

**Riverton City**  
**REGULAR CITY COUNCIL MEETING**  
**Minutes**  
**September 1, 2015**

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

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**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:**

Jeff Hawker, Asst. City Manager  
Virginia Loader, Recorder  
Ryan Carter, City Attorney  
Jason Lethbridge, Planning Manager  
Trace Robinson, Public Works Director  
Lisa Dudley, Finance Director

**Citizens:** Michael Johnson, Wyoma Darlington, Norma Bench, Steve Maddox, Robert Thrasher, Ryan Thrasher, Matt Basham, Steve Condie, Dennis Toland, Eric Toland, Eric Wright, Juan & Angie Hernandez, Phil Staggs, Brian Taylor, Amber Ahlberg, Russell Perkins, Lisa Totorica, Tina Burgen

**1. GENERAL BUSINESS**

**1. Call to Order and Roll Call.**

Mayor Applegarth called the Riverton City Council Meeting to order at 6:30 p.m. and conducted a roll call. Council Members Johnson, Staggs, Stewart, Tingey, and Wayman were present. City Manager Lance Blackwood was excused.

**2. Pledge of Allegiance – Boy Scout Ryan Thrasher, Troop 922**

**3. Presentations/Reports**

**1. Recognition of Boy Scout Troops 922, 180, & others**

**4. Public Comments.**

Mayor Applegarth called for public comments.

Michael Johnson recommended that an entrance to the City Hall parking lot be repaired to eliminate standing water. Mayor Applegarth explained that Redwood Road was a State road, which was maintained by Utah Department of Transportation (UDOT) but Public Works Director Trace Robinson would inspect that area and report it to UDOT for their consideration.

Mr. Johnson continued and said that he had received complaints from residents regarding the increase in the water rates and the residents said they were not made aware of the changeover and the increase. Mr. Johnson said he informed the residents of the public awareness process that occurred prior to the changeover and he invited them to attend City Council Meetings.

Matt Basham said he owned a drone and asked the Council if they would be interested in having him producing a video of the Riverton area with drone footage at no cost, which he said could be used as part of the City's social media. The Council expressed interest and Mayor Applegarth said the information would be forwarded to Angela Trammell, Communications Manager, who would coordinate a video with the Council Members and Mr. Basham.

Brian Taylor, Taylor's Bike Shop Plaza, said he represented eight business owners in his business plaza and he said those eight businesses were opposed to Utah Transit Authority (UTA) Trax running down 12600 South. He said because those businesses rely on local traffic, they felt that access to their businesses would become limited and Trax would not be a benefit to them. He also expressed concern for the safety of the school students that cross 12600 South at 2700 West. Mayor Applegarth recommended that Mr. Taylor present his comments and concerns at upcoming UTA Public Hearings and he outlined the process and the dates of those hearings.

Brief discussion was held regarding the Trax preferred route for Riverton City and the process for the outcome.

Dirk Widdison spoke of past windstorms in his area that had blown in many tumbleweeds from Herriman properties. He asked what he and his neighbors could do to remove the tumbleweeds as they blew in. Public Works Director Trace Robinson said that the City had provided a dumpster in the past for the collection of tumbleweeds but the dumpster filled up with large items, which made it very costly to dispose of. Mayor Applegarth asked Mr. Widdison to work with Council Member Stewart regarding the matter. Council Member Staggs suggested that it may be possible to work with Herriman City for a solution.

There were no further public comments; Mayor Applegarth closed the public comment period.

## 2. PUBLIC HEARINGS

### 1. Public Hearing – Edge Homes is requesting rezone of 28.29 acres located at 12989 S Cactus Berry Drive from RR-22 to RM-18-SD, allowing a mix of single and multi-family units with a maximum overall density of 18 units per acre

Jason Lethbridge, Planning Manager, explained that Steve Maddox, representing Edge Homes, applied for a rezone of 28.29 acres located at 12989 South Cactus Berry Drive. He said the property was zoned RR-22 (single family designation with ½ acre minimum lot size). He said the properties to the north were zoned SP-R-8 as part of the Western Springs Specific Plan, which allowed for single-family development with a minimum lot size of 5,000 square feet. He said the property was bordered on the east by the Mountain View Corridor and on the south and west by Herriman City.

