# Riverton City REGULAR CITY COUNCIL MEETING

Minutes May 17, 2016

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
Jason Lethbridge, Community Development Dir.
Lisa Dudley, Administrative Services Director
Trace Robinson, Public Works Director
Jiny Proctor, Accountant
Kevin Hicks, Asst. Finance Director
Bill Salmon, Code Enforcement Officer
Casey Taylor, Asst. City Attorney'
Jared Bowling, PW Administrative Assistant
Jeff Hawker, Asst. City Manager
Dan Woodbury, Water Engineer

#### A. 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.

- 2. Pledge of Allegiance A Boy Scout led the Pledge of Allegiance.
- 3. Presentations/Reports
  - 1. Recognition of Boy Scout Troops
- 4. Public Comments

Mayor Applegarth called for public comments.

<u>Shelli Smith</u> a resident who lives north of the subject property, expressed concern regarding the connectivity of 3200 West to 13400 South. She said if that connection was not made the majority

of the traffic from the proposed development would go through her neighborhood. She then spoke of traffic calming options for the road.

<u>Hal Turnbaugh</u> requested information regarding the City's snow plowing policy and said that his street had not been plowed during the past winter storms. Public Works Director Trace Robinson said the snow plowing plan was available on the City's website and he said he would check his information regarding Mr. Turnbaugh's street.

<u>Cindy Phelps</u> commented on the new City Website and said she did not like the Web homepage and made suggestions for improvements to the page. She expressed other concerns with the website in regards to making reservations and navigating through the site.

<u>Valerie Bills</u> commented on the new City Website and spoke of what she thought were cumbersome processes. She suggested a website citizen committee be formed to assist in making a more user friendly website; she volunteered her time and expertise in that area.

#### **B. PUBLIC HEARINGS**

1. An ordinance rezoning approximately 14 acres located at 3150 West 13400 South from RR-22 (Rural Residential ½ acre lots) to R-3 (Residential 14,000 square foot lots), Lovell Development Group, Applicant

Jason Lethbridge, Development Services Director, explained that the Lovell Development Group submitted an application requesting that property located at 3150 West 13400 South be rezoned from its existing zoning of RR-22 (Rural Residential ½ Acre Lots) to a new zoning designation of R-3 (Residential 14,000 square foot lots). He said the property was surrounded on the east, south and west by property that was zoned RR-22 and utilized as single-family residential and agriculture. He said property to the north was zoned R-3 and was utilized as single-family residential.

Mr. Lethbridge said there were currently two stub streets that would provide access to development on the parcel. He said a stub existed at the North West corner of the property connecting to 3200 West and another existed at the north east corner at 13245 South. He said the stubs were left at those locations anticipating that the property would develop. Mr. Lethbridge said that 3200 West, which the City already owned a 30 foot right-of-way, was planned to connect to 13400 South. He said the right-of-way would be designed and approved with any subdivision development of the property.

Mayor Applegarth confirmed that 3200 West Street would be connected to 13400 South. He said the City would not build the road but the developer would be required to build the road before any development occurred. He also said the City would and could control construction traffic and it would be limited to 3200 West, not through existing neighborhoods.

Trace Robinson, Public Works Director, concurred with Mayor Applegarth and said that, in construction of the road, the City would work with the developer as they build it and it would be narrowed for traffic calming purposes.

Mr. Lethbridge said on April 28, 2016, the Planning Commission recommended denial of the rezone application.

Mr. Lethbridge addressed questions and comments from Council Members.

James, Lovell Development Group, explained their proposed plan and the process for their property. He said their development would be more upscale custom homes. He said they had received approval from staff on their project and they had held a neighborhood meeting with surrounding property owners. He said that the layout of the lots using 1/3 acre lots would be more appealing than ½ acre lots, and he likened the proposed subdivision to their developed Green Haven Subdivision.

Mr. Lethbridge explained ordinance requirements for fencing 1/3 acre lots against ½ acre lots and ½ acre lots against ½ acre lots. He said that a solid masonry fence surrounding the property would be required prior to construction of the homes.

Council Member Tricia Tingey explained that if the proposed rezone to 1/3 acre lots occurred, the property owner to the west also planned on developing 1/3 acre lots as well. She then explained that staff recommendations were based on being compliant with ordinance requirements.

Mayor Applegarth opened a Public Hearing and called for public comments.

