

**Riverton City**  
**REGULAR CITY COUNCIL MEETING**  
**Minutes**  
**August 5, 2014**

**Riverton City Hall**  
**12830 South 1700 West**  
**Riverton, Utah 84065**

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**Attendance:**

Mayor William R. Applegarth

**Council Members:**

Council Member Brent Johnson  
Council Member Trent Staggs  
Council Member Sheldon Stewart - *Excused*  
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  
Sheril Garn, Parks & Recreation Director  
Lisa Dudley, Finance Director  
Trace Robinson, Public Works Director  
Rod Norton, Riverton Precinct Chief  
UFA Representative

**Citizens:** Michael S. Johnson, Wyoma Darlington, Merillee Boren, Perry Newman, Norma Bench, Mark Newman, Dennis Page, Boy Scouts,

**1. GENERAL BUSINESS**

**Call to Order and Roll Call**

[6:30:38 PM](#) Mayor Applegarth called the meeting to order at 6:30 p.m. and welcomed those in attendance. He then conducted a Roll Call and Council Members Johnson, Staggs, and Wayman were present. Council Member Sheldon Stewart was excused.

**Pledge of Allegiance** – Boy Scout Troop 16 directed the Pledge of Allegiance.

**Presentations/Reports**

**Recognition of Boy Scout Troops**

Mayor Applegarth recognized Boy Scout from Troops 1258 and 180 that were in attendance and they introduced their Troop members and leaders.

**Public Comments**

[6:35:36 PM](#) Mayor Applegarth explained the public comment procedure and called for public comments.

[6:36:03 PM](#) **Rick Stelm** spoke in favor of allowing chickens on smaller lots in Riverton City and said he hoped adjustments could be made to the ordinance to allow them. Mayor Applegarth explained that a presentation would be made and discussion would be made later in the meeting regarding chickens.

There being no further comments, Mayor Applegarth closed the public comment period.

**2. PUBLIC HEARINGS** – There were no Public Hearings scheduled.

### **3. DISCUSSION/ACTION ITEMS**

1. **Multi-Family Site Plan, Riverton Peaks, 12700 South Redwood Road, RM-14-D Zone, 88 Units, 6.4 Acres (Approx), Newman Construction, Applicant**

[6:39:07 PM](#) Jason Lethbridge, Planning Manager, explained an application for Site Plan approval for the Riverton Peaks multifamily project. The project consists of 88 units on approximately 6.4 acres located at 12700 South Redwood Road. The property is zoned RM-14-D, a multifamily zone with a maximum density of fourteen (14) units per acre. The surrounding property to the north, Commercial Downtown, and the property to the south is zoned RM-14-D, but is currently occupied by the Riverton Hardware Store. The properties to the west across Redwood Road is a mix of RM-8-D and Commercial Downtown, and the property to the east across 1630 West is zoned RR-22. The only property line shared directly with an incompatible use is the south line adjacent to the Riverton Hardware property.

Mr. Lethbridge explained that the units were predominantly townhome style, with a mix of row-style units and units clustered around a common courtyard. The site includes 12 detached units, primarily located facing onto 1630 West, to create a street presence more consistent with the single-family developments on the east side of 1630 West. He said the detached units would be part of the overall development and the yard areas would be included in the open space maintained by the HOA. Also, the unit architecture would consist of a mix of masonry, stucco, and fiber-cement siding material. Mr. Lethbridge said the project would include a combination of sidewalks and internal walkways to allow for pedestrian movement through the project and along the adjacent roadways. The units all include an attached garage; however, the garages would all be rear access, meaning the internal driveways along the rear of the units would provide common access to each garage. He said that all internal roadways would be private, and no unit would directly access any public street.

Mr. Lethbridge said that on June 31, 2014, the Planning Commission voted to recommend approval of the application with the following conditions:

1. Solid masonry fencing be installed along the south property lines at a minimum eight (8) feet in height.
2. Building architecture comply with approved architectural drawings as well as the architectural requirements found in the RM-14-D zoning ordinance, including the requirement for twenty-five (25) percent of the exterior to be brick or stone.

