



**RIVERTON CITY
REGULAR CITY COUNCIL MEETING
AGENDA**

October 7, 2014

Notice is hereby given that the Riverton City Council will hold a **Regular City Council Meeting** beginning at **6:30 p.m.** on **October 7, 2014** at Riverton City Hall, located at 12830 South 1700 West, Riverton, Utah.

1. GENERAL BUSINESS

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Presentations/Reports
 1. Recognition of Boy Scouts
 2. Riverton Choice Awards for Excellence in Education – Ft. Herriman Middle School
– *Council Member Trent Staggs*
4. Public Comments

2. PUBLIC HEARINGS – 6:30 p.m. or as soon after as practicable

1. **Public Hearing** - Proposed Amendments to Sections 18.85.090, 18.187.10, and 18.187.20, including ‘Title Loan’ businesses in the current ordinances regulating Check Cashing Businesses, revisions proposed by Riverton City – *Jason Lethbridge, Planning Manager*
 1. **Ordinance No. 14-18** - Amending Sections 18.85.090, 18.187.10, and 18.187.20, including ‘Title Loan’ businesses in the current ordinances regulating Check Cashing Businesses, revisions proposed by Riverton City
2. **Public Hearing** – Proposed Amendments allowing Chickens to be kept under ‘Household Pets’ in all Single Family Residential Zones, revisions proposed by Riverton City – *Jason Lethbridge, Planning Manager*
 1. **Ordinance No. 14-19** - Amending Sections 18.20.020.5, 18.25.020.5, 18.30.020.3, 18.35.020.3, and 18.40.020.3, allowing chickens to be kept under ‘Household Pets’ in all Single Family Residential Zones, revisions proposed by Riverton City
3. **Public Hearing** – Proposed Amendment to the 2014-2015 Fiscal Year Budget – *Lisa Dudley, Finance Director*
 1. **Resolution No. 14-62** – Approving Amendments to the 2014-2015 Fiscal Year Budget

3. DISCUSSION/ACTION ITEMS

1. Presentation of Sesquicentennial Celebration Event by Osmond Productions – *Mayor Applegarth*
 1. **Resolution No. 14-65** – Authorizing the Mayor to negotiate with O2 Productions to obtain Event Planning and Production Services for a concert Event to occur at the Riverton City Main Park in the Summer of 2015
1. **Commercial Site Plan**, 14-8007, Karnam Office Development, 1543 W 12600 S, C-G Zone, Dr. Uma Karnam, Applicant – *Jason Lethbridge, Planning Manager*
2. **Resolution No. 14-63** – Authorizing the Mayor to distribute: 1) Public Information

which will assist Riverton City Culinary Water Account Holders to make a choice regarding their preference for future culinary water supply; 2) A ballot for Riverton City Culinary Water Utility Customers to consider and return to assist the City Council in determining the future source of Riverton City's Culinary Water Supply –
Mayor Applegarth

4. CONSENT AGENDA

1. **Minutes:** RCCM 09-16-14; CC/TS 09-30-14
2. **Bond Releases:** N/A
3. **Resolution No. 14-64** – Authorizing the execution and recording of a Delay Agreement between Riverton City and Norma R. Bench for property located at 2164 West 13250 South

5. STAFF REPORTS

1. Lance Blackwood, City Manager
2. Safety Training – *Ryan Carter, City Attorney*

6. ELECTED OFFICIAL REPORTS

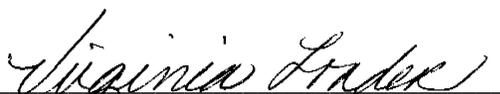
1. Mayor Bill Applegarth
2. Council Member Brent Johnson
3. Council Member Trent Staggs
4. Council Member Sheldon Stewart
5. Council Member Tricia Tingey
6. Council Member Paul Wayman

7. UPCOMING MEETINGS

1. October 14, 2014 - 5:00-9:00 p.m. – Open House re. Water Option Survey – *City Public Works Building - 12526 S 4160 W*
2. October 16, 2014 - 5:00-8:00 p.m. – District 1 & 2 Joint Open House re. Water Option - *City Public Works Building – 12526 S 4160 W*
3. October 21, 2014 - 6:30 p.m. – Regular City Council Meeting – *City Hall*
4. October 23, 2014 - 5:00-8:00 p.m. – District 4 & 5 Joint Open House re. Water Option – *City Hall*
5. November 6, 2014 – 5:00-8:00 p.m. – District 3 Open House re. Water Option – *C.R. Hamilton Pavilion – 3700 W 13800 S*