Council Member Brent Johnson asked for clarification in comments from the residents as to whether or not they would be in favor of the rezone if the road issue were resolved.

<u>Dustin Rich</u>, an adjacent property owner of 20 years, expressed his concern with 1/3 acre lots being too close and being able to see in each other's back yards. He said they bought their property because of the lot sizes; he recommended a buffer zone on the north side of the property of 1/2 acre lots. He asked about a park strip in the design of 3200 West and Mayor Applegarth said that the road had not yet been designed but there would be a road, a high back curb and gutter, and a sidewalk. The Mayor also spoke of a Jordan Valley Water Conservancy District line that runs through that property. Mr. Rich then spoke in opposition to the proposed zone change.

<u>Dennis Abernathy</u> spoke against the proposed rezone and said his concerns were with safety for children and adequate water supply.

<u>Mel Perschon</u> said he and many of his neighbors moved to Riverton because of the rural setting and he was concerned about the loss of large lots in Riverton City. He spoke in opposition to the proposed rezone and said that smaller lots bring increased pollution to the area.

<u>Tammy Ewell</u> said that the builder did not call them and meet with them as residents on Forest Meadows Dr. Three stub roads to the proposed subdivision were then identified. She said she was against condensing, she likes the larger lots, and she was concerned about the increased traffic and their current water pressure. She spoke in favor of keeping the property at ½ acre lots.

<u>Bryan Colmere</u> spoke against the proposed rezone and asked that the City Council leave the zoning as is. He said he liked the rural feel and would like to keep the integrity of the area. He

spoke of several issues of concern and said he did not get invited to a neighborhood meeting; he spoke his concern for their home values, and water pressure and source.

<u>Sheryl Woodard</u> spoke in opposition to the proposed rezone and said she moved to Riverton for the open spaces. She expressed concern with construction traffic and continued lack of power in the summers due to overload, which would only be increased if ½ acre lots were approved.

<u>Ken Allred</u> spoke against the proposed rezone and said the development was all about money. He said there was no reason to rezone from ½ acre lots to 1/3 acre lots and he said if it were allowed it would affect their property values.

<u>Shelli Smith</u> spoke in opposition of the proposed rezone and said she would like to keep the larger lots.

<u>Brett Lovell</u>, Developer, spoke of a like development in Herriman that was nearly built out, as well as the Green Haven Subdivision, and he said they would increase the strictness of the CC&R's, subject to the rezone.

Bonnie Woodard said she would like to see the property remain at ½ acre lots. She also spoke of large animal rights.

Melissa Summers spoke in opposition to the proposed zoning and said she would like ½ acre lots.

<u>Michael Johnson</u> said he lived near an area that was zoned 1/3 acre lots, which he said was a very clean and organized subdivision and he felt they were big enough lots to have space and privacy.

<u>Howard Schmidt</u> said he worked with Brett Lovell and James, he then referred to a letter from property owner Weldon Nolan and he said he supported the zone change to 1/3 acre lots. He then said property rights should be considered and he spoke in favor of the proposed zone change.

Hal spoke against the proposed rezone and said he would like the zoning to remain at ½ acre lots.

<u>Viola Stucki</u> said her west fence borders the Dansie property. She asked about access control into the construction site to which Ryan Carter, Chief Rosie Rivera and Trace Robinson responded to her questions.

<u>Kevin Nielson</u> spoke against the proposed rezone and said that the residents that had spoken against it had lived there a long time. He spoke of the increased homes and residents as well as increased traffic that would come from that area.

There being no further comments, Mayor Applegarth closed the Public Hearing.

The Developer spoke briefly about the proposed development and zoning and addressed issues spoken of by the residents and Council Members.

Brief discussion was held regarding a suggested SD Designation for the property.

Ordinance No. 16-14 – Rezoning approximately 14 acres located at 3150 West 13400 South from RR-22 (Rural Residential ½ acre lots) to R-3 (Residential 14,000 square foot lots), Lovell Development Group, Applicant

Council Member Tricia Tingey MOVED the City Council DENY Ordinance No. 16-14 – Proposed rezone of 14 acres located at 3150 West 13400 South from RR-22 to R-3. Council Member Paul Wayman SECONDED the motion. Mayor Applegarth called for discussion on the motion; Council Members Wayman, Staggs and Stewart commented on the issue and a suggested SD zoning. Mayor Applegarth then 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.

