

Minutes of the Regular Meeting of the Riverdale City Council held Tuesday, October 1, 2024, 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
Anne Hansen, Councilmember
Mike Richter, Councilmember
Stacey Haws, Councilmember

City Employees: Steve Brooks, City Administrator/Attorney
Brandon Cooper, Community Development Director
Casey Warren, Police Chief
Michelle Marigoni, City Recorder

Excused:

Visitors:

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.

Pledge of Allegiance

Mayor Mitchell invited Brandon Cooper to lead the Pledge of Allegiance.

Invocation

Michael Richter offered the invocation.

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.

Dale Trossel, a Riverdale resident, raised concerns about communication between city officials and residents. He noted receiving conflicting information regarding his address change for water and garbage services, specifically about whether he would need a recycling bin. While he trusts the city, he finds the differing answers confusing. Trossel, whose HOA includes wetland areas, also mentioned conflicting guidance on the maintenance of these spaces. While the city newsletter suggested that clearing could be allowed, residents were told they could not even remove deadfall, leaving him uncertain about the appropriate guidelines.

Kathy Byson, representing the Shady Grove HOA, raised concerns about fire hydrant maintenance in her neighborhood. She noted that from 1997 until about five years ago, the fire department routinely checked their hydrants. Since then, however, they were informed that the hydrants, being private, were no longer eligible for city checks, despite being on an easement. Byson emphasized that Shady Grove residents pay full property taxes and expect equal access to city services, including fire protection, rather than feeling like "second-class citizens" due to their HOA status. She argued that, like other specialized tools, hydrants require knowledgeable oversight by fire department personnel to ensure proper functioning, especially given the nearby wetlands, which pose an added fire risk. Byson requested clarification on whether the city could resume regular checks or if the HOA would need to engage a private contractor for this service.

Mr. Brooks gave some history on the private hydrants and problems that had arisen from the fire departments. The code also specifically prohibits the city from accessing the hydrants. Ms. Byson suggested a waiver of liability, Mr. Brooks said either way the code would need to be changed first. Councilor Arnold clarified that the PRUD is what regulates the access, not the HOA. He would like to see the fire department maintaining those. Councilor Hansen agreed that with a waiver they could be maintained by the fire department to ensure safety of the residents.

The council discussed issues surrounding the city's responsibility for maintaining fire hydrants within Planned Residential Urban Developments (PRUDs), especially regarding liability and ownership. City code currently prohibits the city from maintaining hydrants in these areas, which are under the jurisdiction of homeowners' associations (HOAs). Past incidents were discussed where hydrants in HOAs were serviced by the city, leading to disputes over damages. The city halted these services, requiring any changes to come from amendments to the code. Council members discussed potential solutions, including establishing a waiver of liability allowing the fire department to test hydrants in PRUDs while

leaving repairs to the HOAs. Discussion included concerns about water access during emergencies and the impact of city involvement on existing PRUD agreements. Staff will gather further information on liability and assess code revisions to determine if certain allowances could be made to ensure functional fire safety resources in PRUD areas.

Councilor Arnold suggested this be added to a future agenda to look at the code and PRUDs. Councilor Hansen agreed.

Jim Packard expressed concerns about recent power outages in Riverdale. He requested that information about these outages be shared with residents, possibly through the city newsletter. Additionally, Mr. Packard proposed the idea of using the city's green space for a disc golf course or exploring other ways to make better use of the area.

Mr. Brooks explained that the power company recently adopted a new policy requiring shutdowns in proximity to any potential hazard—such as fires or accidents—as a response to lawsuits from past wildfire damage. This change has led to an increase in outages citywide, with residents experiencing disruptions as the company completes necessary repairs. Additionally, the council noted infrastructure in certain subdivisions as aging, with power lines in need of replacement, but clarified that upgrades are subject to the power company's timeline. Mr. Brooks said he would share further updates as more information becomes available.

Mayor Mitchell thanked the residents for attending and sharing.

Presentations and Reports

Mayor's Report

- The Fire Department open house was successful and well attended.
- Building of the townhomes off Pacific avenue should start soon.
- Chuck E Cheese grand opening was also well attended.

City Council Assignment Reports

- Councilor Richter and Rich Taylor have been meeting with Youth Council often to prepare for the Halloween event on October 28th.

Consent Items

1. **Consideration to approve meeting minutes from:**
September 17, 2024 Council Work Session
September 17, 2024 Council Meeting

Mayor Mitchell asked if there were any changes or corrections to the minutes. There were no changes.

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

Discussion Items

1. Panera/Riverdale Road closure discussion.

Mr. Brooks and Mr. Cooper provided an update on the Panera construction project along Riverdale Road. They noted that demolition preparation is underway, with equipment and materials already on site. Final approval from UDOT was recently granted after resolving easement issues, which included a drive lane connection for neighboring businesses. Demolition and road work are expected to start soon, requiring a partial closure of two lanes on Riverdale Road to allow for water line adjustments and new infrastructure installation, expected to take about four days. Efforts to coordinate these closures with planned work by Shake Shack to minimize disruption were unsuccessful, despite extensive attempts by the city.