8. ADJOURN

Dated this 3rd day of October 2014


Virginia Loader, MMC
Recorder

Public Comment Procedure

At each Regular City Council Meeting any person wishing to comment on any item not otherwise on the Agenda may address the Governing Body during the Public Comment period. The comment period is limited to 30 minutes. Any person wishing to comment shall limit their comments to no more than three (3) minutes, unless additional time is authorized by the Mayor. Citizen groups will be asked to appoint a spokesperson, who shall limit their comments to no more than five (5) minutes. All comments shall be directed to the Mayor and City Council. No person addressing the Governing Body during the comment period shall be allowed to comment

more than once during that comment period. Speakers should not expect any debate or dialogue with the Mayor, City Council or City Staff during the meeting.

The City Office is an accessible facility. Individuals needing special accommodations or assistance during this meeting shall notify the City Recorder's Office at 801-208-3126, at least two business days in advance of the meeting. Accessible parking and entrance are located on the south end of the building with elevator access to the City Council Chambers located on the second floor.

Certificate of Posting

I, Virginia Loader, the duly appointed and acting Recorder for Riverton City certify that, at least 24 hours prior to such meeting, the foregoing City Council Agenda was emailed to the Salt Lake Tribune, Deseret News and the South Valley Journal. A copy of the Agenda was also posted in the City Hall Lobby, on the City's Website at www.rivertoncity.com, and on the Utah Public Meeting Notice Website at <http://pmn.utah.gov>.

Dated this 3rd day of October 2014

**Virginia Loader
Recorder**



Issue Paper

Item No. 1.3.2

| | | |
|--|---|--|
| Presenter/Submitted By: | Council Member Trent Staggs | |
| Subject: Riverton City Choice Awards for Excellence in Education – Ft. Herriman Middle School | Meeting Date: October 7, 2014 | |
| | Fiscal Impact: N/A | |
| | Funding Source: N/A | |
| <p>Background:</p> <div data-bbox="711 793 911 989" data-label="Image"> </div> <p style="text-align: center;">Riverton City Choice Awards for Excellence in Education Ft. Herriman Middle School</p> <p><u>Esther Diaz- Rojo</u> - 9th Grade Girl Student - Esther is an amazing young lady. Although school is not always easy for her, she has an amazing and joyful personality that everyone loves. She is kind and thoughtful, intelligent and always makes everyone around her feel good. We love having Esther at Fort Herriman.</p> <p><u>Braxten Felice</u> - 9th Grade Boy Student - Braxten is a freshman at Fort Herriman and has been a great example of kindness and friendship to everyone. Braxten always has a smile on his face and always makes everyone around him smile too. He is an exceptional baseball player and understands the importance of dedication and hard work. We are very proud of Braxten.</p> <p><u>Amy Lloyd</u> – Math Teacher – Amy is an amazing math teacher at Fort Herriman. She teaches Secondary Math 1, Secondary Math 1 Honors, and Secondary Math 2 Honors classes. She has some of our students who struggle the most with math as well as students who are gifted. Amy’s quiet disposition, her calm demeanor and her love of her students helps her to be a successful teacher.</p> | | |