3. Road and right-of-way improvements to Redwood Road comply with the standards and requirements of the Utah Department of Transportation and all UDOT permits required for that road shall be secured prior to construction.
4. Landscaping within the project boundaries comply with the approved landscaping plan, and be wholly maintained by the Home Owners Association or property owners.
5. The site and associated infrastructure shall comply with the requirements and standards of the Riverton City Engineering Department, and no construction shall commence until final technical approval has been granted based on required submittals.
6. The site and structures comply with any and all applicable Riverton City standards and ordinances, including the International Building and Fire Codes.
7. Increase the number of parking stalls by 50%.

Mr. Lethbridge proposed the following possible alternative: “The CC&Rs for this project shall restrict each unit to no more than 2 vehicles to be verified by the City Attorney prior to recordation.”

Mr. Lethbridge then said the Site Plan had been reviewed and approved by Staff and by the Fire Department.

[6:50:59 PM](#) City Attorney Ryan Carter explained the term CC&R, which is Conditions, Covenants, and Restrictions for a particular development, which are enforced by the developer until all units are sold and then they are enforced by the Homeowner’s Association for that development.

Various alternatives for additional parking were discussed at length, after which fencing was discussed.

[7:10:41 PM](#) Mark Newman, Developer, said it was his intent for the project to be perfect. He said he had visited many development sites much like his proposal and there had not been any problems with the split rail fencing that he was proposing to install along Redwood Road.

[7:12:49 PM](#) Brief discussion was held regarding UDOT’s project to widen Redwood Road and Trace Robinson said that Mr. Newman had been working with UDOT regarding his project.

[7:13:43 PM](#) Council Member Brent Johnson **MOVED the City Council approve the Riverton Peaks Development, a multi-family site plan, to be located at 12700 South Redwood Road with the conditions outlined in the Staff Report with one exception and that’s No. 7 to reword that to increase guest parking as much as can reasonably be achieved.** Council Member Paul Wayman **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. [7:14:27 PM](#) Council Member Trent Staggs **made a Substitute Motion to add to that the 2 vehicle per unit restriction in the CC&Rs.** 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, and Wayman-Yes. **The motion passed unanimously.**

2. **Discussion of Incorporation of unused City Property on the North West side of the Water Department High Tank**

[7:15:28 PM](#) Scott Hill, Water Director, explained that currently Riverton City has some unused land on the North West side of the City's High Tank, which is located at the intersection of Murdock Peak Drive and Rosecrest Road, Herriman, Utah. Herriman City is building a park in the surrounding area and would like to landscape the unused property along with their park. Herriman City has suggested that Riverton City's property would be used for a splash pad, open green space, a pavilion and some parking. Herriman City would build, landscape, and maintain the unused land. The land currently has no landscaping and it is covered by sagebrush and weeds.

Mr. Hill said that City staff does not recommend transferring ownership of Riverton City property to Herriman to facilitate the development and Herriman City does not appear interested in acquiring Riverton City's property at this time. However, some sort of negotiation would need to take place to establish which entity would be responsible for maintenance of the property, which entity would be responsible for 3<sup>rd</sup> party liability, and the duration of time any sort of agreement between the parties would remain in effect.

Mr. Hill said that Staff requests permission to negotiate with Herriman to establish the essential terms whereby Herriman City may landscape and use Riverton City Property on the North West side of the Water Department High Tank. He said that any final agreement would be returned to the Council at a later date, with the understanding that Council will be at liberty to reject the agreement when approval is sought.

[7:17:21 PM](#) Mr. Hill explained that the only money required by Riverton City would be for fencing the City's property, which had previously removed. He also said that, when Rocky Mountain Power is on that property for the project, he would like to use them to run telemetering for that property.

All Council Members concurred with negotiating an agreement with Herriman City, which would be presented to the Council for their approval at a later date. City Attorney Ryan Carter mentioned issues that need to be addressed such as third party liability issues with the park and the time period they would want to occupy the property.

[7:24:35 PM](#) Council Member Trent Staggs said he would like to see the agreements and the fiscal impact of the fence, and in the structure of any lease agreement, he assumed that any amount the City receives would at least cover the cost of any City improvements in order to make the park available. Mr. Hill explained that whether or not Herriman City does the lease, the City still needs to construct a fence there. Mayor Applegarth said that cities typically do not charge each other in lease agreements.