Mayor Applegarth commented on possible uses for various zoning of properties and gave an example where a recent proposed rezone to 1/3 acre lots was turned down and private soccer fields were currently being considered for the property instead. He said that best way for development to occur affectively was for the affected residents to work with the developer to address and resolve issues for a desired solution.

# 2. An ordinance amending the Edge Homes RM-18SD Zoning Ordinance governing The Towers Residential Development, amending Section 4, Architectural Standards, Steve Maddox, Applicant

Jason Lethbridge, Development Services Director, explained that Edge Homes submitted an application requesting a text amendment to the RM-18SD zoning ordinance that governed the Towers Development at 12989 South Cactus Berry Drive. He said that development lay on the west side of the Mountain View Corridor, and was approved with a Specific Development Designation regulating development of the project, including exterior building materials. The applicant requested to amend section 4.0 Architectural Standards of the RM-18SD Zone to allow fiber-cement siding as an allowed masonry material.

Mr. Lethbridge said the proposed change allowed fiber-cement siding as one of the qualifying masonry products such as brick or stone. He said the applicant based the requested change on the approved architectural standards for the SLR Development, which was directly east of the property.

Applicant Jaron Nichols of Edge Homes explained that the proposed ordinance amendment was mostly for townhomes. He explained how they would finish their homes on the outside with the use of hardy board, subject to the following ordinance amendment:

#### 4.0 Architectural Standards

The front façade of all townhome and single family buildings shall have brick, stone, and/or fiber cement siding as the surface material for a minimum of sixty percent (60%) of the surface area and stucco as the surface material for the remaining area. Any townhome and single family building's side exterior walls that face a street shall have brick, stone, and/or fiber cement siding as the surface material for a minimum of twenty percent (20%) of the surface area and stucco as the surface material for the remaining surface area. Any townhome and single family building's side exterior walls that do not face a street and the rear exterior walls shall only use brick, stone, fiber cement siding, and/or stucco as the surface material.

Each façade on any three (3) story multi-family building shall have brick, stone, and/or fiber cement siding as the surface material for a minimum of twenty-five (25%) of the surface area and stucco as the surface material for the remaining surface area.

The treatment of buildings, materials and exterior appurtenances shall create an aesthetically pleasing site that is compatible with structures in the immediate area. The exterior finish of all single family dwellings within the RM-18SD zone shall meet Riverton City's minimum exterior requirements with the exception that no metal or vinyl siding will be permitted. In addition, all single family residential dwellings on corner lots shall have a minimum of 20% stone or brick on the corner side of the dwelling. Exterior materials for all multi family dwellings in the RM-18SD zone shall include brick, stucco, stone, or other decorative masonry products including fiber cement siding as approved by the city council upon recommendation from the planning commission. A minimum of 25 percent of the exterior shall be brick or stone. Vinyl and wood siding are not permitted. All sides of dwellings shall receive equal design consideration, particularly where they may be readily viewed by pedestrians and motorists, or from adjacent properties

Mr. Lethbridge explained the issue further and clarified that the proposed change was to include hardy board. He said that on April 28, 2016, the Planning Commission recommended approval of the ordinance amendment. Further discussion ensued after which Mayor Applegarth opened a Public Hearing and called for public comments; there being none, he closed the Public Hearing.

Ordinance No. 16-15 - An ordinance amending the Edge Homes RM-18SD Zoning Ordinance governing The Towers Residential Development, amending Section 4, Architectural Standards, Steve Maddox, Applicant

Council Member Sheldon Stewart MOVED the City Council Deny Ordinance No. 16-15 – Amending Section 4.0, Architectural Standards of the Towers RM-18SD zoning ordinance as described in Exhibit "A". 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.

# C. DISCUSSION/ACTION ITEMS

#### 1. Active Transportation Network Prioritization

Council Member Paul Wayman introduced Jared Bowling, Public Works Administrative Assistant, and David Foster, Alta Planning, and explained that the City received a \$40,000 grant from Salt Lake County for Active Transportation, which includes walking, running and bicycling.

Jared Bowling said they were in the final development stages of an Active Transportation and an important part of the stage was to have the City Council identify how the network would be prioritized.

