

Riverton City
REGULAR CITY COUNCIL MEETING
Minutes
June 7, 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
Ryan Carter, City Attorney
Jason Lethbridge, Planning Manager
Trace Robinson, Public Works Director
Sheril Garn, Parks & Public Services Dir.
UPD Representative
Lisa Dudley, Administrative Services Director
Angela Trammell, Communications Manager
Kevin Hicks, Asst. Finance Director

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.

Pledge of Allegiance – Michael Johnson led the Pledge of Allegiance.

1. Presentations/Reports

a. Recognition of Boy Scout Troops

Mayor Applegarth recognized Boy Scouts that were in attendance.

b. Riverton Choice Awards for Excellence in Education – Fort Herriman Middle School

Council Member Sheldon Stewart presented the Riverton Choice Awards for Excellence in Education for the following Fort Herriman Middle School students: Madilyn Mounteer–9th Grade, Cooper Page–8th Grade, and Jean Beck–7th, 8th and 9th Grade Dance Teacher.

2. Public Comments

Mayor Applegarth called for public comments; there being none, he closed the public comment period.

Mayor Applegarth then moved to Item D. Consent Agenda.

D. CONSENT AGENDA

Mayor Applegarth presented the following Consent Agenda:

1. **Minutes:** RCCM 05-10-16, RCCM 05-17-16
2. **Bond Releases:**
 - a. Master Muffler–100% Warranty Release
 - b. Rivertowne Professional Plaza–90% Performance Release
 - c. Sonic–90% Performance Release
3. **Resolution No. 16-22** - Ratifying the repair of a Secondary Water Pump, located in the Jordan River Pump House, repaired by Widdison Turbine Service
4. **Resolution No. 16-23** - Ratifying a contract awarded to Silver Spur Construction for the completion of the 1300 West Water Line Replacement Project
5. **Resolution No. 16-24** - Declaring identified property of Riverton City as surplus - Parcel #28-27-351-012
6. **Resolution No. 16-25** - Approving the execution of an Interlocal Cooperation Agreement between Riverton City and South Jordan City for the Overlay of 11800 South Street from 4000 West to 5400 West
7. **Resolution No. 16-26** - Approving the execution of a Stormwater Agreement, between Riverton City and UDOT for the Edge Homes Towers Project

Item No. 8 was removed from the Consent Agenda for discussion.

Council Member Paul Wayman **MOVED that the City Council approve Items 1 – 7 on 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.**

CONSENT AGENDA ITEM D. 8

8. Proposed Changes to FY 2016-2017 Budget

Mayor Applegarth said that commencing with the FY 2015-16 Budget, monies had been appropriated for Council Directed Projects, which the Mayor had recommended \$25,000 x 5 Council Districts for a total of \$125,000 for line item 10-40-700; the Council reduced that amount to \$15,000 x 5 Council Districts for a total of \$75,000. He said the FY 2016-17 Budget included the same amount to be spent at the discretion of the City Council Members.

Mayor Applegarth said the Council had been able to utilize the appropriations to complete many useful projects that would benefit the City as a whole, as well as areas within their individual Council Districts. He proposed that a similar budget be provided for the position of Mayor. He said his proposal would not increase the budget at all but would re-appropriate the Mayor's wages and benefits, which were already-approved, to Mayoral Directed Projects. He then reviewed the following affected funds: Fund 10-General Fund, Fund 51-Culinary Water, and Fund 53-Secondary Water. Mayor Applegarth then addressed questions from the Council and made the following promises:

1. "Before I left office I would bring to the Council, in November of my last year, a transfer of funds from the project lines to the wage and benefits lines.
2. I would only do projects that were general City projects and not District projects.
3. In any fiscal year that there would be a change in the mayor, I would only spend \$10,350 between July 1 and December 31 of that year, so the new mayor could have his or hers full share of the money."

Discussion was held and the Council expressed the following:

Council Member Paul Wayman spoke in favor of the proposal.