Issue Paper

Item No. 2.1

| | | |
|--|---|--|
| Presenter/Submitted By: | Jason Lethbridge, Planning Manager | |
| Subject: ORDINANCE AMENDMENT, AMENDING SECTIONS 18.85.090, 18.187.10, AND 18.187.20, INCLUDING 'TITLE LOAN' BUSINESSES IN THE CURRENT ORDINANCES REGULATING CHECK CASHING BUSINESSES, REVISIONS PROPOSED BY RIVERTON CITY | Meeting Date: October 7, 2014 | |
| | Fiscal Impact: N/A | |
| | Funding Source: N/A | |
| Background: <p>In 2009/2010, Riverton City adopted ordinances regulating and restricting check cashing businesses. That ordinance limited those businesses to the Commercial Regional zone, and established population based restrictions on the number of such businesses. It also regulated the proximity of such businesses to each other. At the time that ordinance was adopted, it specifically excluded 'title loan' businesses. Such businesses are defined in Riverton City's ordinance as follows;</p> <p><i>"Title loan" means a loan secured by the title to a motor vehicle, mobile home, or motor boat, as defined by state statute. "Title loan" does not include a purchase money loan or loan made in connection with the sale of a motor vehicle, mobile home, or motor boat.</i></p> <p>The City has determined that while the original ordinance excluded 'title loan' businesses, many if not all of the concerns expressed in the adoption of the 'check cashing' ordinance do in fact apply to 'title loan' businesses, as well. With the proliferation of such businesses with the City and the region, the City is proposing amending the existing ordinance to include 'title loan' businesses and to regulate and restrict such businesses shown on the attached exhibit. 'Title loan' businesses will be allowed only in the Commercial Regional zone, and will be limited to one per 10,000 persons within the City. The current language included below differentiates between the two types of businesses, allowing one business per 10,000 population of check cashing businesses, and one per 10,000 population of title loan businesses. The Planning Commission recommended that the limitation apply to the two types of businesses as a group, with no more than one per 10,000 population of either type of businesses. That is reflected in motion proposed above by the Planning Commission.</p> | | |
| Recommendation: <p>On September 25, 2014, the Planning Commission voted to recommend APPROVAL of this ordinance amendment.</p> | | |
| Proposed Motion: <p>"I move the City Council adopt <u>Ordinance No. 14-18</u>, amending Riverton City ordinances regulating "Check Cashing" businesses to include "Title Loan" businesses with those sections, <i>with the following changes:</i></p> <ol style="list-style-type: none"> 1. <i>Section 18.85.090.2.a. shall be amended to read that the total number of allowed businesses shall include both "Check cashing" AND "Title Loans", with no more than one of either business per 10,000 population.</i> | | |

RIVERTON CITY, UTAH
ORDINANCE NO. 14-18

AN ORDINANCE AMENDING SECTIONS 18.85.090, 18.187.10, AND 18.187.20, INCLUDING ‘TITLE LOAN’ BUSINESSES IN THE CURRENT ORDINANCES REGULATING CHECK CASHING BUSINESSES, REVISIONS PROPOSED BY RIVERTON CITY

WHEREAS, the Riverton City Planning Commission has received public input and made a recommendation regarding the above listed ordinance amendment; and,

WHEREAS, the City Council has held a public hearing to consider said amendment; and,

WHEREAS, the Riverton City Council has determined that it is in the best interest of the public to amend Riverton City Ordinance Sections 18.85.090, 18.187.10, AND 18.187.20, as described.

NOW THEREFORE, BE IT ORDAINED by the City Council of Riverton City, Utah as follows:

Section 1. The Riverton City Ordinance Sections 18.85.090, 18.187.10, AND 18.187.20 shall be, and hereby is, amended to reflect the changes as shown in Exhibit “A” attached hereto.

Section 2. This ordinance shall take effect upon passage.

PASSED AND APPROVED by the City Council of Riverton, Utah, on this 7th day of October, 2014 by the following vote:

| | | | | |
|--------------------------------|-----|-----|-----|----|
| Council Member Brent Johnson | ___ | Yes | ___ | No |
| Council Member Trent Staggs | ___ | Yes | ___ | No |
| Council Member Sheldon Stewart | ___ | Yes | ___ | No |
| Council Member Paul Wayman | ___ | Yes | ___ | No |
| Council Member Tricia Tingey | ___ | Yes | ___ | No |

RIVERTON CITY

[SEAL]

ATTEST:

Bill Applegarth, Mayor

Virginia Loader, MMC
City Recorder

18.85.090 Check cashing regulations.

(1) The Riverton City council finds that the regulation of title lending businesses and check cashing businesses ~~are is~~ a serious matter which affects the prosperity and welfare of the residents of Riverton City. The council further finds that the regulation of title lending businesses and check cashing businesses is appropriately the responsibility of the governments of the United States and of the state of Utah. The council also finds that current regulation and control over title lending businesses check cashing businesses by the federal and state governments is inadequate to protect the welfare of the citizens of Riverton City, in that state and federal regulations do not place limitations on the locations wherein title lending businesses and check cashing businesses can be found, and further do not limit the number of eligible title lending businesses check cashing businesses within a community.