2. Upcoming code updates per state requirements.

Mr. Cooper presented an overview of upcoming city code updates required to comply with recent changes in state statutes. Updates will include aligning city code with 2023 adjustments on internal accessory dwelling units (ADUs), incorporating new state-mandated design standards for single-family residential homes, and integrating water conservation measures into the city's general plan, which is already complete. Road width standards will need minor revisions to meet low-impact design criteria, and recent subdivision requirements are scheduled for a Planning Commission public hearing on October 8 before reaching the council. Additionally, updates are necessary to reflect existing practices in plan review times, inspections, and private landscaping requirements. Mr. Cooper aims to complete the majority of these updates by December 31, while other minor language updates may extend into the following year.

3. Goldcrest Homes.

An update on the Gold Crest Homes project was provided by Mr. Cooper, noting that construction is fully permitted, bonded, and underway. Fieldstone Homes initially acquired approximately 48 lots, while Alpine Homes is acquiring the remaining lots. The project faces a potential issue with the Accident Protection Zone (APZ) overlay, which restricts certain land uses near airport runways. The state Attorney General's office, who oversees APZ enforcement, recently reviewed the project and questioned approvals granted back in 2022. If the original approvals are determined to be non-compliant, the number of homes allowed on portions of the development may be reduced, potentially impacting two to six homes. The AG's office is also reviewing other properties within APZ zones across nearby areas, including some in South Weber, where enforcement actions have already occurred.

4. Schneider's Golf Course site plan update.

Mr. Cooper updated the council about compliance issues at Schneider's Golf Course following recent site work. Earlier this year, Schneider's had sought and received city approval to expand a separate parcel adjacent to their main golf course, transforming it into additional parking. Despite the approved site plan, the construction deviated in several respects. As required by ordinance, the city is now working with the golf course owners to address these discrepancies, including potentially bringing a site plan amendment request back to the council. Council members noted the importance of adhering to approved site plans to avoid setting precedents that could affect future projects.

5. AFCU Updates (1500 West, bridges/betterment, etc.)

The council received updates on the construction progress at 1500 West and the roundabout, as well as the bridge improvement projects. America First is working towards meeting the October 15th paving deadline, having made significant progress on the underground utilities that had previously delayed completion. While the full pavement section leading to the roundabout is expected to be finished on time, the roundabout itself will not be completed by this date, necessitating a temporary solution to avoid winter damage. This may involve paving the roundabout partially, with the understanding that it will need to be redone properly next year.

Estimated costs related to the bridge improvement project have increased nearly 50% from initial estimates. These costs will be passed through to Riverdale City and America First, per the existing betterment agreement. City officials are actively negotiating with the parties involved to mitigate these additional expenses, with confidence that the costs will not ultimately fall on the city.

6. Peacock Ridge purchase update.

Mr. Cooper reported that the city has received possession of the property, pending the mayor's signature on some final documents. The purchase connects the city's previously owned property to the cul-de-sac, enhancing its accessibility and security by removing man-made structures, which was part of the agreement with the seller, Mr. Hill. The removal of these structures was completed satisfactorily, and a final inspection is planned.

Mr. Cooper emphasized that owning Peacock Ridge not only adds value to the city's existing land but also presents new possibilities for community engagement and outdoor activities. Council members were encouraged to share their ideas regarding the future use of the property and how it can best serve the community, with a focus on maintenance considerations being a priority.

7. Senior Center (WHS/County contract) discussion

The city had submitted a proposal for the county contract and was the only one among three cities to fully comply. Riverdale agreed to supervise its own employees, while the other two cities declined to do so. Weber Human Services later proposed that Riverdale take on employees from other cities at a lower funding rate. This proposal was met with confusion and frustration, as it would require Riverdale to manage additional staff without adequate compensation.

Mayor Mitchell and Mr. Brooks expressed their frustration over not being invited to present their case during a recent meeting where Washington Terrace made a presentation. They noted that Riverdale has significant numbers of attendees at its senior center, which were not considered in the decision-making process.

The only reason cited against Riverdale's proposal was its location, which they found puzzling given Riverdale's central position in the county and the high attendance rates from seniors in various areas.

The current situation places a disproportionate financial burden on Riverdale residents, who are subsidizing services for seniors from other cities without receiving equivalent support from the county. It was suggested that the discussions should be communicated to the seniors and their board, potentially using social media to raise awareness.

It was suggested that a letter to Weber Human Services be drafted, and possibly reaching out to the County Commission to advocate for a fair review of Riverdale's proposal and to share accurate data regarding service usage.

The council agreed on the necessity of advocating for the interests of Riverdale seniors while exploring all avenues to secure funding and maintain service levels without unfairly excluding seniors from other areas. Mr. Brooks is determined to take proactive steps in addressing the challenges posed by the current funding and support structure.