Council Member Sheldon Stewart spoke of the precedence the action would set, and spoke in regards to the upcoming election year. He also said he had an element of concern that the money might be directed to one chosen district.

Council Member Trent Staggs said he shared the same concerns as Council Member Stewart and said he did not see a need to create a new category wherein \$20,000 could be spent on projects. He also spoke in regards to the Mayor's City provided vehicle.

Council Member Brent Johnson said the Mayor had every right to donate his salary, and he said he believed it was out of concern for the City as a whole.

Council Member Tricia Tingey also expressed concern with the precedence it would set, especially when a new mayor would be elected. She said they increased their own salaries to stay even with the market and she said she felt the same about the Mayor's salary.

Following continued discussion, Council Member Brent Johnson **MOVED that the City Council TABLE Item 8 of the Consent Agenda to June 14, 2016.** 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.**

B. PUBLIC HEARINGS

1. **Intent to Adjust the Common Municipal Boundaries between Riverton City and the City of Herriman at approximately 13400 South from Mountain View to 5600 West and 12600 South from approximately 4500 West to Western Hills Drive**

Ryan Carter, City Attorney, explained that, in accordance with Utah Code Ann. § 10-2-419, Riverton City Council adopted Resolution No. 16-14 on April 5, 2016, which declared the intent to adjust the common municipal boundaries between Riverton City and the City of Herriman at approximately 13400 South from Mountain View to 5600 West and 12600 South from approximately 4500 West to Western Hills Drive. He said the current boundary showed that the inside two West bound lanes on 13400 were within Riverton City, and the current Riverton boundary on 12600 South transitions from the inside two West bound lanes at approximately 4500 to the outside East bound lane at Western Hills Drive. He said there was also a remnant parcel adjacent to the Utah Power and Light easement on the west side of the Canyon View Town Homes fence. The boundaries on both roadways will be adjusted to the Section Line, which is the approximate center of road and the remnant parcel will be transferred to Herriman.

Mr. Carter said that Staff feels the adjustment of current boundaries to the Section Lines would better define the maintenance and risk obligations of each City and would aid both Cities for budgeting purposes and traffic management.

Mayor Applegarth opened a Public Hearing and called for public comments; there being none, he closed the Public Hearing.

Ordinance No. 16-16 – Declaring intent to adjust the common municipal boundaries between Riverton City and the City of Herriman at approximately 13400 South from Mountain View to 5600 West and 12600 South from approximately 4500 West to Western Hills Drive

Council Member Tricia Tingey **MOVED** the City Council approve **Ordinance No. 16-16 – Declaring intent to adjust the common municipal boundaries between Riverton City and the City of Herriman at approximately 13400 South from Mountain View to 5600 West and 12600 South from approximately 4500 West to Western Hills Drive**. 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.**

2. Vacation - Vacating a Reserved Right-Of-Way on portions of Lots 15 and 16 of the Medallion Cove Subdivision in Riverton City, Utah

Jason Lethbridge, Development Services Director, explained the proposed vacation of a 50 foot wide reserved right-of-way in the Medallion Cove Subdivision. He said in the early 70's, when the Medallion Cove Subdivision was approved, there was the potential for 1930 West to ultimately continue south. On that plat, a 50 wide right of way was marked on the plat overlapping Lots 15 & 16 with the text note "Reserved for Future Right-of-Way". No further reservation of right-of-way was made continuing south, nor was any additional roadway constructed; however, the notation remained on the plat. It was brought back to the City's attention as one of the parcel owners affected approached the City desiring to build an accessory building within the reserved area. He said that, as there was no further public purpose to be accomplished in retaining the reserved area, staff prepared the necessary documentation to vacate the reservation.

Mr. Lethbridge addressed questions from Council Members.

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

Lane Pole spoke in favor of the proposed vacation.