(2) Limitations.

(a) The total number of title lending businesses and check cashing businesses in Riverton City shall not exceed one check cashing business or title lending businesses (each) per 10,000 population of Riverton City, including a check cashing business or title lending businesses which operates as a legal nonconforming use within the municipal territory of Riverton City. A check cashing business which also offers title lending loan services, or vice versa, shall count as a title lending business and a check cashing business for purposes of counting the number of permitted businesses located within Riverton City, and for the purpose of determining restrictions found under subsections (c) and (d) of this section.

(b) Check cashing businesses and title lending businesses must provide to patrons a complete written description of the services provided by the business, which description is approved by the Utah State Department of Financial Institutions.

(c) No check cashing business shall be located within 600 feet of any other check cashing business. Distance requirements defined in this section shall be measured in a straight line, without regard to intervening structures of zoning districts, from the entry door of each business.

(d) No title lending business shall be located within 600 feet of any other title lending business. Distance requirements defined in this section shall be measured in a straight line, without regard to intervening structures of zoning districts, from the entry door of each business.

~~(d) A business engaged in offering title loans is not subject to the provisions of this section unless it engages in a check cashing business at the same location.~~

18.187.010 Prohibited – Exception.

Check cashing and title lending businesses are hereby prohibited in any zone other than the regional commercial zone found within Riverton City, the Riverton City general plan, or this title.

18.187.020 Lawful existing businesses.

All other check cashing and title lending businesses lawfully found to exist in any zone other than the regional commercial zone of Riverton City are hereby declared to be a legal nonconforming use.

**RIVERTON CITY
MEMORANDUM**

TO: Honorable Mayor and City Council

FROM: Planning Department

DATE: October 7, 2014

SUBJECT: ORDINANCE AMENDMENT, AMENDING SECTIONS 18.85.090, 18.187.10, AND 18.187.20, INCLUDING 'TITLE LOAN' BUSINESSES IN THE CURRENT ORDINANCES REGULATING CHECK CASHING BUSINESSES, REVISIONS PROPOSED BY RIVERTON CITY.

On September 25, 2014, the Planning Commission voted to recommend APPROVAL of this ordinance amendment. Minutes from that meeting are included below. The Planning Commission recommended the following motion:

I move the City Council ADOPT Ordinance #14-18, amending Riverton City ordinances regulating "Check Cashing" businesses to include "Title Loan" businesses with those sections, *with the following changes;*

1. *Section 18.85.090.2.a. shall be amended to read that the total number of allowed businesses shall include both "Check cashing" AND "Title Loans", with no more than one of either business per 10,000 population.*

BACKGROUND:

In 2009/2010, Riverton City adopted ordinances regulating and restricting check cashing businesses. That ordinance limited those businesses to the Commercial Regional zone, and established population based restrictions on the number of such businesses. It also regulated the proximity of such businesses to each other. At the time that ordinance was adopted, it specifically excluded 'title loan' businesses. Such businesses are defined in Riverton City's ordinance as follows;

"Title loan" means a loan secured by the title to a motor vehicle, mobile home, or motor boat, as defined by state statute. "Title loan" does not include a purchase money loan or loan made in connection with the sale of a motor vehicle, mobile home, or motor boat.

The City has determined that while the original ordinance excluded 'title loan' businesses, many if not all of the concerns expressed in the adoption of the 'check cashing' ordinance do in fact apply to 'title loan' businesses, as well. With the proliferation of such businesses with the City and the region, the City is proposing amending the existing ordinance to include 'title loan' businesses and to regulate and restrict such businesses shown on the attached exhibit. 'Title loan' businesses will be allowed only in the Commercial Regional zone, and will be limited to one per 10,000 persons within the City. The current language included below differentiates between the two types of businesses, allowing one business per 10,000 population of check cashing businesses, and one per 10,000 population of title loan businesses. The Planning Commission recommended that the limitation apply to the two types of businesses as a group, with no more than one per 10,000 population of either type of businesses. That is reflected in motion proposed above by the Planning Commission.

All existing 'title loan' businesses as of the date of adoption of these changes will be considered legal non-conforming. These changes, as shown on the attached exhibit, have been reviewed by

the City Attorney.

