planned Regional Commercial (CP-3) zone and, therefore, is required to work through a development agreement and development plan review process with the City Council (which is a second consideration item on the agenda for this project). This site plan is being proposed for development on property that is adjacent to a daycare/arts academy, a vacant parcel, across from similar retail business buildings, and across from a professional engineering office. The property is currently owned by Riverdale Business Park, LLC. A public hearing is not required to consider this Site Plan proposal. On April 29, 2019, the Design Review Committee reviewed the exterior materials, color palette, landscaping plan, and signage concepts and, thereafter, provided a favorable approval for the overall aesthetic design of the building and site.

If final approval is provided, then the applicant could move forward in securing the escrow and recording the plats, before later starting on the project.

Title 10 Ordinance Guidelines (Code Reference)
This Preliminary Site Plan and Subdivision Plat review is regulated under City Code 10-21 "Subdivisions", 10-25 "Development in All Zones", and is affected by City Codes 10-10b "Planned Regional Commercial Zones (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 along 1500 West and west of 5175 South on property currently owned by Riverdale Business Park, LLC. The property is located in a CP-3 zoned area and the requested use of retail business and warehousing is established by approval of a Development Agreement and Plan for all uses in this zone.

Attached with this executive summary is a document entitled "Final Site Plan and Subdivision Amendment Review – Riverdale Business Park Phase 2"; this is a supplementary document addressing items on the Preliminary Site Plan application document. Also attached, following this executive summary, are comments from the Public Works Director, the Police Chief, the Fire Chief, City Administrator, and contracted City Engineer. The Development Agreement draft document has also been provided to the City Attorney for his review and potential commentary regarding the draft agreement document. The City Council should discuss any concerns raised by these summaries.

Staff would encourage the City Council to review this matter and then discuss with the petitioner concerns raised by staff and/or the Council. If final approval is provided, then the applicant could move forward in securing the escrow and recording the plats, before later starting on the project.

General Plan Guidance (Section Reference)

The General Plan use for this area is currently set as "Commercial/Office/Business Park" and this proposed project would comply with this land use.

Mike Ford, the applicant, invited questions from the Council. Councilmember Stevens asked if there were any known tenants. Mr. Ford confirmed New City HVAC will be moving to this new location, as well as an appliance repair business, and a subcontractor.

There was a discussion regarding previously approved business park phase 1, to which Mr. Ford was the former owner of, with regard to the tenants of that establishment not following the rules established within the developers agreement. Councilmember Arnold noted in the phase 1 agreement it specifically states there is no over-night parking allowed, but the tenants haven't been following that rule. He asked who ensured the tenants followed the developers agreement. Mr. Ford explained the business park has a business association similar to a homeowners association, wherein there is an elected president to oversee the rules are being followed. Councilmember Arnold expressed concern regarding this new business park phase 2, emphasizing how Mr. Ford would be able to ensure this developers agreement was being followed, when the first phase is not. Mr. Ford explained he is not the business association president for phase 1, but he would be involved in phase 2 business association, so he could ensure the rules were being followed.

Councilmember Mitchell asked if auto repair shops were allowed and Mr. Ford stated they weren't allowed in that specific zone.

There was a discussion regarding the developers agreement with regard to what happens to the developers agreement when the businesses who were apart of the business association relocate. Mr. Ford explained the developers agreement is recorded with the title, and if a business owner relocates a new election is held for the president position of the business association. Mr. Worthen discussed the option of exploring enforcement through code enforcement if the business tenants did not follow the developers agreement that was approved by the city.

There was a brief discussion regarding parking within that area, with an emphasis on congestion. It was noted because it is a public street there would not be a way to restrict parking along the road.

There was a discussion regarding whether the business use of a gymnasium should be removed from the developers agreement for phase 2, because there may not be enough parking to support that type of use. This was a concern expressed by Mike Eggett, the Community Development Director, relayed by Mr. Worthen. It was noted that a gymnasium business is allowed within the CP-3 zone. Councilmember Arnold questioned whether they could remove the gymnasium use from the developers agreement if it is allowed within that zone by city ordinance.