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

Ordinance No. 16-17 - Vacating a Reserved Right-Of-Way on portions of Lots 15 and 16 of the Medallion Cove Subdivision in Riverton City, Utah

Council Member Brent Johnson **MOVED** the City Council approve **Ordinance No. 16-17 – Vacating a Reserved Right-Of-Way on portions of Lots 15 and 16 of the Medallion Cove Subdivision in Riverton City, Utah**. Council Member Tricia Tingey **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; 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 passed unanimously.**

3. Rezone, Rezoning 4.24 Acres located at 13518 South Redwood Road from RR-22 (Rural Residential ½ Acre Lots) to C-N (Commercial Neighborhood), Shauna & Kevin Leake Representing the Applicant

Jason Lethbridge, Development Services Director, explained that Shauna and Kevin Leake, representing the South Valley Large Animal Clinic, submitted an application requesting that property located at 13518 South Redwood Road be rezoned. He said the property was currently zoned RR-22 (Rural Residential ½ Acre Lots) and was utilized as single-family residential with some agricultural uses. He said all surrounding properties were also zoned RR-22 and were similarly utilized.

Mr. Lethbridge said the applicant was requesting that the property be rezoned to C-N (Commercial Neighborhood) in order to facilitate a large animal veterinary clinic; however, Riverton City cannot consider a rezone request for one specific use. He explained that when a property was rezoned to commercial, not only is the veterinary clinic permitted in the zone, but also every other commercial use that is permitted within the zone. He said the C-N Zone was the most restrictive commercial zone in Riverton City and catered to commercial uses that were used on a neighborhood scale, or to commercial activities that would be utilized by the neighborhood rather than a regional scale. He said all uses in the C-N Zone were conditional uses, which required a conditional use permit granted by the Planning Commission.

Mr. Lethbridge said that on May 12, 2016, the Planning Commission recommended approval of the rezone application.

Discussion was held regarding business access. City Attorney Ryan Carter said that any commercial traffic access to the property should be from major roadways and not through subdivision streets.

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

John Sievert's, owner, South Valley Animal Clinic, explained that the business access would be from Redwood Road and no other neighborhood streets.

James Denney spoke in favor of proposal if that was what it would be used for and not for neighborhood commercial businesses.

Bob Ford spoke in favor of the proposed facility and asked the Council to consider a mixed agricultural zone.

Simon Ruden spoke in favor of the proposed rezone.

Wyoma Darlington spoke in favor of the proposed rezone.

Kevin Leake, property owner, spoke in favor of the proposed rezone.

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

Ordinance No. 16-18 – Rezoning 4.24 Acres located at 13518 South Redwood Road from RR-22 (Rural Residential ½ Acre Lots) to C-N (Commercial Neighborhood), Shauna & Kevin Leake Representing the Applicant

Council Member Brent Johnson **MOVED** the City Council approve **Ordinance No. 16-18** – **Rezoning 4.24 Acres located at 13518 South Redwood Road from RR-22 (Rural Residential ½ Acre Lots) to C-N (Commercial Neighborhood), Shauna & Kevin Leake Representing the Applicant. Council Member Stewart made a friendly amendment requiring that ingress and egress to the business be from Redwood Road and that it would accommodate fire apparatus.** Council Member Tricia Tingey **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The passed unanimously.**

4. City Council's Tentative Budget for Fiscal Year 2016-2017

Mayor Applegarth explained that the City Council was presented with the Mayor's Budget on May 3, 2016. During the month of May the Council met to discuss and make changes to the budget. He further explained that June 7th was the first of two Public Hearings to receive comments regarding the FY 2016-2016 Tentative Budgets; the second and final Public Hearing would be held on June 14th. The Mayor's Tentative Budget has been available to the public on the City's website since the first week of May; the Council's Budget was posted on the City's website and has also been available in hard copy form in the Finance Department and in the Recorder's Office.