David Foster presented information identifying the results of a survey that was completed, and he presented and discussed the following purpose of an Active Transportation Plan:

- Analyzes an area's current biking and walking activity
- Analyze public needs

- Makes facility and program recommendations for improvement
- Establishes design guidelines
- Defines costs and priorities for implementation

Mr. Foster then presented a Proposed Schedule for the Plan, as well as the following Vision Statement:

"Riverton City will improve residents' quality of life and promote biking and walking by providing a safe, convenient and comfortable bicycling and pedestrian network for transportation and recreation."

Mr. Foster then presented the following goals for Planning, Design, Maintenance, Funding, and Encouragement:

- Plan and implement a safe and connected network of biking and walking facilities that serve a variety of users.
- Develop robust biking and walking infrastructure to and around Riverton's key activity centers and destinations
- Prioritize and invest in connections to key centers and destinations
- Develop a coordinated maintenance approach for the active transportation system that works across departmental boundaries
- Develop a funding strategy to leverage and optimize investment in the active transportation network
- Develop a suite of programs to encourage active transportation trips

The Council was then presented an exercise regarding Project Prioritization Criteria and Weighting and asked how they wanted to prioritize improvements. Mr. Bowling was instructed to distribute their presentation to the City Council and to the Communications Manager for social media exposure and return to the City Council Meeting on June 7<sup>th</sup> for further discussion.

#### D. CONSENT AGENDA

1. <u>Resolution No. 16-21</u> – Declaring identified property of Riverton City as Surplus-Parcel #33-06-200-009

Council Member Sheldon Stewart **MOVED** the City Council approve the Consent Agenda as listed. 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.** 

#### E. STAFF REPORTS

1. Lance Blackwood, City Manager, called for Staff Reports:

# a. UPD Riverton Precinct 1st Quarter Report, 2016

Rosie Rivera, UPD Precinct Chief, asked for questions regarding the 1<sup>st</sup> Quarter Report from Council Members. She then reported on a recent accident involving four Riverton Youth and an ATV. She then mentioned a UPD Volunteer Award that was awarded to Mr. Holloman.

#### **b.** Code Enforcement

Bill Salmon, Code Enforcement Officer, Casey Taylor, Asst. City Attorney, presented information regarding 8.10.070 Real property to be kept clean as follows:

(1) Individuals, whether as owner, lessee, tenant, occupant or otherwise, shall be responsible for the continued proper maintenance of all landscaping materials, except as indicated below. Landscaping shall be maintained in good condition so as to present a healthy, neat, and orderly appearance at all times. Landscaping shall be mowed, groomed, trimmed, pruned and watered according to waterwise conservation guidelines to maintain healthy growing conditions and not detract from the appearance of the immediate neighborhood. Landscaping shall be kept virtually free of insects and disease, and shall be kept free from weeds and other volunteer plants. Irrigation systems shall be maintained so as to eliminate water loss due to damaged, missing or improperly operating sprinkler system components. All unhealthy or dead plant material shall be replaced within *six months*, or the next planting period (spring or fall), whichever comes first; while other defective landscape features shall be removed, replaced or repaired within *three months*.

Lengthy discussion was held regarding the current language regarding the timeline for compliance, which Code Enforcement felt was too lengthy. In comparison, they said weed violations were required to be removed within 10 days. Bill Salmon reviewed the Code Enforcement process and Casey Taylor presented the following options to the Council Members:

- 1. Leave the ordinance as it is
- 2. Change the time frames to correspond with the weeds
- 3. Consider different language

The Council Members concurred to have the issue come back with Code Enforcement's recommendation to the City Council for further discussion at a later date.

#### F. ELECTED OFFICIAL REPORTS

Mayor Bill Applegarth – No report.

Council Member Brent Johnson – No report.

Council Member Trent Staggs – No report.

Council Member Sheldon Stewart briefly reported on the UFA approved tentative budget. He also requested timely responses from the Communications Manager regarding the website.

Council Member Tricia Tingey – No report.

Council Member Paul Wayman expressed appreciation to Mayor Applegarth and Trace Robinson for their work and support of the Oquirrh Park Project.

#### G. UPCOMING MEETINGS

- 1. June 07, 2016 Redevelopment Agency Meeting 6:20 p.m.
- 2. June 07, 2016 Regular City Council Meeting 6:30 p.m.
- 3. June 14, 2016 Redevelopment Agency Meeting 6:20 p.m.
- 4. June 14, 2016 Regular City Council Meeting 6:30 p.m.
- 5. June 21, 2016 Redevelopment Agency Meeting 6:20 p.m.