Mr. Lethbridge further explained that the applicant proposed a rezone of the property to RM-18, which allowed multi-family development at a maximum density of 18 units per acre. However,

the applicant proposed a Specific Development Designation on the property, which allowed for modifications of the underlying zone. He said the SD had been utilized by the City in several recent projects as a way to add additional limitations and restrictions on property while at the same time allowing alternative setbacks, variations on unit types, and other modifications. He said the applicant proposed through the SD designation a mix of single family, townhome, and apartment style units. The transition in density and unit type runs basically north to south, buffering the existing single-family lots in Western Springs with single family units.

Mr. Lethbridge displayed a vicinity map of the proposed rezoned property development, Western Springs and the Herriman Towne Center, and explained that the overall density and mixture of unit types within the proposed development was consistent with development patterns in the surrounding area. He said Western Springs, to the north, included a mix of single family, townhome and apartment units, as does the Monarch Meadows development further south across 13400 South. He said the Herriman Towne Center development, adjacent to the west and south, included existing and proposed single and multi-family developments, and also commercial development. He further explained that Utah Transit Authority (UTA) and other agencies were currently involved in the study phase of a proposed rapid-transit line that would run directly south of the property, with a potential station in close proximity. He said the higher residential densities proposed for the southern end of the project would be very consistent with the principles of transit oriented development.

Mr. Lethbridge said that one of the primary concerns with the property was traffic generation. He said the project would connect to the north with Cactus Berry Drive in the Western Springs development, which was currently the only existing roadway accessing the property. He said several other points of connection to the property were proposed; however, two points of access would be required for significant development of the property, and the applicant was aware of those restrictions. He also said that a traffic study had been completed for the property and project.

Council Member Tricia Tingey asked if Herriman City were obligated to match the roadways proposed by the developer and Mr. Lethbridge said that were not. Further discussion continued regarding access roads and Mayor Applegarth said that the City was only in control of one way in and one way out of the proposed development.

Mr. Lethbridge continued his presentation and spoke of an open space requirement, he then said the Planning Commission voted to recommend approval of the rezone application with the following conditions:

1. The property and project shall comply with the included RM-18-SD zone, as approved.
2. Overall density shall not exceed eighteen (18) units per acre.
3. Exterior perimeter fencing shall comply with Riverton City Ordinance 18.155, fencing.
4. All open spaces shall be included in a landscape plan to be approved as part of subdivision and/or site plan applications.
5. Development will be limited to 30 units on a single point of access, subject to site plan approval.

Brief discussion was held regarding fencing requirements.

Steve Maddox, Developer, presented information regarding the proposed development and said they had met with Momentum and Herriman City and they had acquired an easement and it would be dedicated as part of Phase 1 of their development. He then explained that Momentum was a property owner in Herriman City and they desired connectivity to their development from the proposed Edge Home development. He spoke of water, open space, and he presented detailed images of their proposed development.

Jaron Nichols, Edge Homes, presented information regarding UTA criteria for the proposed Trax line.

Steve Maddox, Developer, requested Council's approval of the proposed project and explained that they had not asked to exceed the overall unit count that was presented.

Mr. Maddox then addressed questions from Council Members and discussion continued regarding the proposed project.

Mayor Applegarth opened a public hearing and invited public comments.

Gerald White spoke in opposition to additional higher density housing in his neighborhood and recommended more single family homes.

Tyler Merrill spoke in favor of single family homes and said with the surrounding high density in their neighborhood they are losing their connection with their neighbors. He said if single family homes were built, people would come and buy those homes.

Dirk Widdison spoke in favor of more single family homes to preserve their sense of unity in their neighborhood, schools and church. He asked the Council to please consider their community.

Russ Perkins said he did not feel the proposed development compared to Western Springs and said he did not feel that the proposed density should be allowed. He spoke of increased traffic that would occur in their area and he urged that construction not be allowed to begin until a lighted intersection on Mountain View Corridor was installed to help mitigate the increased traffic that the development would create.

Amber Ahlberg expressed concern with the way the proposed development was segmented and she requested that more compromise occur.

Angela Merrill expressed her concern that their neighborhood would be surrounded by Trax and the Mountain View Corridor. She said she would like to see more single family homes and townhomes, and less or no apartments.

