

Minutes of the Regular Meeting of the Riverdale City Council held Tuesday, July 18, 2023, at 6:00 p.m., at the Civic Center, 4600 S Weber River Dr., Riverdale City, Weber County, Utah.

Present:

City Council: Braden Mitchell, Mayor
Alan Arnold, Councilmember
Bart Stevens, Councilmember
Steve Hilton, Councilmember
Anne Hansen, Councilmember
Karina Merrill, Councilmember

City Employees: Steve Brooks, City Administrator/Attorney
Cody Cardon, Business Administrator
Mike Eggett, Community Development Director
Scott Brenkman, Police Chief
Shawn Douglas, Public Works Director
Jared Sholly, Fire Chief
Michelle Marigoni, City Recorder

Visitors: Kord Cutrubus
Anthony Olds
Lynn Wright & family

A. Welcome & Roll Call

The City Council meeting began at 6:00 p.m. Mayor Mitchell called the meeting to order and welcomed all in attendance, including all Council Members and all members of the public.

B. Pledge of Allegiance

Mayor Mitchell invited Alan Arnold to lead the Pledge of Allegiance.

C. Invocation

Mayor Mitchell offered the invocation.

D. Public Comment

Mayor Mitchell invited any member of the public with questions or concerns to address the Council and asked that they keep their comments to approximately three minutes, noting no action will be taken during public comment.

Anthony Olds, Riverdale resident and instructor for concealed firearm permits, said he found four city ordinances that are currently outdated. 3-6-4 prohibits firearms at a swap meet, 4-7-5, prohibits possession of a firearm while camping for a special event, 5-2-3b concealed fire permit for Riverdale only, 7-7-4 prohibits using a firearm in a park. He stated these ordinances go against state statutes.

E. Presentations and Reports

1. Mayor's Report

UDOT is giving the rail trail to Weber County after an \$18M purchase. Weber County wants to give part of it to Riverdale to maintain, but it is not actually located in Riverdale.

The moderate-income housing report has been submitted for review.

2. City Administration Report

- a. Department Reports June
- b. July Anniversaries Employee Recognition
- c. Staffing Authorization Plans
- d. Community Development Report

Mr. Brooks thanked Rich Taylor for his work on Old Glory Days and recognized Michelle Marigoni for attaining the CMC designation.

Lynn Wright was recognized by Chief Brenkman for his 20 years of service. He spoke about his great service to the city, where he worked on the SWAT team and Strike Force, as well as the detective unit. He is currently training new hires. He has worked his entire career in Riverdale. Mayor Mitchell presented him with a certificate and thanked him as well.

Cheddar's and Fiiz both opened and had grand opening celebrations. Shake Shack is moving forward.

Mayor Mitchell asked about Cozy Dale Drive. Mr. Douglas explained that there were some utility issues America First had run into, so they were not sure how long it would take to reopen. Mr. Douglas said he would get an update from them.

Mr. Brooks reported on the Lesley's park cleanup effort.

F. Consent Items

1. Consideration to approve the City Council meeting minutes from July 5, 2023 Work Session and Regular Meeting.

Mayor Mitchell invited any corrections or comments regarding the above referenced meeting minutes.

MOTION: Councilmember Arnold moved to approve the meeting minutes. Councilmember Merrill seconded the motion. There was not any discussion regarding this motion. The motion passed unanimously in favor.

G. Action Items

1. Consideration of Resolution #2023-26 amending the 2023-2024 Consolidated Fee Schedule

Mr. Brooks explained the fees for fire inspections need to be increased to motivate businesses to be in compliance.

MOTION: Councilor Arnold moved to approve Resolution #2023-26 amending the 2023-2024 Consolidated Fee Schedule.

SECOND: Councilor Hilton

ROLL CALL VOTE:	Councilor Hilton	Yes
	Councilor Hansen:	Yes
	Councilor Arnold:	Yes
	Councilor Merrill:	Yes
	Councilor Stevens:	Yes

2. Discussion and action concerning water tap issue with Shake Shack/Cutrubus.

Discussion:

Mr. Douglas explained the extra water line has not been capped on this property as required by ordinance. If the service is left, then Riverdale employees are left dealing with it in a situation where a leak happens. If it is done now, it will not affect other businesses, but in the future that would be a concern. Carey's Cycle building will be disconnected, as well as the old John Paras building. The extra service at the shake shack site is in Riverdale Road.

