

Riverton City
REGULAR CITY COUNCIL MEETING
Minutes
June 17, 2014

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 Roy Tingey - *Excused*
Council Member Paul Wayman

City Staff:

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

Citizens: Michael S. Johnson, Wyoma Darlington, Norma Bench, Delmas Johnson. Julie Johnson, Steve Pollock, Mary Ann Pollock. Dennis Page, Laura Procnier, Edward Staley, Mike & Valerie Fleenor, Paul Kafer, Russell Crockett, Susan Crockett, Kimberly Brown, Austin Brown

GENERAL BUSINESS

Call to Order and Roll Call

[6:31:28 PM](#) Mayor Applegarth called the meeting to order at 6:31 p.m. and welcomed those in attendance. He then conducted a Roll Call and Council Members Johnson Staggs, Stewart, and Wayman were present. Council Member Roy Tingey was excused.

[6:33:56 PM](#) Mayor Applegarth asked those in attendance to reflect on and honor Council Member Roy Tingey who passed away on June 12, 2014.

Pledge of Allegiance – Boy Scout Troop 000 directed the Pledge of Allegiance.

Presentations/Reports

Recognition of Boy Scout Troops

Mayor Applegarth recognized Boy Scout Troops in attendance.

Public Comments

Mayor Applegarth explained the public comment procedure and called for public comments.

[6:38:19 PM](#) Edward Staley spoke of garbage and recycle pickup in his PUD. He requested a tax break from the City or for the City to give them an opportunity to participate in garbage pickup and their recycling program.

There were no further comments and Mayor Applegarth closed the Public Comment period.

PUBLIC HEARINGS

1. **Public Hearing – Regarding proposed RM-25-D Zone, allowing multifamily development at a maximum density of 25 units per acre in the Downtown area**

[6:40:59 PM](#) Mayor Applegarth opened a Public Hearing and called for public comment.

[6:42:14 PM](#) **Paul Kafer** expressed concern regarding a high density housing development close to his neighborhood and the senior living center. He said apartments bring in a different quality and quantity of people. He also spoke of the impact to schools and traffic that an apartment complex would create.

[6:43:47 PM](#) **Susan Crockett** spoke of the proposed development and said the property has remained unfarmed and vacant for years. However, her property is adjacent to the property and she would like to see it developed but she is concerned about the increase in people and traffic in the area. She expressed concern that residents would no longer support the downtown businesses. She said from her experience multifamily residents do not care about the community in which they live.

[6:46:15 PM](#) **Ray Lopez** spoke of the fundamental change to the downtown area that multi-family housing would create and spoke in opposition to a multifamily development at that location.

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

Council Member Sheldon Stewart **MOVED to continue the Public Hearing regarding the proposed RM-25-D Zone to July 1, 2014.** 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-Excused and Wayman-Yes. **The motion passed unanimously.**

2. **Public Hearing – Regarding a proposed rezone of 9.65 acres located at approximately 2053 West 12600 South from Commercial Downtown to RM-25-D, allowing multifamily development at a maximum density of 25 units per acre**

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

[6:50:49 PM](#) Paul Kafer spoke in opposition to the proposed rezone and said he was in favor of a residential development at that location rather than a high density development.

[6:51:26 PM](#) Edward Staley spoke in opposition to the proposed rezone and said he was concerned about congestion and said the proposed development was poor planning.

[6:52:33 PM](#) Ray Lopez spoke in opposition to the proposed rezone and spoke of the effect it would have on the downtown area and said it would change everything about the neighborhood and the downtown area.

[6:53:37 PM](#) Richard asked for clarification of the difference between Public Hearings 2.1 and 2.2 and Jason Lethbridge clarified those differences. Richard then spoke of apartment tenants and he said they were individuals that would not stay long in the community.

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

Council Member Sheldon Stewart **MOVED to continue the Public Hearing to July 1, 2014.** 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-Excused and Wayman-Yes. **The motion passed unanimously.**

Mayor Applegarth said that further discussion and action would be taken at the Regular City Council Meeting on July 1, 2014.

3. Public Hearing – regarding the Final Amended Budget for Fiscal Year 2013-2014

[6:59:52 PM](#) Lisa Dudley, Finance Director, explained that the City Council adopted a Final Budget for Fiscal Year 2013-2014 on June 18, 2013. During the course of the year amendments to the Budget have been necessary, as well as a final amendment being necessary at the end of Fiscal Year 2013-2014.

[7:01:18 PM](#) Mayor Applegarth opened a Public Hearing and called for public comment; there being none, he declared the Public Hearing closed.