Bryce Davis expressed his concerns regarding traffic on existing congested roads in their neighborhood.

Brett Cummings said their neighborhood was no longer a community and asked if the Council had given thought to increased crime rates and increased school populations. He also expressed concerns regarding traffic and asked the Council to listen to the residents.

Tina Burgen said she agreed with the comments previously given and said she favored single family homes. She also expressed concerns regarding traffic, the Trax line and Mountain View Corridor.

Phil Staggs commented and said he appreciated the quality presentation by Edge Homes.

There were no further comments; Mayor Applegarth closed the public hearing and asked for questions or comments from the City Council.

Council Members Staggs and Stewart directed questions to Mr. Lethbridge regarding zoning requirements, setbacks and density for the proposed development.

Steve Maddox, Developer, again addressed the City Council and thanked them for their consideration.

Council Member Johnson requested additional clarification on the SD (Specific Development) Zoning designation and said he was not in favor of 25 units per acre. Mr. Lethbridge gave further explanation regarding a SD designation.

Council Member Stewart said that having housing options available was important and he spoke of the importance of having a balance between the adjacent property owners and the developer.

Council Member Johnson clarified that his previous comments were not meant as a discredit to Edge Homes.

**Ordinance No. 15-15 – Rezoning 28.29 Acres located at 12989 South Cactus Berry Drive from RM-22 (Residential Single Family, ½ Acre Minimum Lot Size) to RM-18-SD (Residential Multi-Family, 18 Units per Acre Maximum Density with Specific Development Designation)**

Council Member Trent Staggs commented that his questions were addressed in the presentation; he then commented on public safety issues and the number of UPD Officers the development would necessitate. He also expressed concern regarding open space, and the Developer said they would be willing to decrease the unit count to comply with the open space requirement; he said that if there were a number of units, rather than 25 units, that they could consider, he preferred that rather than returning with a alternate proposal.

Council Member Staggs **MOVED** the City Council approve **Ordinance No. 15-15 - Rezoning 28.29 Acres located at 12989 South Cactus Berry Drive from RM-22 to RM-18-SD with Specific Development Designations as shown in Exhibit “A”, added thereto from Staff Report No. 5. that development, a secondary access will need to be present for construction activity of homes to commence and the open space requirement be upped to 25% in the overall project.** City Attorney Ryan Carter requested clarification of construction activity. Council Member Staggs continued his motion to **build a paved road with two access points before any further development activity can occur.** Council Member Stewart offered a friendly amendment and Council Member Staggs agreed to **include language to cover the 8 foot height on the east, as well as the collector roads be maintained as public.** Council

Member Sheldon Stewart **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. Council Member Johnson recommended the 25 units per acre be changed and limited to 18 units per acre. Council Member Staggs requested a vote on the original motion. Mayor Applegarth called for a roll call vote. The vote was as follows: Johnson-No, Staggs-Yes, Stewart-Yes, Tingey-No, and Wayman-No. **The motion failed 3 to 2.**

Following further discussion, Council Member Brent Johnson **MOVED the City Council approve Ordinance No. 15-15 - Rezoning 28.29 Acres located at 12989 South Cactus Berry Drive from RM-22 to RM-18-SD with Specific Development Designations as shown in Exhibit “A”, added thereto from Staff Report No. 5. that development, a secondary access will need to be present for construction activity of homes to commence and the open space requirement be upped to 25% in the overall project, to build a paved road with two access points before any further development activity can occur, and change the high density to 18 versus 25 units.** Council Member Sheldon Stewart **SECONDED** the motion. Jason Lethbridge asked that a drawing be included with the motion and Council Members Johnson and Stewart agreed. 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.**

**2. Public Hearing - Juan Hernandez is requesting property located at 12524 South Doreen Drive be rezoned from C-D to C-D EHOV (Commercial Downtown Elderly Housing Overlay)**

Jason Lethbridge, Planning Manager, explained that Juan Hernandez submitted an application requesting that an existing vacant parcel of land located at 12524 South Doreen Drive be rezoned attaching an Elderly Housing Overlay to the C-D zoning of the property. He said to the north of the subject parcel property was zoned R-4 (Residential 10,000 square foot lots), and to the west property was zoned RM-8-D (Residential Multi-family 8 Dwellings per Acre). Also, to the south property was zoned C-D (Commercial Downtown) and was currently utilized as commercial by the Nuttalls-Bernina business, and to the east property was zoned C-D and was utilized as the IFA Country Store.

