

**Riverton City**  
**REGULAR CITY COUNCIL MEETING**  
**Minutes**  
**October 21, 2014**

**Riverton City Hall**  
**12830 South 1700 West**  
**Riverton, Utah 84065**

---

**Attendance:**

Mayor William R. Applegarth

**Council Members:**

Council Member Brent Johnson  
Council Member Trent Staggs  
Council Member Sheldon Stewart  
Council Member Tricia Tingey  
Council Member Paul Wayman

**City Staff:**

Lance Blackwood, City Manager  
Virginia Loader, Recorder  
Ryan Carter, City Attorney  
Jason Lethbridge, Planning Manager  
Trace Robinson, Public Works Director  
Lisa Dudley, Finance Director  
Aaron Nelson, UFA Captain  
Dan Woodbury, Water Engineer

**Citizens:** Wyoma Darlington, Boy Scout Troop 1261, Norma Bench, Tish Buroker, Brett Tingey, Ted Duffy, Alan Packard, Ken Watson, Dennis Page

**1. GENERAL BUSINESS**

**Call to Order and Roll Call**

[6:32:49 PM](#) Mayor Applegarth called the meeting to order at 6:30 p.m. and welcomed those in attendance. He then conducted a Roll Call and Council Members Johnson, Staggs, Stewart, Tingey, and Wayman were present.

**Pledge of Allegiance** – Boy Scout James, Troop 1261, directed the Pledge of Allegiance.

**Presentations/Reports**

**Recognition of Boy Scout Troops**

Mayor Applegarth recognized the Boy Scouts in attendance from Troop 1261.

**Public Comments**

Mayor Applegarth explained the public comment procedure and called for public comments.

[6:40:45 PM](#) Tish Buroker reported that she prepared an agenda for volunteers for a 2015 committee. She reported that a project was planned for the upcoming Saturday to do cleanup at the wetlands; the City has agreed to pick up the debris following the cleanup and the event has been registered with “Make a Difference Day”. She then reported on an upcoming meeting at South Jordan City regarding pathways that connect the Jordan River from east to west. She briefly spoke of the Jordan River Commission and encouraged the City to join the Commission.

[6:43:29 PM](#) Wyoma Darlington commented favorably on the new Main Park and said she was looking forward to its completion.

There were no further public comments; therefore, Mayor Applegarth closed the Public Comment period.

## **2. PUBLIC HEARINGS**

### **1. Public Hearing – Proposed Amendment to Section 18.85.060.5.A, Exterior Surfaces, in the Commercial Regional Zone, Allowing Glass as an Exterior Material in the Lower Wall, Proposed By Riverton City**

[6:44:13 PM](#) Jason Lethbridge, Planning Manager, explained that Riverton City has had for quite some time in its architectural standards a requirement that the lower portion of the wall in commercial zones consist of masonry such as brick or stone, and that glass extending down to ground level was restricted to entryways and entry features only. He said this standard has been consistently applied throughout the commercial development in the City. Several years ago, the City amended the ordinance to better define what constituted an ‘entryway’, and to extend the potential for utilization of glass within such areas to up to twenty (20) percent of a building’s façade.

Mr. Lethbridge said that with the recently increased pace of commercial development in Riverton City, and the relatively architectural impact of this issue on building designs, staff proposed an amendment to the section to remove the restriction on glass as a lower wall material.

Council Member Sheldon Stewart expressed his concern with the close proximity of vehicles to the glass and he said that distance in those areas creates safety.

Mr. Lethbridge said that to increase the distance from parking areas to glass exteriors, safety barriers such as bollards, benches, or landscape areas could be used. He said that adding additional protection to a store front could increase the distance from a parking lot to the building front from 20 to 40 feet. Lengthy discussion continued.

[6:54:57 PM](#) Mayor Applegarth opened a Public Hearing and called for public comments; there being none, he declared the Public Hearing closed.

**Ordinance No. 14-21 – Amending Sections 18.85.060.5.A, Exterior Surfaces, Allowing Glass as an Exterior Material on the Lower Wall in the Commercial Regional Zone, Revisions proposed by Riverton City**

Mr. Lethbridge suggested the following language be added to the motion: “Entries and entryway features that extend to the floor may be excluded from this requirement as approved by the planning commission and city council.”