ATTACHMENTS:

The following items are attached for your review:

1. A copy of the proposed amendments.



Issue Paper

Item No. 2.2

| | | |
|---|---|--|
| Presenter/Submitted By: | Jason Lethbridge, Planning Manager | |
| Subject: ORDINANCE AMENDMENT, ALLOWING CHICKENS TO BE KEPT UNDER 'HOUSEHOLD PETS' IN ALL SINGLE FAMILY RESIDENTIAL ZONES, REVISIONS PROPOSED BY RIVERTON CITY | Meeting Date: October 7, 2014 | |
| | Fiscal Impact: N/A | |
| | Funding Source: N/A | |
| Background: <p>This amendment would allow all single family residential lots to keep up to six chickens on property, with no requirement for permitting or other separate licensing. As the City has reviewed various methods and requirements adopted by other jurisdictions, there have been concerns with the enforcement and permitting process that many adopt. Under the category of household pets, all noise and nuisance ordinances would still apply, similar to those for other pets such as dogs. But no other specific requirements would be in effect. The only limitation would be that no roosters are permitted.</p> | | |
| Recommendation: <p>On August 28, 2014, the Planning Commission voted to recommend APPROVAL of this ordinance amendment.</p> | | |
| Proposed Motion: <p>"I move the City Council adopt <u>Ordinance No.14-19</u>, amending sections in each residential zone defining allowances for 'Household Pets', to include the following language (*) Household pets (maximum two, <i>may include a maximum six (6) chickens, with no roosters allowed</i>)."</p> | | |

RIVERTON CITY, UTAH
ORDINANCE NO. 14-19

AN ORDINANCE AMENDING SECTIONS 18.20.020.5, 18.25.020.5, 18.30.020.3, 18.35.020.3, AND 18.40.020.3, ALLOWING CHICKENS TO BE KEPT UNDER ‘HOUSEHOLD PETS’ IN ALL SINGLE FAMILY RESIDENTIAL ZONES, REVISIONS PROPOSED BY RIVERTON CITY

WHEREAS, the Riverton City Planning Commission has received public input and made a recommendation regarding the above listed ordinance amendment; and,

WHEREAS, the City Council has held a public hearing to consider said amendment; and,

WHEREAS, the Riverton City Council has determined that it is in the best interest of the public to amend Riverton City Ordinance Sections 18.20.020.5, 18.25.020.5, 18.30.020.3, 18.35.020.3, & 18.40.020.3, as described.

NOW THEREFORE, BE IT ORDAINED by the City Council of Riverton City, Utah as follows:

- Section 1. The Riverton City Ordinance Sections 18.20.020.5, 18.25.020.5, 18.30.020.3, 18.35.020.3, & 18.40.020.3 shall be, and hereby are, amended to read as follows:
- (*) Household pets (maximum two, may include a maximum six (6) chickens, with no roosters allowed).

Section 2. This ordinance shall take effect upon passage.

PASSED AND APPROVED by the City Council of Riverton, Utah, on this 7th day of October, 2014 by the following vote:

| | | | | |
|--------------------------------|-----|-----|-----|----|
| Council Member Brent Johnson | ___ | Yes | ___ | No |
| Council Member Trent Staggs | ___ | Yes | ___ | No |
| Council Member Sheldon Stewart | ___ | Yes | ___ | No |
| Council Member Paul Wayman | ___ | Yes | ___ | No |
| Council Member Tricia Tingey | ___ | Yes | ___ | No |

RIVERTON CITY

[SEAL]

ATTEST:

Bill Applegarth, Mayor

Virginia Loader, MMC
City Recorder

**RIVERTON CITY
MEMORANDUM**

TO: Honorable Mayor and City Council

FROM: Planning Department

DATE: October 7, 2014

SUBJECT: ORDINANCE AMENDMENT, ALLOWING CHICKENS TO BE KEPT UNDER 'HOUSEHOLD PETS' IN ALL SINGLE FAMILY RESIDENTIAL ZONES, REVISIONS PROPOSED BY RIVERTON CITY.

On August 28, 2014, the Planning Commission voted to recommend APPROVAL of this Ordinance adoption. Minutes from that meeting are included below. The Planning Commission recommended the following motion:

I move the City Council ADOPT Ordinance #14-19, amending sections in each residential zone defining allowances for 'Household Pets', to include the following language
(* Household pets (maximum two, *may include a maximum six (6) chickens, with no roosters allowed*).