Mr. Lethbridge said the applicant proposed to construct a senior assisted living center on the property and in order to do so the Elderly Housing Overlay must be attached. He said the C-D Zone was a candidate for Elderly Housing and this was not the first property in Riverton’s downtown to have the elderly housing overlay. He said Coventry Cove, which rests south of the post office, was currently zoned C-D EHOV. He then clarified height and setback requirements for the project and said that on August 27, 2015, the Planning Commission voted to recommend approval of the rezone application.

Mayor Applegarth opened a public hearing and invited public comments.

Walter Odare asked if the proposal was for a nursing home. He then expressed his concern regarding increased traffic in the area.

Dennis Pullan, Beehive Homes, explained the proposed facility and described it as being one level with 16 rooms and limited staff.

Phil Staggs spoke in favor of Beehive Homes and shared his experiences with them.

There were no further comments; Mayor Applegarth closed the public hearing.

**Ordinance No. 15-16 – Rezoning 1.29 acres located at 12524 South Doreen Drive from its current zoning of C-D to C-D EHOV (Commercial Downtown Elderly Housing Overlay)**

Trent Staggs **MOVED** that the City Council approve **Ordinance No. 15-16 – Rezoning 1.29 acres located at 12524 South Doreen Drive from its current zoning of C-D to C-D EHOV (Commercial Downtown Elderly Housing Overlay)**. Council Member Sheldon Stewart **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. Council Member Staggs commented on the facility and the low impact it would have on the community. Mayor Applegarth 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. Public Hearing - Riverton 4.5, LLC, is requesting property located at 4425 West 12600 South be rezoned from R-1 (Residential 1 acre lots) to C-G (Commercial Gateway)**

Jason Lethbridge, Planning Manager, explained that Riverton 4.5 LLC submitted an application requesting property located at 4425 West 12600 South be rezoned from its existing zoning of R-1 (Residential 1 acre lots) to C-G (Commercial Gateway). He said the property, as mentioned, was zoned residential but was not utilized as residential. Rather, he said it was a public utility operated by the South Valley Sewer District who had chosen to sell the property and move operations to another location. He said that to the east and the south property was zoned R-1 and RR-22, which was Estate Density Residential. He said that to the west property was also zoned R-1 and C-N (Commercial Neighborhood) and to the north property was zoned SP (Specific Plan) Residential.

Mr. Lethbridge said the applicant proposed to rezone the property to C-G to make way for a neighborhood storage unit business. He said the property, although zoned residential, had not been utilized as residential but as a public utility operated by the sewer district. He said that even though rezoning the property to commercial would allow various commercial activities to occur, the use of the property as commercial would be consistent with how the property was currently being used.

Mr. Lethbridge said on August 27, 2015, the Planning Commission voted to recommend approval of the rezone application. At the request of Council Members, he then clarified a C-G (Commercial Gateway) Zone.

**Mayor Applegarth MOVED to Item 2.4**

**4. Public Hearing - Riverton City is proposing amendments to Titles 18.70.030 (5) Conditional Uses and 18.70.040 (1) & (2), Setback Requirements, in the Commercial Gateway Zone**

Jason Lethbridge, Planning Manager, explained that Riverton City proposed amendments to the

Commercial Gateway Zone, specifically to sections 18.70.030 (5), Conditional Uses and 18.70.040 (1) & (2), Setback Requirements. He said that currently, Storage and Warehousing as a use was not permitted in the Commercial Gateway Zone. In response to a proposed use in that zone, and on examination of other properties bearing that zone, staff proposed that the use, allowing storage units, be designated as a Conditional Use in that zone with setbacks included to address that type of development where approved. He said that in addition, the use would be restricted from any properties adjacent to the 12600 South corridor east of the Bangerter Highway.

Mr. Lethbridge said that on August 27, 2015, the Planning Commission voted to recommend approval of the proposed ordinance amendment.