Mayor Applegarth said that no action would be taken on the FY 2016-2016 Budget until after the second Public Hearing on June 14th.

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

Phil Staggs expressed his concerns as follows:

1. At the very end of the budget, show the exact amount of expenditures
2. Cost of living adjustment - too high
3. Job Employment – restrict employment growth
4. Cemetery – City come up with a trust fund for cemetery and consider a committee for that purpose
5. Responsibility of council members – be frugal and responsible to the taxpayers – cut expenses and produce a balanced budget
6. Mayor’s proposal – do not bank on verbal communication on employment and money matters

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

C. DISCUSSION/ACTION ITEMS

1. Active Transportation Presentation

Trace Robinson, Public Works Director, explained and described Riverton City’s Active Transportation Plan, which included a safe and connected network of biking and walking facilities that serve a variety of users.

Council Member Sheldon Stewart spoke of a cross access across Mountain View Corridor. Questions and comments from Council Members were addressed.

2. **Motion to reconsider at a later date 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 Paul Wayman **MOVED** that **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 comes back as an SD on June 21st**. 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 passed unanimously.**

E. STAFF REPORTS

Lance Blackwood, City Manager, called for the following Staff Reports:

City Attorney Ryan Carter said the Historical Preservation Commission Ordinance would be presented on June 14th. He then briefly reviewed certain points of the ordinance. He also noted that changes to the landscaping ordinance would be returning to the Council.

F. ELECTED OFFICIAL REPORTS

Mayor Applegarth reminded all of an upcoming Health Fair at the Riverton IHC Hospital, which he would be attending.

Council Member Johnson spoke of the water pressure for the secondary irrigation system and said he had received many phone calls regarding the lack of pressure. He then spoke of the amount of water being used and/or wasted and said it may be time to consider metering secondary water. He asked about Neighborhood Watch signage and reported that he was working with staff regarding No-Smoking signage to include e-cigarettes in public parks or any public facility.

Council Member Staggs reported that the Peggy Green Park was being demolished in June. He also mentioned the options for replacement in that park. He then spoke of the landscaping for the 1300 West Project, and Reeves Lane resident's concerns regarding a private sports facility park. At the request of Mr. Staggs, City Attorney Ryan Carter described "Park" as being accessible to the public as long as it was not used for league use. Mr. Staggs then said he had someone in mind for the Historic Preservation Committee.

Council Member Stewart said the trees look great in his area, and the Mountain View Park looks great, and he complimented Trace Robinson for his work on 13400 South and Bangerter traffic issues. He spoke of other areas in District 1. He commented that the City Website now has a professional feel and he briefly commented on Facebook.

Council Member Tingey commented about the Tentative Budget and said she did review the staff budget significantly and said she would not vote to reduce staff because there were departments that were currently being stretched to the limit. She said staff would need to be increased as the City grows.

Council Member Wayman reported that he recently attended a very successful "Push to Survive" event at the Fire Station.

Council Member Johnson said that, with now using Jordan Valley Water Conservancy District water, he reduced his water softener from 49 to 19 and recommended that residents reduce theirs as well in order to drop the salt levels in their discharged waters, which cannot be recycled.

G. UPCOMING MEETINGS

Mayor Applegarth reviewed the following upcoming meetings:

1. June 14, 2016 – Redevelopment Agency Meeting – 6:20 p.m.
2. June 14, 2016 – City Council Meeting – 6:30 p.m.
3. June 21, 2016 – Redevelopment Agency Meeting – 6:20 p.m.
4. June 21, 2016 – Regular City Council Meeting – 6:30 p.m.
5. July 19, 2016 – Regular City Council Meeting – 6:30 p.m.

H. CLOSED SESSION - NOT NEEDED

I. ADJOURN

Council Member Tricia Tingey **MOVED to adjourn.** Council Member Brent Johnson **SECONDED** the motion. Mayor Applegarth called 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 8:46 p.m.

Approved: CC 06-14-16