### **3. Discussion – Ordinance Amendment to allow Residential Chickens**

[7:25:31 PM](#) Ryan Carter, City Attorney explained that current zoning for properties that do not have animal rights only permit up to two "household pets", which also includes chickens. Several residents that live in residential areas without animal rights have expressed interest in allowing more than two chickens on their property for the purpose of food production.

Jason Lethbridge, Planning Manager, said this issue was last considered by the Council on April 6, 2010. At that time, Staff commented on recent developments from other cities in Utah and SL counties in relation to their chicken ordinances. The council voted unanimously at that time to

postpone any ordinance regarding the keeping of chickens in residential areas. He said that recent developments in South Jordan and surrounding cities have allowed for up to 6 chickens (no roosters) in permitted residential zones with at least 10,000 square feet.

[7:27:21 PM](#) Discussion was held regarding Riverton City's current ordinance, as well as Salt Lake County and South Jordan City's standards regarding chickens on residential property.

[7:37:30 PM](#) Mayor Applegarth suggested that any amendment be kept simple because it would otherwise be very difficult to enforce, especially with having only one Code Enforcement Officer. Discussion ensued regarding implications that may occur with the implementation of setback requirements.

Mr. Lethbridge was instructed to prepare a simple amendment to increase the number of chickens allowed from two to six, with no roosters allowed. He said an amendment to the ordinance would have to go to the Planning Commission and then back to the City Council for a public hearing and Council action.

#### 4. CONSENT AGENDA

[7:44:58 PM](#) Mayor Applegarth presented the following Consent Agenda:

1. **Minutes:** RCCM 07-15-14
2. **Bond Releases:** N/A
3. **Resolution No. 14-50** – Ratifying the approval of Change Order #6 given to Peck Ormsby Construction allowing them to continue working on the Police Precinct Project
4. **Resolution No. 14-51** - Authorizing the execution of a Settlement Agreement between Riverton City, Wadsworth Brothers Construction Company, Inc., and Utah Department of Transportation for work associated with 13400 South street from 4000 West to the Mountain View Corridor identified under Federal Aid Project No. F-LC35(199) – *Trace Robinson, Public Works Director*

Council Member Trent Staggs then **MOVED the City Council approve the Consent Agenda as listed.** 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, and Wayman-Yes. **The motion passed unanimously.**

#### 5. STAFF REPORTS

[7:45:31 PM](#) **City Manager Lance Blackwood** – called for the following Staff Reports:

[7:45:37 PM](#) **Chief Norton** – Invited everyone to the upcoming Night Out Against Crime; he spoke of the restructuring within the Riverton Precinct. He also spoke of the progress of the new Riverton Precinct building. He then reported that over the past 20 months there had consistently been a decline in crime in Riverton City.

**UFA Representative** – No Report

[7:49:52 PM](#) **Trace Robinson, Public Works Director**, spoke of catastrophic storms in that had occurred in the past week. He then displayed pictures of stormdrain improvements in Roseceek at 4000 West, Mountain View Park, Foothills Park, Riverton Village Park, that kept those areas from flooding as they had done in the past.

[7:53:27 PM](#) **Sheril Garn, Parks and Recreation Director**, led discussion regarding the Riverton City Cemetery. She presented pictures of public owned/managed cemeteries as well as private sector cemeteries. She then presented the current Riverton Cemetery Rules and Regulations and asked for clarification from the Council regarding signage, level of staff enforcement and Council's definition of decorations.

As a result of discussions, the Council concurred to have the cemetery committee meet to clarify the rules and regulations, signage and allowable decorations. City Manager Lance Blackwood stressed the importance of simplicity, of making rules and living by them, and insuring that the City Council and Staff are united and consistent in fairly enforcing the rules. The Council concurred to plainly post simple rules so they can be enforced.

### **Safety Training**

[8:31:34 PM](#) City Attorney Ryan Carter reported that the employee safety incentive rewards program was being changed into a three tier program with risk assessments being prepared for each group. He then spoke of a recent vehicle accident where an employee had been cited.