Councilor Hansen asked if the ordinance stated it should be done at the time of demolition, and how long the developer has had to get this completed. Mr. Douglas said the ordinance was in place before demolition. Ms. Hansen stated that this was a common practice in public works.

Mr. Arnold thought this had been settled already, Mr. Douglas explained that was a separate issue that had to do with bringing water rights for the development.

Kord Cutrubus said they were told they couldn't have two water meters on one property, but there are other properties that have multiple meters. The ordinance reads that if the water line was abandoned, it must be capped. The line was left for Shake Shack because they didn't know how much water they would need. Another water line was put in by DRH. Shake Shack wanted to use the other line for irrigation. He continued the site was not abandoned, it was demolished, and the water bill has been paid by H&P. The ordinance should not come into play unless the water line is abandoned.

Councilor Arnold asked why the ordinance was being used for this purpose, as it refers to abandoned lines and not demolition.

Mr. Douglas noted the monthly water bill would be far less than the cost of capping the water line. Mr. Cutrubus said UDOT would rather dig it up when other work was scheduled on Riverdale Road.

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Ms. Hansen asked if the other businesses south of the restaurant had capped their services. Mr. Douglas answered that they did not have existing lines before.

Mr. Arnold had trouble with the abandoned language and asked if it could be kept how it is now until UDOT has construction there. He felt they should not be required to cap a line that they own. It should be disconnected when the road is already dug up. He asked where the definition of abandonment was in writing.

Ms. Hansen said even if they had used the service as a 1", they would have had to abandon the ¾ line to increase the size of the line. If it had been done at demolition, it would have been abandoned, but it wasn't done at that time.

Mr. Cutrbus said they wouldn't have had to abandon it if they let them use the one that is there. He has not seen an ordinance stating a line must be capped if a building is demolished. They left the line there because it could still be used and the road would not have to be dug up, saving money for traffic control, etc. It could be capped later when the road is torn up, but there is no sense in doing it twice.

Mayor Mitchell asked if any of H&P's businesses still have a ¾ inch line and said he doesn't believe that Mr. Cutrbus thought a ¾ inch line would be sufficient.

Mr. Arnold said the key word is abandoned. He didn't see that the ordinance applied, though another might.

Councilor Stevens agreed with Councilor Hansen that it should have been completed at demolition. Mr. Cutrbus reiterated there was no ordinance.

Ms. Hansen said there has been no confusion and it is standard practice in the water industry.

MOTION: Councilor Hansen moved to deny the request and have the ordinance followed and the line abandoned.

SECOND: Councilor Stevens

Mr. Arnold suggested this could line the city up for a lawsuit for taking liberties as to the wording, as the word abandoned is not defined.

Ms. Merrill felt that she was ill prepared for this as the documents were only given to council right before the meeting. She would like more time to research other ordinances, as this would put them on the spot.

ROLL CALL VOTE:

Councilor Stevens:	Yes
Councilor Arnold:	No
Councilor Merrill:	No
Councilor Hansen:	Yes
Councilor Hilton:	Yes

Motion passes 3 to 2 and the request to use the water line is denied.

Councilor Stevens made a motion to move the closed session after the RDA meeting. Councilor Hilton seconded the motion. Meeting adjourned to RDA Board meeting at 6:55 pm.

At the conclusion of the RDA meeting, Council returned to item no. 3 at 8:12 pm.

3. Consideration to adjourn into a closed session pursuant to UCA 52-4-205(c) to discuss pending or reasonably imminent litigation.

MOTION: Councilor Arnold moved to adjourn to a closed session.
SECOND: Councilor Merrill

ROLL CALL VOTE:

Councilor Hilton:	Yes
Councilor Stevens:	Yes
Councilor Hansen:	Yes
Councilor Arnold:	Yes

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Councilor Merrill: Yes

Closed session began at 8:13 pm.

MOTION: Councilor Hilton moved to adjourn the closed session and reopen the meeting.
SECOND: Councilor Merrill

ROLL CALL VOTE:

Councilor Hilton:	Yes
Councilor Stevens:	Yes
Councilor Hansen:	Yes
Councilor Arnold:	Yes
Councilor Merrill:	Yes

Council meeting reopened at 8:38 pm

H. Comments

I. Adjournment

MOTION: Having no further business to discuss, Councilmember Merrill moved to adjourn. The motion was seconded by Councilmember Arnold all voted in favor. The meeting was adjourned at 8:38

Date Approved: 8/1/2023