Resolution No. 14-33 - Adopting Final Amended Budget for Fiscal Year 2013-2014

[7:01:48 PM](#) Council Member Trent Staggs **MOVED to adopt Resolution No. 14-33 - Adopting Final Amended Budgets for the 2013-2014 Fiscal Year.** Council Member Brent Johnson **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-Excused and Wayman-Yes. **The motion passed unanimously.**

4. Public Hearing – regarding the proposed Municipal Fee Schedule for Fiscal Year 2014-2015

[7:02:51 PM](#) Lisa Dudley, Finance Director, explained that the City imposes fees for various services rendered to the public and explained that each year, as part of the budgeting process, the City Council adopts a fee schedule for the ensuing fiscal year. She explained the proposed fees that have been incorporated into the revenue lines of the FY 2014-2015 Budget, the current fee, proposed changes to existing fees, and proposed new fees. She explained the following two

changes: 1. A non-cash effect required by the State Auditor's Office noted in the fee schedule; and 2. A Stormwater Utility Rate increase from \$4.00 residential equivalent unit to \$6.00.

[7:06:00 PM](#) Mayor Applegarth opened a Public Hearing and called for public comment.

[7:06:09 PM](#) Edward Staley spoke again of garbage and recycle pickup in his PUD. He requested a tax break from the City or for the City to give them an opportunity to participate in garbage pickup and a recycling program.

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

Resolution No. 14-34 - Adopting a Municipal Fee Schedule for 2014-2015 Fiscal Year

[7:08:50 PM](#) Council Member Brent Johnson **MOVED to adopt Resolution No. 14-34 - Adopting a Municipal Fee Schedule for 2014-2015 Fiscal Year**. Council Member Sheldon Stewart **SECONDED** the motion. Mayor Applegarth called for discussion on the motion.

Council Member Trent Staggs stated that he had requested that the Fee Schedule be addressed after the adoption of the budget because he wanted to make a motion on the budget wherein the Council could allocate money from the General Fund to Stormwater to hold the line for one year at \$4.00. He said he wanted to be able to discuss that option with the Council.

Mayor Applegarth reviewed the budget calendar, discussion process and the budget order of adoption.

Council Member Paul Wayman said that he disagreed with the stormwater rate increase and he voted against it and he said he would like to see a re-examination of the fees.

Council Member Staggs also spoke of discussions that occurred during Budget Work Sessions wherein he and Mr. Wayman spoke against a stormwater fee increase.

Mayor Applegarth, again, said that Work Sessions had been held wherein the stormwater fee was discussed and no changes to the budget were made by the majority of the Council. Mr. Wayman agreed but said he was against the stormwater fee increase and he had proposed alternatives for the stormwater utility rather than an increase.

Council Member Staggs agreed that discussions had taken place at budget meetings and he and Mr. Wayman spoke against a stormwater fee increase.

Mayor Applegarth called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Staggs-No, Stewart-Yes, Tingey-Excused, Wayman-No, and Mayor Applegarth-Yes. **The motion passed 3-2.** Due to a tie vote, Mayor Applegarth voted yes; he said his vote represented himself and the opinion of Council Member Tingey.

5. Public Hearing – Regarding Non-reciprocal Utilities Transaction for Fiscal Year 2013-2014 and Fiscal Year 2014-2015

[7:13:52 PM](#) Lisa Dudley, Finance Director, explained that, as required by new legislation, notice

was given that the Riverton City Council determined that it would not charge itself for any Riverton-provided utility services (Culinary Water, Secondary Water, Sanitation, and Stormwater) used for municipal purposes. She said that Utah Code 10-6-135 requires that the City notify all utility customers of its intent to not charge City departments for these utility services, required notice was sent to all utility customers with the June 2014 utility bills. A public hearing will be held on June 17, 2014, at 6:30 pm for both the 2014 and 2015 Fiscal Years.

This practice would result in the following non-cash transfers (amounts are approximated) for FY 2014:

- \$50,000 from the Culinary Water enterprise fund to the General Fund
- \$20,000 from the Secondary Water enterprise fund to the General Fund
- \$20,000 from the Stormwater enterprise fund to the General Fund
- \$ 4,000 from the Stormwater enterprise fund to the Culinary Water Fund
- \$ 1,500 from the Stormwater enterprise fund to the Secondary Water Fund

This practice would result in the following non-cash transfers (amounts are approximated) for FY 2015:

- \$50,000 from the Culinary Water enterprise fund to the General Fund
- \$20,000 from the Secondary Water enterprise fund to the General Fund
- \$30,000 from the Stormwater enterprise fund to the General Fund
- \$ 6,000 from the Stormwater enterprise fund to the Culinary Water Fund
- \$ 2,250 from the Stormwater enterprise fund to the Secondary Water Fund

[7:15:33 PM](#) Mayor Applegarth opened a Public Hearing and called for public comment.

[7:15:40 PM](#) Ms. - asked for clarification regarding non cash transactions and Mayor Applegarth and Ms. Dudley addressed her questions.

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

Resolution No. 14-35 – Adopting a Non-Reciprocal Utilities Transaction for Fiscal Year 2013-2014 and Fiscal Year 2014-2015

[7:18:00 PM](#) Council Member Sheldon Stewart **MOVED to adopt Resolution No. 14-35 - Adopting a Non-Reciprocal Utilities Transaction for Fiscal Year 2013-2014 and Fiscal Year 2014-2015**. 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-Excused and Wayman-Yes. **The motion passed unanimously.**

6. Public Hearing - Regarding the Tentative Budget for Fiscal Year 2014-2015

[7:20:08 PM](#) Lisa Dudley, Finance Director, explained that the City Council was presented with the Mayor's Budget on May 6, 2014. During the month of May the Council met to discuss and make changes to the budget. He further explained that June 3rd was the first of two Public Hearings to receive comments regarding the FY 2014-2015 Tentative Budget. He said the Council's Budget has been available to the public on the City's website and it has been available in hard copy form in the Finance Department and in the Recorder's Office.