## **6. ELECTED OFFICIAL REPORTS**

**Mayor Bill Applegarth** – [8:34:56 PM](#) reported that he forwarded a letter to the Council with a request to make the City's landscape ordinance stricter. However, he said that the City Code Enforcement Officer does not feel that the City needs to increase their standards at the present time, keeping in mind that once an ordinance is adopted it needs to be enforced. Council Member Trent Staggs said he would like to get more help in the Code Enforcement area and asked that this issue be revisited in a Work Session to be held on September 30, 2014.

Mayor Applegarth said that Ryan Carter sent an Interlocal Agreement with the Jordan School District to the Council Members. He explained that the agreement had been issued to all cities in the District because of South Jordan City's recent desire to withdraw from the District. Although South Jordan will remain in the District at this time, a new Interlocal Agreement has been prepared and will be included in the Consent Agenda at the August 19<sup>th</sup> Regular City Council Meeting for Council's approval.

Mayor Applegarth reported on his recent trip to Washington D.C. He reported that the mayors from Draper, Herriman, and Riverton met with senators and congressmen there regarding transportation issues. He said that UTA is very well thought of in Washington D.C. and Utah is in their plans for transit funding. He encouraged the Council to attend Railvolution, which is a great education opportunity regarding transit. He spoke in favor of light rail in Riverton City and made the following suggestions: 1. Consider the local need to have transit; 2. Consider the system needs; and 3. Consider the transportation system needs. He said transit is a great opportunity for Riverton City and Riverton City has a lot to offer transit with the PRI property, the Mountain View Corridor and the widening of 13400 South, which would provide property

for increased economic development. Mayor Applegarth concluded with a report of his visit to the Library of Congress.

**Council Member Brent Johnson** – [8:57:34 PM](#) reported a safety concern in the construction area of the Police Precinct building. He then thanked staff for their work on cemetery.

**Council Member Trent Staggs** – [9:00:36 PM](#) thanked staff for removal of weeds in his district. He then spoke of a City owned street located at 1900 West that does not have sidewalks. He then thanked Trace Robinson for the overlay on a street. He also thanked Lance Blackwood, Sheril Garn, Trace Robinson and Council Member Paul Wayman regarding an issue regarding the Jordan Parkway. He then spoke of issues he wanted to discuss at an upcoming Work Session.

**Council Member Sheldon Stewart** – Excused

[9:03:51 PM](#) **Tricia Tingey** – Asked about a Youth Court and inquired about the traffic light on Pasture Road on 12600 South.

**Council Member Paul Wayman** – [9:10:35 PM](#) spoke of the City's water tanks in Herriman and asked if the City would be interested in selling their property to Herriman. He then said he had tried to get more information regarding UTA and their preferred alternative for light rail and asked about their upcoming public hearings. Mayor Applegarth said that the preferred alternative would need to be determined by the City Council; however, he said the issue was that the preferred route had to be buildable. Mr. Wayman said he did not feel that the process was as public as he thought it should be. Mr. Blackwood said that Asst. City Manager Jeff Hawker would explain the process in the August 19<sup>th</sup> City Council Meeting under Staff Reports.

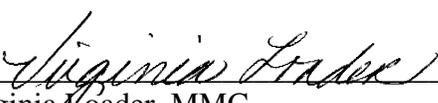
## 7. UPCOMING MEETINGS

[9:19:56 PM](#) Mayor Applegarth reviewed the following upcoming meetings:

1. August 19, 2014 - Regular City Council Meeting – 6:30 p.m.
2. August 26, 2014 - Work Session – 6:30 p.m.
3. September 2, 2014 - Regular City Council Meeting – 6:30 p.m.

## 8. ADJOURN

[9:20:24 PM](#) Council Member Paul Wayman **MOVED to adjourn the City Council Meeting.** Council Member Tricia Tingey **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, and Wayman-Yes. **The motion passed unanimously.** Mayor Applegarth declared the meeting adjourned at 9:20 p.m.

  
Virginia Loader, MMC  
Recorder

Approved: CC 08-19-14