At the request of Council Member Stewart, Mr. Lethbridge reviewed the storage units located in Mr. Stewart's area on Morning Cloak Dr.

Doug Young, Developer, presented a video and described his proposed project for a neighborhood storage unit business and addressed questions from Council Members.

Mayor Applegarth opened a public hearing; there being none, Mayor Applegarth closed the public hearing.

Council Member Tricia Tingey **MOVED that the City Council approve Ordinance No. 15-18 - Amending Title 18.70.030 (5) Conditional Uses and 18.70.040 (1) & (2) Setback Requirements in the Commercial Gateway Zone, as described in Exhibit "A"**. Council Member Sheldon Stewart **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. Council Member Paul Wayman asked if a C-R Zone could be restricted to storage units and City Attorney Ryan Carter answered no. Mayor Applegarth 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.**

### **Return to Item 2.3**

Mayor Applegarth opened a public hearing and invited public comments; there being none, he closed the public hearing.

### **Ordinance No. 15-17 – Rezoning 4.5 Acres located at 4425 West 12600 South from R-1 (Residential 1 Acre Lots) to C-G (Commercial Gateway)**

Council Member Tricia Tingey **MOVED that the City Council adopt Ordinance No. 15-17 – Rezoning 4.5 acres located at 4425 West 12600 South from its current zoning of R-1 to C-G and amend the Riverton City General Plan from Estate Density Residential to Community Commercial**. Council Member Brent Johnson **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. There being none, Mayor Applegarth 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. Public Hearing - John Oneal is requesting property located at 2765 West 12320 South be rezoned from RR-22 (Rural Residential ½ acre lots) to R-4 (Residential 10,000 square foot lots)**

Jason Lethbridge, Planning Manager, explained that Jon Oneal submitted an application requesting .5 acres, located at 2765 West 12320 South, be rezoned from RR-22 (Rural Residential ½ Acre Lots) to R-4 (Residential 10,000 Square Foot Lots). He said properties to the east were zoned RR-22 but were non-conforming lots because they were significantly smaller than the required ½ acre lot size minimum required by the zone. He said to the south property was zoned RR-22 and to the west property was zoned RR-22, which was currently being utilized as a seminary instruction building. He said to the north property was zoned R-4 SD (Residential 10,000 Square Foot Lots Specific Development) and R-3 (Residential 14,000 Square Foot Lots).

Mr. Lethbridge said the applicant was rezoning the property to facilitate a subdivision of the property into two lots. He explained that the hearing, however, was not to approve the subdivision of the property but to approve the zoning of the property. He said all land uses to the west, north and east were uses that were conducive to residential zoning without animal rights and the property to the south, was zoned for, and of sufficient size, to have large animals. He said that by rezoning the property, the property owner forfeited the animal rights. Also, he said that upon subdivision approval, the property owner would be required to install a six foot solid core concrete fence along the southern boundary.

Mr. Lethbridge said on August 27, 2015, the Planning Commission voted to recommend approval of the rezone application.

Mayor Applegarth opened a public hearing and invited public comments; there being none, he closed the public hearing.

**Ordinance No. 15-19 - Rezoning .5 Acres located at 2765 West 12320 South from RR-22 to R-4**

Council Member Sheldon Stewart **MOVED** the City Council approve **Ordinance No. 15-19 - Rezoning .5 Acres located at 2765 West 12320 South from RR-22 to R-4**. 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.**

**6. Public Hearing - Proposed Amendments to Riverton City Code Section 6.05, Animals, Establishing a ‘Hobby License’**

Jason Lethbridge, Planning Manager, explained that Riverton City, prior to establishing a contract for animal control services with Salt Lake County, had in its ordinance what is called a ‘hobby license’ for raising household pets. A hobby license lets breeders keep a certain number of pets above the maximum allowed household pets, under certain requirements. When Riverton City contracted with Salt Lake County for animal control services, several sections of ordinance, including the section regarding hobby licenses, was repealed, and Riverton City no longer issues or allows hobby licenses. The question was brought to staff as to whether the ordinance could be adopted back into City code to once again allow hobby licenses.

Council Member Sheldon Stewart said his intent was to open the ordinance to a limited number of individuals that held hobby licenses that expired within two years of contracting with Salt Lake County Animal Services, and to allow those individuals to re-up and maintain that license until such time that they no longer renew.