Action Items

8. Council Rules and Procedures – Consideration of Resolution 2024-30

Mr. Brooks noted he had not received comments on the proposed clarifications to the council rules and procedures. He raised a specific question regarding the language related to the expulsion of council members for cause, which is defined in state code. Mr. Brooks recommended removing the requirement for a two-thirds majority vote, suggesting the language instead state that council members could be expelled for cause as defined by state law, which addresses potential misconduct through a criminal process. He emphasized the importance of having clear guidelines to avoid situations where council members might neglect their duties without consequence, referencing a past incident in South Salt Lake as an example.

Councilmember Arnold wanted to review relevant state code sections before proceeding. Mr. Brooks said he would provide those references. The need for clarity in these procedures was acknowledged; Mr. Arnold suggested tabling the item until additional clarification could be provided.

MOTION: Councilor Arnold moved to table Resolution 2024-30 until mid-November.

SECOND: Councilor Haws

ROLL CALL VOTE:	Councilor Haws:	Yes
	Councilor Arnold:	Yes
	Councilor Hansen:	Yes
	Councilor Stevens:	Yes
	Councilor Richter:	Yes

The motion passed unanimously

9. Wall/Bridge murals

Mr. Brooks reported that a gentleman approached the city about creating murals in various locations to enhance aesthetics and deter graffiti. The Mayor expressed interest, prompting discussion among council members regarding potential mural sites. Suggestions included areas under bridges and walls, though many are owned by UDOT, which could complicate the process. It was emphasized that any murals should reflect the heritage of Riverdale City and should be approved by the council to avoid political messages.

Mr. Cooper suggested involving the arts community in the process, advocating for a structured call for art to outline criteria such as location, budget, and themes. This approach would allow for public submissions reviewed by a panel, ensuring a transparent selection process. The council reached a consensus to explore this initiative further, recognizing the importance of engaging UDOT and addressing budget considerations while moving forward with the concept.

10. Signs (political, sniper and city event signs)

During the discussion about signage regulations, Mr. Brooks expressed concerns regarding the current code, which does not allow for the promotion of city events on city property. He emphasized the importance of maintaining a clean and uncluttered city, particularly in light of violations observed with signs related to lost pets, which do not comply with existing regulations. Council members discussed the need for clarity on whether to enforce sign regulations on state property, considering the implications for city events and the aesthetic of the community. The consensus leaned towards allowing exceptions for city-related signs on city property while remaining cautious about enforcing rules on state property. The possibility of obtaining a letter of agency from UDOT was also proposed to facilitate enforcement of sign regulations on state property without infringing on political expression. Council members acknowledged the challenges of maintaining order without appearing to restrict freedom of speech and highlighted the balance between promoting community events

and adhering to code enforcement standards. It was decided to gather more information from UDOT and revisit the issue in mid-November for further direction.

MOTION: Councilor Arnold moved to table until mid-November.

SECOND: Councilor Haws

ROLL CALL VOTE:	Councilor Stevens:	Yes
	Councilor Hansen:	Yes
	Councilor Arnold:	Yes
	Councilor Richter:	Yes
	Councilor Haws:	Yes

11. Consideration to adjourn into a closed session pursuant to UCA 52-4-205 (a) through (e), to discuss the sale or purchase of real property, pending or reasonably imminent litigation, and personnel.

Mr. Brooks noted there was one item specific to City Council regarding property purchase.

MOTION: Councilor Arnold moved to enter the closed session.

SECOND: Councilor Hansen

ROLL CALL VOTE:	Councilor Hansen:	Yes
	Councilor Stevens:	Yes
	Councilor Haws:	Yes
	Councilor Arnold:	Yes
	Councilor Richter:	Yes

The motion passed unanimously; the closed session began at 7:51 pm.

Present:

- Braden Mitchell, Mayor
- Alan Arnold, Councilmember
- Bart Stevens, Councilmember
- Anne Hansen, Councilmember
- Mike Richter, Councilmember
- Stacey Haws, Councilmember
- Steve Brooks, City Administrator/Attorney
- Brandon Cooper, Community Development Director
- Casey Warren, Police Chief
- Michelle Marigoni, City Recorder

MOTION: Councilor Arnold moved to adjourn the closed session and resume the open session.

SECOND: Councilor Richter

ROLL CALL VOTE:	Councilor Richter:	Yes
	Councilor Haws:	Yes
	Councilor Stevens:	Yes
	Councilor Hansen:	Yes
	Councilor Arnold:	Yes

The motion passed unanimously; closed session ended, and open meeting resumed at 8:55 pm.

H. Comments

I. Adjournment

MOTION: Having no further business to discuss, Councilmember Arnold moved to adjourn. The motion was seconded by Councilmember Stevens, and all voted in favor. The meeting was adjourned at 8:56 p.m.

Date Approved: 11/6/2024