

Minutes of the Regular Meeting of the Riverdale City Council held Tuesday, October 3, 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  
Mike Eggett, Community Development Director  
Shawn Douglas, Public Works Director  
Jared Sholly, Fire Chief  
Casey Warren, Police Chief  
Michelle Marigoni, City Recorder

Excused:

Visitors:

**A. Welcome & Roll Call**

The City Council meeting began at 6:03 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 Casey Warren to lead the Pledge of Allegiance.

**C. Invocation**

Mayor Mitchell invited Alan Arnold to offer 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.

**E. Presentations and Reports**

**1. Mayor's Report:**

- The Moderate Income Housing Report was approved.
- Sheriff Arbon has invited City Council to tour the jail ahead of the bond request for an expansion.
- The Veteran's Program will be on Friday November 10<sup>th</sup>.
- A Meet the Candidates open house will be held on October 18<sup>th</sup> from 6 to 8 pm at the Community Center.

**2. City Council Assignment Reports**

**3. Staff Report**

**F. Consent Items**

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

Mayor Mitchell invited any corrections or comments regarding the above referenced meeting minutes. There were none.

**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, with Councilor Hansen abstaining due to not being present at the meeting.

**G. Action Items**

**1. Consideration of Resolution #2023-27 renewing a contract with Robinson Waste for garbage and recycling services.**

Mr. Douglas explained this was to bring the contract up to date and spoke about the large amount of work Robinson Waste handles for the city and the excellent quality of the work being performed. Mayor Mitchell said the spring and fall pick-up has been amazing and he has also been very happy with their service. Councilor Arnold thanked Robinson for their service and said it was an honor to renew the contract.

**MOTION:** Councilor Arnold moved to approve Resolution #2023-27 renewing a contract with Robinson Waste for garbage and recycling services.

**SECOND:** Councilor Hilton

**ROLL CALL VOTE:**

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

Motion passes unanimously.

**2. Consideration of Resolution #2023-28 awarding a bid to Paragon Construction for the 2023 Water Line Improvement Project in an amount not to exceed \$642,882.00.**

Mr. Douglas explained this was due to a water leak under I-84 a few years ago. The improvement will be on the water line that goes under the freeway and under the river. A larger pipe with a thicker wall will be installed, which will be welded together and then pulled through the drilled hole. The pipe should last at least 75 years.

**MOTION:** Councilor Arnold moved to approve Resolution #2023-28 awarding a bid to Paragon Construction for the 2023 Water Line Improvement Project in an amount not to exceed \$642,882.00.

**SECOND:** Councilor Hansen

**ROLL CALL VOTE:**

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

Motion passes unanimously.

**3. Consideration of Resolution #2023-29 adopting the Intercounty Automatic Aid Fire Agreement**

Chief Sholly explained this was an update to the current agreement to include Washington Terrace, as their department has grown large enough to qualify. Adding Washington Terrace will improve the service throughout the county.

**MOTION:** Councilor Arnold moved to approve Resolution #2023-29 adopting the Intercounty Automatic Aid Fire Agreement.

**SECOND:** Councilor Hilton

**ROLL CALL VOTE:**

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

Motion passes unanimously.

**4. Consideration of Resolution #2023-30 for a Development Agreement for property located at approximately 4851 South 1500 West as requested by 6S T Development and Tesla.**

Mr. Brooks explained this is the agreement for water purchase for new developments.

- MOTION:** Councilor Arnold moved to approve Resolution #2023-30 for a Development Agreement for property located at approximately 4851 South 1500 West as requested by 6S T Development and Tesla.
- SECOND:** Councilor Merrill
- ROLL CALL VOTE:**
- |                    |     |
|--------------------|-----|
| Councilor Hilton:  | Yes |
| Councilor Merrill: | Yes |
| Councilor Arnold:  | Yes |
| Councilor Stevens: | Yes |
| Councilor Hansen:  | Yes |

Motion passes unanimously.

**5. Consideration of Ordinance #972 regarding proposed Rezone Request from Mobile Home Park-Recreational Vehicle Park (RMH-1) Zoning and Multiple-Family Residential (R-4) Zoning to Regional Commercial (C-3) Zoning for property located at approximately 633 West 4400 South, Riverdale, Utah 84405, as requested by Wright Development Group.**

Mr. Eggett noted Logan Johnson would be present to answer any questions. The property would be an overflow parking lot for Ken Garff as part of a land swap with H&H 39<sup>th</sup> Street for the corner property at 700 West and 4400 South for the new apartment development. The General Plan supports the rezone. A site plan enhancement would be completed to make the area look nicer. Also, having no building next to the river would reduce flood risk.

Councilor Hansen asked if the lot were to be sold later, being in a commercial area, if a building could be denied. Mr. Eggett explained it would be allowed to have a commercial building, but the flood plain may come into play in that situation.

Mr. Stevens felt there was not a need to change the zoning, as it had been used for this purpose for years. Mr. Eggett suggested if it were not changed to C-3, it should be changed to R-4 and to remove the RMH Mobile Home designation. Mr. Stevens said the other lot across the street was rezoned for an extension of Stoneybrook and then immediately sold and changed to apartments. Ms. Hansen asked if there was another zone that would work as a parking lot. Mr. Eggett explained that all zones allow parking, but there are no zones that would prohibit a building being there, unless it was a designated open space such as a park.