City Attorney Ryan Carter explained that grandfathered rights were limited to uses of land and hobby licenses did not meet that criteria. He said that all laws adopted by governments were required to have uniform application; therefore, laws could not be created that did not apply to everyone.

Council Member Stewart then requested the ordinance be re-opened and further discussion ensued regarding zoning requirements for hobby licenses and a Hobby License Review Board.

Mayor Applegarth opened a public hearing and invited public comments.

Phil Staggs asked that, if possible, Pit Bulls not be allowed as a hobby license.

There being no further comments, Mayor Applegarth closed the public hearing.

**Ordinance No. 15-14 - Amending Riverton City Code Section 6.05, Animals, Establishing a ‘Hobby License’**

Council Member Brent Johnson **MOVED** the City Council approve **Ordinance No. 15-14 - Amending Riverton City Code Section 6.05, Animals, Establishing a ‘Hobby License’ and delete 42-2. Hobby License Review Board from Part 13-3-42 Hobby License.** Council Member Sheldon Stewart **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. Council Member Trent Staggs recommended removing 42-2. Hobby License Review Board from Part 13-3-42 Hobby License. He also recommended modifying the household pet ordinance and/or zoning ordinances that clarify the ratio of animals allowed in a zone. Mr. Carter explained that the Hobby License clarifies the number of adult dogs allowed for breeding purposes. He then explained that Utah Code states that a municipality may not adopt a breed specific ordinance. Mayor Applegarth then called for a roll call vote. The vote was as follows: Johnson-Yes, Staggs-No, Stewart-Yes, Tingey-Yes, and Wayman-No. **The motion passed 3.2.**

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

#### **1. Resolution No. 15-63 – Adopting Rules of Order and Procedure for Public Meetings of the Riverton City Council**

Ryan Carter, City Attorney, explained that the Utah State Legislature passed House Bill 267 in the 2011 General Session, which required political subdivisions to adopt Rules of Order and Procedure. The Rules of Order and Procedure for public meetings of the Riverton City Council have been prepared and are attached as Exhibit A. House Bill 267 requires that the Rules of Order and Procedure generally address the following (3) issues:

1. Rules of Parliamentary Order and Procedure
2. Ethical Behavior; and
3. Civil Discourse

Once adopted, the Rules of Order and Procedure may be amended by the City Council from time to time.

Mr. Carter explained the Utah Open Public Meetings Act also requires that the City Council take minutes of meetings and to establish procedures whereby such minutes are approved by the Council. The Council has recently discussed the substance of what meeting minutes should contain and asked staff to provide a set of guidelines which reflect the Council's standards for approving an acceptable set of meeting minutes. The City Attorney's Office drafted a set of standards for the Council to consider which would engage the Council with a discussion about the matter. If approved, the City Attorney believed inclusion of the standards in the City Council's Rules of Order and Procedure was appropriate.

### **3.4 Minutes of Meetings**

1. Utah Law general requirements. Under the Utah Open Public Meetings Act, Riverton City is required to keep written minutes of open meetings conducted by the Riverton City Council. Said minutes are required to include (without limitation) such information as: 1) the date, time and place of the meeting; 2) the names of council members present and absent; 3) the substance of all matters proposed, discussed or decided, which may include a summary of comments made by members of the public body; 4) the name of each person properly recognized to speak by the Mayor and the substance of the testimony or comments provided by that person. The City Council is also required to establish procedures for the public Body's approval of the written minutes of each meeting. See Generally Utah Code § 52-4-101 et seq.
2. Establishment of procedures for the approval of minutes. The City Council relies on the expertise of the City Recorder to draft minutes which comply with Utah law, and to furnish the same to the Council for approval. Although not required by law, written minutes should be furnished to the Council in the meeting immediately following the subject meeting for which minutes are created. Reasonable delays in furnishing draft minutes of prior public meetings due to occasional personnel management issues or other reasons which interfere with the carrying of ordinary workload are not considered a failure to meet the City Council's standards set by these procedures. Council members shall not, individually, involve themselves in the drafting of meeting minutes while this process is being undertaken by the City Recorder. Ordinarily, the Council is first provided a draft of meeting minutes for review when the same are enclosed with the distribution of a City Council meeting agenda and packet some days before commencement of said meeting. Any requests to amend minutes supplied to the Council before a council meeting shall be made in the presence of the Council as a whole by email or other group communication. Requests to amend said meeting minutes before a scheduled meeting should be limited to grammar, spelling, and punctuation issues. The Council should refrain from requesting material changes to the substance of the minutes until the Council convenes in a scheduled meeting.
3. Features of Riverton City Council meeting minutes eligible for approval. The Council notes under the foregoing standards that meeting minutes may be created in a number of ways which comply with the Utah Open Public Meetings Act. A transcript of a meeting, for example, complies with the Act, but is generally too burdensome to undertake for each Council meeting. Conversely, meeting minutes which contain links to digital recordings of attendees' statements, but provide no written summary of what was said, comply with the Act. In establishing procedures for approving minutes, the Council seeks to strike a balance between transparency of City business and efficiency in governance. Therefore, minutes