BACKGROUND:

The Riverton City Council has proposed a change to the City's residential zoning code. Each residential zone has an allowance for household pets. For example, the R-4 zone reads as follows:

- 18.40.020 Permitted uses.
- (1) Dwelling, single-family.
- (2) Parks and open spaces.
- (3) Household pets (maximum two).

Then proposed amendment would add to #3 in each single family residential zones the following language:

- (3) Household pets (maximum two, *may include a maximum six (6) chickens, with no roosters allowed*).

This amendment would allow all single family residential lots to keep up to six chickens on property, with no requirement for permitting or other separate licensing. As the City has reviewed various methods and requirements adopted by other jurisdictions, there have been concerns with the enforcement and permitting process that many adopt. Under the category of household pets, all noise and nuisance ordinances would still apply, similar to those for other pets such as dogs. But no other specific requirements would be in effect. The only limitation would be that no roosters are permitted.

Those lots which are ½ or larger and are zoned for large animal rights would still maintain those rights as specified in the ordinance.

ATTACHMENTS:

The following items are attached for your review:

1. A copy of the proposed ordinance.

1 RIVERTON CITY PLANNING COMMISSION
2 MEETING MINUTES

3
4 August 28, 2014

5
6 The Riverton City Planning Commission convened at 6:30 p.m. in the Riverton
7 City Municipal Building, 12830 South 1700 West, Riverton, Utah.

8
9 Planning Commission Members:

Staff:

10
11 Kent Hartley
12 Cade Bryant
13 Brian Russell
14 Dennis Hansen
15 James Webb

Andrew Aagard, City Planner
Casey Taylor, Deputy City Attorney

16
17 Commissioners James Endrizzi and Scott Kochevar were excused from the
18 meeting. It was noted the Commissioner Harley arrived late.

19
20 Chair Brian Russell called the meeting to order. Commissioner Hansen led the
21 Pledge of Allegiance.

22
23 I. PUBLIC HEARING

24
25 ~

26 C. **ORDINANCE AMENDMENT**, ALLOWING CHICKENS TO BE KEPT UNDER
27 'HOUSEHOLD PETS' IN ALL SINGLE FAMILY RESIDENTIAL ZONES,
28 REVISIONS PROPOSED BY RIVERTON CITY.

29
30 Mr. Aagard presented the staff report and stated that the City Council has requested a
31 change to the City's residential zoning code with regard to household pets. The current
32 ordinance allows for a maximum of two household pets, which are defined as cats,
33 dogs, and chickens. The proposed amendment would be added to each single-family
34 residential zone with the following language:

35
36 *'Household pet (maximum two, may include a maximum six (6) chickens, no roosters*
37 *allowed.'*

38
39 The proposed amendment would allow all single-family residential lots to keep up to six
40 chickens on the property with no requirements for permitting or other separate licensing.
41 As the City has reviewed various methods and requirements adopted by other
42 jurisdictions, there have been concerns with the enforcement and permitting process
43 that many adopt. Under the category of household pets, all noise and nuisance
44 ordinances would still apply, but no other specific requirements would be in effect. Also,
45 lots that are one-half acre or larger and zoned for large animals, would still maintain the

1 rights specified in Riverton City Ordinance. Staff recommended approval of the
2 proposed amendments as outlined in the staff report.

3
4 Mr. Aagard explained that the current laws pertaining to chickens as household pets
5 has been uncertain, but the official stance has been against keeping chickens. The
6 proposed ordinance will provide more consistency, as well as set a limit to the number
7 of chickens allowed. Several concerns were expressed with enforcement of this
8 ordinance. Deputy City Attorney, Casey Taylor, explained that Salt Lake County Animal
9 Control does code enforcement for the City but they do not get involved until a
10 complaint is received. If the residents involved in the complaint received a citation, it
11 would go before the City for prosecution.

12
13 Chair Russell opened the public hearing.

14
15 Michael Johnson recalled a time when there were thousands of chickens in the City and
16 they were a great nuisance. He purposefully moved to a subdivision that only allowed
17 dogs and cats. Mr. Johnson also expressed concern for the mess that chickens create
18 and stated that they attract other animals such as rats, mice, and skunks.