Council Member Sheldon Stewart **MOVED the City Council approve Ordinance No. 14-21 - Amending Section 18.85.060.5.a, Exterior Surfaces, to read as follows:**

- (a) **Lower Wall. [T]he lower third of the wall may consist of brick, tile, stone, glass, or decorative concrete, allowing glass when it is not within 40 feet of any parking. Entries and entryway features that extend to the floor may be excluded from this requirement as approved by the planning commission and city council. Approved entries or entryway features that extend to the floor may not constitute more than 20 percent of the length of the elevation.**

Council Member Tricia Tingey **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. Questions from Council Member Staggs were addressed by City Attorney Ryan Carter regarding third party liability. Council Member Wayman asked about tempered glass and said he favored less restrictions.

Council Member Brent Johnson made a **friendly amendment** to the motion to require 20 feet rather than 40 feet as stated in the motion above. Council Member Trent Staggs **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. There being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**

### **3. DISCUSSION/ACTION ITEMS**

1. **Commercial Site Plan, 14-8008, Riverton Hospital Expansion, 3741 W 12600 S, C-R Zone, Intermountain Health Care, Inc., Applicant**

[7:07:20 PM](#) Jason Lethbridge, Planning Manager, explained that Intermountain Health Care submitted an application for Commercial Site Plan approval for an expansion to the existing hospital site and buildings. He said the existing project area is approximately 56 acres located at the southeast corner of the Bangerter Highway and 12600 South intersection and the property is zoned Commercial Regional.

Mr. Lethbridge said the approval of the original site plan for the hospital complex included designations of areas for future expansion. The applicant submitted plans for a major expansion of the existing hospital, extending a new wing from the north side of the building. He said the expansion would consist of approximately 115,000 square feet within four stories, and will house a mix of hospital and medical office space.

Mr. Lethbridge said that on October 9, 2014, the Planning Commission voted to recommend approval of the Commercial Final Site Plan with the following conditions:

1. Storm drainage systems and accommodation comply with Riverton City standards and ordinances, and with the recommendations of the Riverton City Engineering Division.
2. An interim storm drainage and erosion control plan and an access management plan be approved by the City prior to any construction or grading on the site.

3. The site and structures comply with any and all applicable Riverton City standards and ordinances, including the International Building and Fire Codes.
4. Lighting, both on the building and in the site shall be designed and installed to minimize impacts to the surrounding properties.
5. Any and all rooftop mechanical equipment shall be fully screened from view from the roadway and surrounding properties.

[7:14:22 PM](#) Council Member Paul Wayman **MOVED the City Council approve the Riverton Hospital Expansion Site Plan, Application Number PL-14-8008, located at 3741 W 12600 S, with the conditions outlined in the Staff Report.** Council Member Brent Johnson **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. Council Member Paul Wayman offered positive comments regarding the Riverton Hospital. Mayor Applegarth then called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**

2. **Final Plat Approval, Midas Crossing Phase 1, 11800 South 2700 West, 30 Lots, Ivory Development, LLC, Applicant**

[7:17:11 PM](#) Jason Lethbridge, Planning Manager, explained that Ivory Development, LLC, has submitted an application for Final Plat approval for the Midas Crossing Phase 1. The application is for 30 lots within the Midas Crossing development, located at approximately 11800 South 2700 West. That development is zoned R-4-SD, with the 'SD' designation requiring a mix of 1/3 and 1/4 acre lots.

Mr. Lethbridge said that this is the first phase of development within this subdivision, and is on east side of the overall development area. Staff has reviewed the subdivision and finds it in compliance with the technical requirements of Riverton City's standards and ordinances.

Mr. Lethbridge said that on October 9, 2014, the Planning Commission voted to recommend approval of this Final Plat application with the following conditions:

1. This phase of the subdivision comply with the overall requirements of the approved preliminary plat, including the SD designations relating to lot size requirements.
2. Any and all required fencing be installed prior to the issuance of building permits for this phase.
3. Storm drainage systems and accommodation comply with Riverton City standards and ordinances, and with the recommendations of the Riverton City Engineering Division.
4. An interim storm drainage and erosion control plan and an access management plan be approved by the City prior to any construction or grading on the site.
5. The site and structures comply with any and all applicable Riverton City standards and ordinances, including staff review requirements and the International Building and Fire Codes.
6. A temporary turnaround shall be installed at the end of Midas Side Way as approved by the Unified Fire Authority.

[7:20:28 PM](#) Brief discussion was held regarding Rhino Rock fencing.