6. June 21, 2016 – Regular City Council Meeting – 6:30 p.m.

#### H. BUDGET DISCUSSIONS

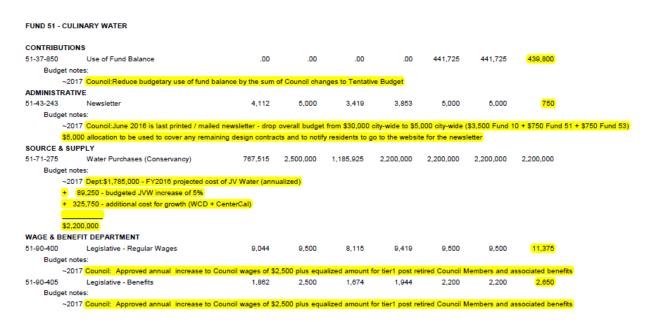
### 1. Discussion of Tentative Budgets for Fiscal Year 2016-2017

The Council Meeting reconvened in the Council Conference Room and Council Member Sheldon Stewart led discussion of the City Council's Tentative Budget. Water Director Scott Hill, Water Engineer Dan Woodbury, and Administrative Services Director Lisa Dudley were in attendance and presented information to and addressed questions from Council Members.

# **Fund 51 – Culinary Water**

Following discussion of the line items in Fund 51, Council Member Trent Staggs **MOVED** the City Council approve Fund 51. Council Member Paul Wayman 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.

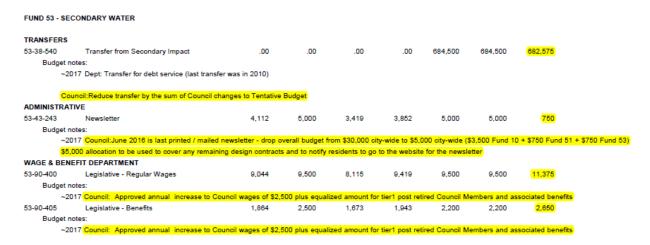
A summary of the approved changes to the Mayor's Tentative Budget with the budget notes to reflect Council's direction is as follows:



Fund 53 – Secondary Water

Following discussion of line items in Fund 52, Council Member Tricia Tingey MOVED the City Council approve Fund 53. 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.

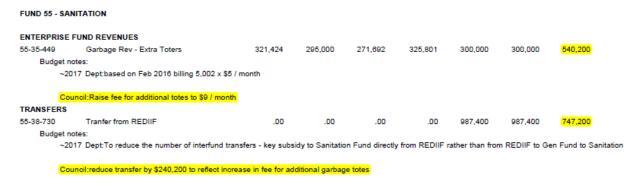
A summary of the approved changes to the Mayor's Tentative Budget with the budget notes to reflect Council's direction is as follows:



Fund 55 – Sanitation

Discussion was held regarding garbage totes and Council Member Staggs recommended that the cost of an additional tote be increased by \$2.50 per month but only if that could be offset by reducing the \$2.50 connection fee in culinary water, thereby making no net increase to residents. However, realizing during the water fund discussions that could not happen this year, Mr. Staggs said he was not in favor of raising the second tote fee. Following lengthy discussion, Council Member Sheldon Stewart MOVED the City Council approve Fund 53 with the cost of a second tote to increase by \$4.00. 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-No, Stewart-Yes, Tingey-Yes, and Wayman-No. The motion passed 3 to 2.

A summary of the approved changes to the Mayor's Tentative Budget with the budget notes to reflect Council's direction is as follows:



Council Member Tricia Tingey MOVED to close discussion on the City Council Tentative Budget until June 7th. Council Member Sheldon Stewart SECONDED the motion. Mayor Applegarth called for discussion on the motion; Council Member Staggs said that he was against a \$4.00 fee increase to garbage totes. Mayor Applegarth then called for a roll call vote. The vote

was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-No. **The motion passed unanimously.** 

# I. ADJOURN

Council Member Council Member Sheldon Stewart **MOVED the City Council adjourn.** Council Member Brent Johnson **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. The meeting adjourned at 11:20 p.m.

**Approved:** 06-07-16