19
20 Mr. Johnson stated that he was in attendance when this issue was discussed at the last
21 Council Meeting. During the meeting, he was informed that the Ordinance Officer
22 doesn't have the authority to go onto a property just to see if the ordinance is being
23 followed. The officer would need to obtain an official search warrant. This makes
24 regulation a hassle. Mr. Johnson was strongly opposed to the proposed ordinance
25 amendments.

26
27 Greg Hill spoke in support of the ordinance. He moved from West Jordan to Riverton
28 six years ago partially because he wanted to keep chickens. He currently lives on a .5-
29 acre lot with about 15 chicks, and one rooster. The hens and rooster are quiet and he
30 has not received any complaints about them. Mr. Hill also claimed that there have been
31 no issues with skunks or rats. There was only one, single instance a few years ago
32 when an unknown animal got into the coup and killed half the flock. There haven't been
33 any disturbances since then. Mr. Hill expressed his support for the proposed ordinance
34 amendments.

35
36 There were no further public comments. Chair Russell closed the public hearing.

37
38 Chair Russell expressed his concerns about the amendment. He was of the opinion
39 that the number of chickens allowed should be tied to the size of the property used to
40 serve them. Mr. Taylor noted that the reason the City wants to make this amendment
41 for a limit on chickens is because there has been some ambiguity regarding the subject.
42 Rather than encouraging residents to have an unlimited number of chickens, the
43 ordinance would regulate how many they can raise at any given time.

44
45 Mr. Aagard explained that the animal rights for zones such as R-1 and RR-22 are not
46 changing. These zones currently allow 20 chickens on lots of one-half acre or larger.

1 The proposed amendments would be an addition to the current limit, rather than
2 replacing it. For these zones, up to 26 chickens would be allowed on the property. The
3 Commission has the ability to make other recommendations if they feel that the motion
4 needs to be altered.

5
6 Several Commissioners expressed concerns about limiting the amendment to certain
7 zones. The issue could be tabled or passed to the City Council with recommended
8 changes. In response to an inquiry from Commissioner Webb, Mr. Aagard clarified that
9 the City decided to amend the ordinance due to suggestions received from one of the
10 Council Members from several of his constituents. The individuals would like to own
11 chickens and still follow the laws of the City.

12
13 **Commissioner Hansen moved that the Planning Commission TABLE the**
14 **proposed ordinance amendment in each residential zone, defining allowances for**
15 **'Household Pets', in order to incorporate changes such as the proposed**
16 **amendments only having an impact on R-3 zones or higher, and that they also**
17 **don't affect the existing animal rights in the RR-22 Zone. The motion died for lack**
18 **of a second.**

19
20 **Commissioner Bryant moved that the Planning Commission APPROVE the**
21 **ordinance amendments to sections in each residential zone defining allowances**
22 **for 'Household Pets', to include the following language:**

23
24 ***(* Household pets (maximum two, may include a maximum of six (6)***
25 ***chickens, with no roosters allowed).***

26
27 **Commissioner Hartley seconded the motion. Vote on motion: Brian Russell –**
28 **Nay; Dennis Hansen – Nay; Kent Hartley – Aye; Cade Bryant – Aye; James Webb**
29 **– Aye. The motion passed 3-to-2.**

30
31 7:34 p.m.



Issue Paper

Item No. 2.3

| | | |
|---|---|--|
| Presenter/Submitted By: | Lisa Dudley, Finance Director | |
| Subject: Amended Budget for Fiscal Year 2014-2015 | Meeting Date: October 7, 2014 | |
| | Fiscal Impact: N/A | |
| | Funding Source: N/A | |
| <p>Background:</p> <p>Budgets are estimates, and therefore, from time to time it may be necessary to amend the City’s budget. It is necessary periodically, based on year-to-date budget to actual comparisons to open and amend the fiscal budget as needed.</p> <p>The Mayor, as Budget Officer for the City, has reviewed and approved the proposed budget amendments.</p> <p>A Public Hearing is required when amending the budget; proper noticing was published for this Public Hearing.</p> | | |
| <p>Recommendation:</p> <p>Adopt Resolution No. 14-62 - Amending the Budget for Fiscal Year 2014-2015.</p> | | |
| <p>Recommended Motion:</p> <p>“I move to adopt <u>Resolution No. 14-62</u> – Amending the Budget for the 2014-2015 Fiscal Year.”</p> | | |