[7:21:45 PM](#) Council Member Trent Staggs **MOVED** the City Council approve the Midas Crossing Phase 1 Final Plat, application number PL-14-1004, located at approximately 11800 South 2700 West with the conditions outlined in the Staff Report. Council Member Tricia Tingey **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**

3. **Consideration and selection of a contract model for Riverton City to pursue with the Jordan Valley Water Conservancy District if the City determines, through a vote of its residents or otherwise, to provide culinary water Citywide which is supplied by the District**

[7:22:34 PM](#) Ryan Carter, City Attorney, explained that Riverton City’s elected officials and staff have engaged in lengthy dialog regarding Riverton City’s culinary water quality and whether the City should change the source of its culinary water supply in the future.

Mr. Carter said the present issue before the City Council was to determine what contract model the City should negotiate with the Jordan Valley Water Conservancy District (“District”), in the event a majority of Riverton City culinary water account holders return a ballot that opts for culinary water sourced from the District. He said if the City Council gives direction to City staff as to which option it ought to pursue then staff will be able to return to the City Council with an appropriate contract for approval immediately after the voting process is completed. He said this is a timely step in any forthcoming process to quickly implement a changeover to District-supplied culinary water. If a majority of residents opt to not change the source of their culinary water, then the Council’s decision will have no effect upon the City’s existing culinary water system.

Mr. Carter said the District has created four basic options the City may pursue to formulate a new contract between the parties and that City Staff has no recommendation as to whether the City’s culinary water supply should be changed. However, staff recommends selection of an option so the Council may receive an appropriate contract to consider soon after voting concludes, and assuming the results demonstrate a majority of culinary water account customers desire a change. He said it is also possible that the City Council will have to consider for itself whether to change its respective water source, if the City receives an insufficient number of ballots to rely upon the ballot process; this possibility strengthens the basis for Staff’s recommendation to consider contract alternatives at the present time.

Richard Bay, Chief Executive Officer of Jordan Valley Water Conservancy District (JVWCD), along with Allen Packard, Chief Engineer, presented and explained in detail the following four options for the Council’s consideration:

**Current Contract Amount:** 545 acre-feet (AF) per year, as a category A contract, with a perpetual term.

**JVWCD Contract Categories Available:**

- A - First priority for water supply (volume) and capacity, with a perpetual term and a minimum purchase amount.

- B - 20% over contract category A, if available, with no commitment to purchase. This is second priority for water volume and capacity.
- C - Third priority for water volume and capacity, with a fixed term, minimum and maximum purchase amounts specified.  
 “Zone B Water” - Up to 1,840 AF of category A water is available for Riverton City as one of the “Four Affected Municipalities” in the Southwest Jordan Valley Groundwater Project, as long as it is not contracted for by another Affected Municipality. So, it is first-come, first-served. The term is 37 years, and at that time the City could elect to relinquish this water or convert it to category A water with a perpetual term.

**Current Annual City Potable Water Use:** approx. 4,800 AF

**Contract Options for the City:**

Option	Contract Amount (AF/yr.)				Comments
	Category A	Zone B	Category B	Category C	
1	4,800				Most firm
2	4,000		800		More firm
3	2,160	1,840	800		Firm, with flexibility in 37 years for Zone B Water
4	545		109	4,146	Risky

[7:35:29 PM](#) City Attorney Ryan Carter referred to Option 3 and asked if at the end of the 37 year term, the City wanted to continue to utilize that water and roll it over into Class A water, would it have the exact same price as the remaining water the City purchases under that class or would there be a in difference pumping costs or capital facilities costs that would be associated? Mr. Bay answered “yes” and said it would be the same price as any other Category A water price. He then committed to the City that in 2050, when the City makes that election, JWCD will make sure the water is there if the City elects to convert it, which, he said, means that JWCD will carry the risk until 2050 rather than the City.

Of the proposed options above, Mr. Bay said he would not recommend Option 4 due to risks posed to the City.

Ryan Carter explained the nature of Water Rights specifically to municipalities and said that the current nature of the use of the City’s culinary water is used for domestic use in homes. He said that all the City wells are properly characterized before the State Engineer as municipal use water, which gives the City wide discretion as to uses for their water. He said that municipally owned water can be collected and retained and not used at all for a minimum forty years so long as the City has a study that says the water has a use that it can be put to within forty years’ time from the date of the water right. However, in the meantime none of it has to be used.

[7:48:00 PM](#) Questions and comments from the City Council were addressed. Mr. Bay said that the District is governed by a Board of Directors, which is based on total population of its members. Lynn Crane, Herriman, currently serves as the Board Member from the southwest region of Salt Lake County, Bluffdale, Herriman and Riverton. He said that districts are formed by the Board and they choose how often they are reviewed. They then ask staff to do an evaluation and make recommendations as per population keeping logical groupings per city. Mr. Bay said the number of Board members is currently nine, which by state statute can be a maximum of eleven but it has to be an odd number.