Ryan Carter, City Attorney, explained that the City Council has the power to amend the budget but any amendment would have to be studied in order to create a balanced budget.

[7:22:51 PM](#) Mayor Applegarth opened a Public Hearing and called for public comment.

[7:23:09 PM](#) Edward Staley asked about reduction of fees that occurred with joining the Unified Police Department.

[7:29:36 PM](#) Unidentified resident - spoke of the \$325,000 line item expense for the 150th Celebration and asked for clarification of the expenses. Following discussion, he encouraged the Council to be judicious with the funds they are trusted with.

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

Resolution No. 14-37 - Adopting a Final Budget for the 2014-2015 Fiscal Year

[7:34:50 PM](#) Council Member Sheldon Stewart **MOVED to adopt Resolution No. 14-37 - Adopting a Final Budget for the 2014-2015 Fiscal Year**. Council Member Brent Johnson **SECONDED** the motion. Mayor Applegarth called for discussion on the motion.

Council Member Staggs spoke regarding the noted expense for Riverton's 150th celebration and said that expenditures in that line item would require a vote of the Council. He said he plans to scrutinize those expenditures. He further explained that the Council approved four new full-time positions in the budget, which includes a park programmer that will program events to be held at the park. Mr. Staggs said the Council anticipates offsetting revenue from events in the park as well as funds from sponsorships.

Mayor Applegarth then called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Excused and Wayman-Yes. **The motion passed unanimously.**

DISCUSSION/ACTION ITEMS

Resolution No. 14-36 - Adopting a Tax Rate of .000000 for the 2014 Tax Year

[7:38:26 PM](#) Mayor Applegarth explained that one of the last items necessary to finalize the budget for the ensuing budget year was for the City Council to establish the property tax rate for the 2014 tax year. She said that Riverton City has resolved to not assess its residents a property tax for the 2014 Year, therefore the following applies.

- The taxable values are calculated by the State Tax Commission and the County Assessor; the certified tax rate is then calculated and distributed by the SL County Auditor's Office
- Riverton City's 2014 certified tax rate is set at .000000
- The 2014 property tax revenue associated with the certified tax rate is \$0

[7:38:52 PM](#) Council Member Trent Staggs **MOVED to approve Resolution No. 14-36 - Adopting a Tax Rate of .000000 for the 2014 Tax Year**. 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-Excused and Wayman-Yes. **The motion passed unanimously.**

CONSENT AGENDA

[7:39:35 PM](#) Mayor Applegarth presented the following Consent Agenda:

1. **Minutes:** RCCM 06-03-14
2. **Bond Releases:**
 1. Saddlebrook – 90% Performance Release
 2. Summerwood Estates Phase 4 – 90% Performance Release
3. **Resolution No. 14-38** Approve an Interlocal Agreement with East Riverton Drainage District for the purpose of dissolving the District, maintaining District facilities as it becomes inactive and transferring District assets, facilities and property to Riverton City
4. **Ordinance No. 14-10** – Adopting a Compensation Schedule for Elective and Statutory Officers and all other Municipal Employees for Fiscal Years 2013-2014 and 2014-2015

Council Member Paul Wayman **MOVED the City Council approve the Consent Agenda as listed.** Council 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-Excused and Wayman-Yes. **The motion passed unanimously.**

UPCOMING MEETINGS

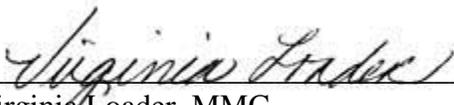
[7:40:48 PM](#) Mayor Applegarth reviewed the following upcoming meetings:

1. July 1, 2014 – Redevelopment Agency Meeting – 6:15 p.m.
2. July 1, 2014 – Regular City Council Meeting – 6:30 p.m.
3. July 15, 2014 – Regular City Council Meeting – 6:30 p.m.
4. August 5, 2014 – Regular City Council Meeting – 6:30 p.m.
5. August 19, 2014 – Regular City Council Meeting – 6:30 p.m.

Mayor Applegarth explained the process regarding the District 2 Council Member Vacancy and said that a notice would be published on the City's Website, Twitter, Email, Newspapers and Newsletter with further information for those interested in applying.

ADJOURN

[7:46:06 PM](#) Council Member Sheldon Stewart **MOVED to adjourn the City Council Meeting.** 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: Council Member Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Excused and Wayman-Yes. **The motion passed unanimously.** Mayor Applegarth declared the meeting adjourned at 7:46 p.m.



Virginia Loader, MMC
Recorder

Approved: CC 07-01-14