which are eligible for approval by the Council shall, at a minimum, contain the following features:

- a. Compliance with Utah law. All minutes submitted for Council approval shall contain sufficient information to comply with each applicable section of the Utah Open Public Meetings Act.
- b. Links to digital recordings of statements made during Council meetings. Upon the commencement of each item to be discussed or otherwise presented to the Council, the Minutes shall provide a link to a digital recording which can be reviewed online or by visiting the City Recorder's office. Said links shall note the time of the meeting which correlates to the commencement of a given item before the Council. Links shall not be required for each statement made by individuals involved in an item presented to the Council.
- c. Written summary of statements made by or before the Council. The City Recorder shall listen to and draft a summary of the substance of each statement made by persons duly recognized to speak in a Council meeting. The City Recorder shall listen to and may draft a summary of the substance of statements made by persons who are not recognized to speak in a Council meeting.
- d. Summary or transcript of staff reports or other written records may be included in minutes. The City Recorder may, at the Recorder's discretion, summarize staff reports or other written records for inclusion in the Council minutes, or may provide copies of such records in the minutes.
- e. Designees of City Recorder's office allowed to create minutes. References to the office of the City Recorder in drafting meeting minutes under these procedures should not be interpreted to mean the City Recorder alone can draft said minutes. The City Recorder may assign any tasks related to drafting meeting minutes to individuals other than the City Recorder, at the Recorder's discretion.

Council Member Stewart spoke of a permanent retention for audio recordings and Mr. Carter said that was at the Council's discretion.

Council Member Staggs mentioned that the recently adopted addition to the Rules of Order and Procedure Granting Advice and Consent for Appointment of Nominees to Administrative City Positions needed to be added to the manual.

Council Member Staggs spoke of the delivery time of Council Packets, with meeting two to three times a month he said it was difficult to receive information on Friday and be prepared for a Council Meeting on Tuesday. Mr. Carter explained the process and the Council Packet schedule was discussed.

Council Member Sheldon Stewart **MOVED the City Council approve Resolution No. 15-63– Adopting Rules of Order and Procedure for Public Meetings of the Riverton City Council, with the addition to retain the electronic recordings indefinitely or until such time that the Council makes a motion to remove those recordings.** Council Member Tricia Tingey **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. There being

none, Mayor Applegarth 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.**

Discussion continued regarding the timeliness of Council Packets and the item was continued to September 15, 2015, to allow City Manager Lance Blackwood's presence for the discussion.

2. **Report on Town Days 2015-2016** – Sheril Garn, Parks & Public Services Director, was not able to attend; therefore, this item was not presented.

#### 4. CONSENT AGENDA

Mayor Applegarth presented the following Consent Agenda:

1. **Minutes:** N/A
2. **Bond Releases:**
  1. Saddlebrook – 100% Warranty
  2. Villages at Park Avenue (East) Phase 2 – 100% Warranty
3. **Resolution No. 15-64** - Appointing Trace Robinson as Riverton Representative Board Member and Stephen Elms as an Alternate Board Member of the Trans-Jordan Landfill Board – Trace Robinson, Public Works Director

Council Member Tricia Tingey **MOVED that the City Council approve the Consent Agenda** 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.**

#### 5. STAFF REPORTS

Jeff Hawker, Asst. City Manager, called for Staff Reports.