[7:52:21 PM](#) Further questions and comments were addressed.

[8:06:39 PM](#) Mayor Applegarth said he was in favor of metering secondary water for information and conservation purposes only, not as a revenue source.

Council Member Sheldon Stewart **MOVED the City Council direct the Mayor to negotiate a contract with the Jordan Valley Water Conservancy District which includes the general features described in Option No. 3 of the options provided by Mr. Bay of the Jordan Valley Water Conservancy District, and return to the Council with a final contract for consideration after the voting process to decide the future source of Riverton culinary water is completed with an additional request to evaluate a ten year structured agreement that covers increase due to the size of the City.** Council Member Trent Staggs **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**

[8:08:00 PM](#) Mayor Applegarth reviewed his budget proposal regarding fees and explained that he said that as part of his five-year plan, “I promise that I won’t propose any fee increases for culinary water (unless the City Council changes the source for culinary water)”. He explained his position further and said that in the upcoming newsletter, further explanation would be given if the water rate users vote to change their source for culinary water to JVVCD.

#### 4. CONSENT AGENDA

[8:10:44 PM](#) Mayor Applegarth presented the following Consent Agenda:

1. **Minutes:** RCCM 10-07-14
2. **Bond Releases:**
  1. Riverton Meadows, Lot 7 – 90% Performance Release
  2. Manchester Fields – 90% Performance Release

[8:10:47 PM](#) Council Member Trent Staggs **MOVED the City Council approve the Consent Agenda as listed.** Council Member Sheldon Stewart **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**

## 5. STAFF REPORTS

### 1. **City Manager Lance Blackwood** called for the following Staff Reports: [8:11:07 PM](#)

Aaron Nelson, Captain UFA, introduced himself and said he was attending in the absence of Asst. Chief Erik Sandstrom.

Lisa Dudley, Finance Director, said that the Comprehensive Annual Financial Report (CAFR) will be presented on December 2, 2014.

### 2. **Safety Training** – Ryan Carter, City Attorney, [8:13:08 PM](#) reported that changing the safety culture of the City continues and it is an ongoing effort.

## 6. ELECTED OFFICIAL REPORTS

**Mayor Bill Applegarth** – [8:14:02 PM](#) presented and reviewed a section from the Council Policy and Procedures regarding “Interaction with City Staff/Officials”. Following discussion, he said the issue would be reviewed and brought back with recommended changes for the Council’s consideration on a future agenda.

**Council Member Brent Johnson** – [8:35:34 PM](#) No report

**Council Member Trent Staggs** – [8:35:38 PM](#) spoke in favor of the Parkway cleanup that was scheduled in his district. He thanked staff for their time spent in answering questions about a development in his area. He then reported that at the recent UPD and SLVESA Board Meetings all the trustees voted to hold the line with no tax increase.

**Council Member Sheldon Stewart** – reported on the Unified Fire Authority (UFA) and reminded the Council of upcoming UFA public hearing. He then reported that he was recently appointed to a State Board of Special Districts.

**Council Member Tricia Tingey** – [8:42:22 PM](#) No report

**Council Member Paul Wayman** – [8:42:25 PM](#) asked about the progress of the new cemetery sign. Parks & Recreation Director Sheril Garn will return to the City Council with a final version of the Cemetery Rules for approval prior to posting. He also reported on the mosquito population and West Nile Virus.

## 7. UPCOMING MEETINGS

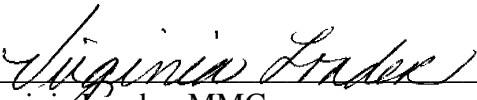
Mayor Applegarth reviewed the following upcoming meetings:

1. October 23, 2014 - 6:00-8:00 p.m. – District 4 & 5 Joint Open House re. Water Option  
– *City Council Conference Room*
2. November 6, 2014 – 5:00-8:00 p.m. – District 3 Open House re. Water Option – *City Hall*
3. November 11, 2014 – 6:30 p.m. – Regular City Council Meeting
4. December 2, 2014 - 6:30 p.m. – Regular City Council Meeting



## 8. ADJOURN

Council Member Tricia Tingey **MOVED to adjourn the City Council Meeting**. Council Member Trent Staggs **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a vote. The vote was as follows: Council Member Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously**. Mayor Applegarth declared the meeting adjourned 9:50 p.m.

  
\_\_\_\_\_  
Virginia Loader, MMC  
Recorder

Approved: CC 11-11-14