Logan Johnson addressed the council and explained that the corner being swapped for this lot is C-3 and they felt it would be best to keep it the same as Ken Garff's building. The plan is for lighting, drainage, and landscaping improvements for parking only, though a future owner may feel differently. The lot does not have good visibility, so it may not be ideal for other commercial use. Screened fencing would be required along the boundary of residential lots.

There was discussion about future possible uses of the space as riverfront property.

- MOTION:** Councilor Arnold moved to approve Ordinance #972 regarding proposed Rezone Request from Mobile Home Park-Recreational Vehicle Park (RMH-1) Zoning and Multiple-Family Residential (R-4) Zoning to Regional Commercial (C-3) Zoning for property located at approximately 633 West 4400 South, Riverdale, Utah 84405, as requested by Wright Development Group.
- SECOND:** Councilor Hilton
- ROLL CALL VOTE:**
- |                    |     |
|--------------------|-----|
| Councilor Hansen:  | Yes |
| Councilor Merrill: | Yes |
| Councilor Arnold:  | Yes |
| Councilor Hilton:  | Yes |
| Councilor Stevens: | No  |

Motion passes with 4 in favor and 1 opposed.

Mr. Brooks and Mayor Mitchell thanked Mr. Johnson and Chris Hatch for getting the trailer park and Carey's building demolished quickly.

**6. Motion to un-table and consideration of Ordinance #970 approving proposed Riverdale City Comprehensive General Plan Update.**

**MOTION:** Councilor Arnold moved to un-table Ordinance #970 for discussion.  
**SECOND:** Councilor Hilton

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

Motion passes unanimously, item open for discussion.

Mr. Eggett and Chris Hupp with Psomas presented the changes made to the General Plan, which added zoning to potential boundary adjustment areas. Mr. Eggett stated he felt the plan would take the city in a direction that reflects where it wants to go in the future. The residents are generally happy with Riverdale how it is, so the plan is to enhance the city and make it better.

Councilor Hansen asked if zoning could be changed during annexations and boundary adjustments. Mr. Eggett confirmed that it was possible, though the General Plan is usually followed.

**MOTION:** Councilor Arnold moved to approve Ordinance #970 approving proposed Riverdale City Comprehensive General Plan Update.  
**SECOND:** Councilor Hilton

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

Motion passes unanimously.

**7. Motion 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 into a closed session.  
**SECOND:** Councilor Merrill

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

Motion passes unanimously. Closed session began at 6:46 pm.

Present: Mayor Mitchell, Councilors Arnold, Stevens, Hilton, Hansen and Merrill, Steve Brooks Shawn Douglas, Mike Eggett, Michelle Marigoni.

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

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

Motion passes unanimously. Closed session ended at 7:24 pm.

**8. Discussion and action regarding potential noise issue at Shake Shack as it pertains to Riverdale City Code Title 4, Chapter 8: Noise Abatement.**

Mr. Brooks asked for a consensus to negotiate a resolution to the issue of Shake Shack not being able to obtain a transformer until April.

Ms. Hansen added that limitations would need to be in place for noise mitigation and continually working on getting problems resolved.

Mr. Arnold suggested tightening up the ordinance and specifying decibel levels. Mr. Brooks agreed. Mayor Mitchell asked for a consensus. All were in favor.

**9. Discussion and action to consider lawsuit settlement negotiations.**

Mr. Brooks asked for authority to continue to negotiate settlement negotiations.

<b>MOTION:</b>	Councilor Hansen moved to authorize Mr. Brooks to negotiate a resolution with the Shake Shack project.
<b>SECOND:</b>	Councilor Merrill
	Councilor Arnold: Yes
	Councilor Hansen: Yes
	Councilor Merrill: Yes
	Councilor Stevens: Yes
	Councilor Hilton: Yes

**H. Comments**

City Council:

- Councilor Hansen reported the Fire Department open house was a great success and thanked Chief Sholly.
- Mr. Stevens spoke about recent firearm code updates. He asked that all ordinances needing an update continue to be brought before Council, even if the update is only to comply with state code. Mr. Arnold felt this should be done in a legislative update.

City Staff:

- October 16<sup>th</sup> 10:00 am Axio Auto ribbon cutting.
- October 19<sup>th</sup> Uptown Cheapskate grand opening and ribbon cutting. Time TBD.

There was light discussion about the 5600 South interchange project traffic pattern changes.

Mayor:

- Thanked Chief Sholly for the open house.
- Thanked Chief Warren for the PD checking on his house and notifying him the garage was left open.
- Wanted to pursue getting the national motto posted in the council chambers and asked for help getting it on an agenda.

**I. Adjournment**

**MOTION:** Having no further business to discuss, Councilmember Arnold moved to adjourn. The motion was seconded by Councilmember Hilton all voted in favor. The meeting was adjourned at 7:44 p.m.

Date Approved: 10/17/2023