Lisa Dudley, Finance Director, said that questions had been asked about the cost and purpose of the Northeast Corner of 12600 South and Redwood Road. She presented a Sources & Uses analysis for the project, which outlined sources of cash and capital contributions (In-kind donations) as well as payments, for a total project cost of \$191,600. She reported that there had been an urgency to complete the project in a short amount of time but the City's Procurement Policy was followed through completion of the project.

Council Member Johnson raised a question from Perry Newman, who said he had not been contacted by Mrs. Garn regarding the figure represented as his In-kind contribution. Mr. Newman then questioned the accuracy of the remaining figures represented.

Council Member Wayman spoke of bond proceeds used for the project and said he did not remember any discussion being presented to the City Council. He said he remembered a \$60,000 approval for the project. Mayor Applegarth then reviewed the expenses that did go before the City Council for approval. Further questions and discussions occurred regarding bond proceeds and the use of remaining funds.

Council Member Staggs expressed concern regarding the cost of the project and said it far exceeded \$60,000. He then questioned the naming of the corner and recommended the sign say Riverton City. Mayor Applegarth explained the existing sign displays the name “Silverwolves” because the corner has been designated as the Riverton High School spirit corner.

## 6. ELECTED OFFICIAL REPORTS

**Mayor Applegarth** – No report.

**Council Member Johnson** – said that he was thrilled with the use of the Riverton Park and he expressed his condolences to the Garn family in the death of Aaron Garn.

**Council Member Staggs** – requested discussion regarding zoning in and around the park at a future City Council Meeting. Council Member Stewart requested that Zoning in the City of Riverton with an emphasis in the downtown area be held. Council Member Staggs also requested discussion on the status of shortened approval periods involving the Planning Commission and the City Council; September 22, 2105, was agreed upon for those discussions. Mr. Staggs thanked Public Works Director Trace Robinson for the traffic calming improvements in the Lampton View area and for the improvements to the Margaret Park area. He reported on the UPD appointment of Chief Rosie Rivera, the first female UPD Chief.

**Council Member Stewart** – thanked Public Works Director Trace Robinson for the traffic calming improvements in his area. He then asked for increased UPD enforcement with the placement of a new stop sign. He then spoke of Vapor houses and the possibility of limiting them within the City. City Attorney Ryan Carter said he would review State Law regarding vapor houses and report back to Council. Mr. Stewart then requested City banners for his area and Asst. City Manager Jeff Hawker agreed to follow up.

**Council Member Tingey** – said she had been approached by residents in District 4 to reconsider Ordinance No. 15-11 that was presented to the City Council on August 18, 2015. She said that if the ordinance were reconsidered, it did not mean she would vote in favor of it. She spoke of the following issues she would like to see fixed: 1) the traffic on 1300 West, 2) the proper buffering of the existing residents on ¼ acre lots.

Council Member Tingey **MOVED the City Council reconsider Ordinance No. 15-11, the proposed rezone of 8.8 acres located at approximately north west corner of 1300 West 12600 South from R-4 and C-G to RM-14 as presented to the City Council on August 18, 2015.** 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.**

Council Member Tingey asked that the developer be informed of her concern regarding the proper buffering of the existing residents on ¼ acre lots. She said she would not vote in favor of something that would make those residents feel uncomfortable. She then expressed her condolences to the Garn family.

**Council Member Wayman** – reported on a press conference he attended with Mayor Applegarth and Mayor McAdams regarding trails. He then spoke of the Riverton Historical Society and asked that it be placed on an agenda for discussion of procedure.

## 7. UPCOMING MEETINGS

Mayor Applegarth reviewed the following upcoming meetings:

1. September 15, 2015 - Regular City Council Meeting – 6:30 p.m.
2. October 6, 2015 - Regular City Council Meeting – 6:30 p.m.
3. October 20, 2015 - Regular City Council Meeting – 6:30 p.m.

## 8. ADJOURN

Council Member Paul Wayman **MOVED to adjourn.** Council Member Sheldon Stewart **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. There being none, he called for a vote. 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.** The meeting adjourned at 11:05 p.m.

**Approved:** CC 09-22-15