MOTION: Councilmember Hansen moved to approve the Final Site Plan and Amended subdivision/Condominium Plat for Riverdale Business Park Phase 2, approximately 5187 South 1500 West, Riverdale, Utah 84405; requested by Mike Ford. Councilmember Ellis seconded the motion.

Mayor Searle invited discussion regarding the motion. Councilmember Arnold felt this item should not be voted upon until the city ordinance is updated to remove gymnasium as a permitted use in a CP-3 zone. Mr. Worthen discussed the option of just removing the gymnasium use from the developers agreement and keeping the ordinance as is. Mr. Worthen further explained Mr. Eggett didn't recommend removing it from the CP-3 Zone, but rather for this specific development he didn't feel a gymnasium would be feasible due to lack of parking. Councilmember Hansen clarified this motion is specific only to the site plan, not the development agreement.

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

motion.

Councilmember Arnold voted in opposition of the motion. The motion carried with a majority vote.

b. Consideration to approve the Development Agreement for the Riverdale Business Park Phase 2.

Mr. Worthen noted item b is in conjunction with item a. Mr. Worthen stated he felt the gymnasium use could be removed from the development agreement because the uses are individual to the agreement. Councilmember Hansen asked Mr. Ford if he would be agreeable to removing that business use from the agreement. Mr. Ford agreed to have gymnasium removed from the agreement.

MOTION: Councilmember Hansen moved to approve the Development Agreement for the Riverdale Business Park Phase 2, with the requested change that "gymnasium" be removed from the developers agreement. Councilmember Mitchell seconded the motion.

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

ROLL CALL VOTE: Councilmembers Ellis, Mitchell, Hansen and Stevens all voted in favor. Councilmember Arnold voted in opposition of the motion. The motion carried with a majority vote.

H. Discretionary Items

Councilmember Arnold stated he was approached by a resident with concerns about noise near the off ramp along I-15. The resident asked Councilmember Arnold to contact the Utah Department of Transportation (UDOT) for the purpose of requesting a noise wall for that area. There was a brief discussion regarding UDOT's requirements, with an emphasis on required studies. Mr. Douglas informed the Council that the previous Community Development Director, Randy Daily, had contacted UDOT in the past with no success in getting a noise wall.

Mayor Searle explained UDOT is exploring the option of widening South Weber Drive to allow for road improvements to support and promote better active transportation. There was a brief discussion regarding time frames for repaving roads.

There was a discussion regarding the intersection of 900 West and Riverdale Road. Mr. Douglas discussed the current planned improvements such as UDOT relocating the cross walk. There was a discussion regarding other improvements that may also improve the traffic congestion, such as widening the turn lane, restriping and configuring the area near the Maverik and Walmart egress onto 900 West. Councilmember Mitchell discussed the option of shaving a portion of sidewalk that sticks out into the road, and Mr. Douglas stated he is in the process of getting bids for that option. It was noted this would impact the storm drain, so it was unknown if this option is feasible at this time.

There was a discussion regarding potential bus stop relocations. Mr. Worthen has been in conversation with the Utah Transit Authority (UTA) and noted it has been difficult getting property owners to cooperate with these proposed relocations.

Councilmember Stevens thanked the public works department for their hard work in making the parks ready for summer.

There was a discussion regarding the Coleman Farms Subdivision with an emphasis on homes that are built and currently unsold. Mr. Worthen discussed the open building permits for that area and explained situations where buyers back out after the home has been built.

I. Adjournment.

MOTION: Having no further business to discuss, Councilmember Mitchell made a motion to adjourn. The motion was seconded by Councilmember Ellis; all voted in favor. The meeting was adjourned at 6:55 p.m.

Norm Searle, Mayor

Jackie Manning, City Recorder

Date Approved: June 4, 2019