RIVERTON CITY, UTAH
RESOLUTION NO. 14-62

**A RESOLUTION OF THE RIVERTON CITY COUNCIL
APPROVING AMENDMENTS TO THE 2014-2015 FISCAL YEAR BUDGET**

WHEREAS, the Budget for the 2014-2015 Fiscal Year was adopted on June 17, 2014, by Resolution No. 14-37; and

WHEREAS, after careful consideration and scrutiny it has been determined by the Administration that several revenue line items will likely require adjustments to more accurately reflect actual collections and newly projected trends; and

WHEREAS, the Administration has also determined that several expenditure lines in the budget corresponding to the changes in revenue should also be adjusted reflecting operational and capital needs.

**NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF
RIVERTON CITY AS FOLLOWS:**

1. The Riverton City Budget for the 2014-2015 Fiscal Year be amended according to the attached detail identified as "Exhibit A"
2. This Resolution shall become effective immediately upon passage.

PASSED AND APPROVED by the Redevelopment Agency of Riverton, Utah, this 7th day of October, 2014, by the following vote:

| | | |
|--------------------------------|-----------|----------|
| Council Member Brent Johnson | _____ Yes | _____ No |
| Council Member Sheldon Stewart | _____ Yes | _____ No |
| Council Member Trent Staggs | _____ Yes | _____ No |
| Council Member Tricia Tingey | _____ Yes | _____ No |
| Council Member Paul Wayman | _____ Yes | _____ No |

RIVERTON CITY

[SEAL]

ATTEST:

Bill Applegarth, Mayor

Virginia Loader, MMC
Recorder

FY 2015 Budget Amendment Worksheet

| Account Number | Account Description | FY 2014-15 Approved Budget | 10/7/2014 Requested Amendments | FY 2014-15 Amended Budget | Comments |
|--|---|----------------------------|--------------------------------|---------------------------|---|
| Class "C" Revenue | | | | | |
| 21-37-850 | Use of Fund Balance | 749,550 | 110,000 | 859,550 | 1900 W project |
| | Total Class "C" Revenue | | 110,000 | | |
| Class "C" Expenditures | | | | | |
| 21-69-711 | Cap Outlay - Road Construction | - | 110,000 | 110,000 | 1900 W Project |
| | Total Class "C" Expenditures | | 110,000 | | |
| Storm Water Utility Fund Revenue | | | | | |
| 65-37-850 | Use of Fund Balance | - | 21,588 | 21,588 | 1900 W Project |
| | Total Storm Water Utility Revenue | | 21,588 | | |
| Storm Water Utility Fund Expenses | | | | | |
| 65-60-700 | Capital Outlay | 259,000 | 30,000 | 289,000 | 1900 W Project |
| 65-99-999 | Addition to Fund Balance | 8,412 | (8,412) | - | |
| | Total Storm Water Utility Expenses | | 21,588 | | |
| RDA Revenue | | | | | |
| 72-21-110 | Tax Increment-42A (Redwood Rd) | 210,000 | | 210,000 | |
| 72-38-730 | Transfer from REDIIF | - | 988,300 | 988,300 | |
| | Total RDA Revenue | | 988,300 | | |
| RDA Expenditures | | | | | |
| 72-69-700 | RDA Project Expenditures | - | 475,000 | 475,000 | \$300,000 - Gold's Gym \$175,000 - Demo & Environmental |
| 72-69-702 | Cap Outlay - Prop Acquisitions | - | 680,000 | 680,000 | \$336,130 - Lazy Dog purchase \$340,204 - Riverton Motors purchase |
| 72-99-999 | Addition to Fund Balance | 166,700 | (166,700) | - | |
| | Total RDA Expenditures | | 988,300 | | |
| REDIIF Revenue | | | | | |
| 73-37-850 | Use of Fund Balance | 912,280 | 988,300 | 1,900,580 | |
| | Total REDIIF Revenue | | 988,300 | | |
| REDIIF Expenditures | | | | | |
| 73-99-720 | Transfer to RDA | - | 988,300 | 988,300 | |
| | Total REDIIF Expenditures | | 988,300 | | |

Class "C" Roads (Fund 21)

| | 2011-2012 Prior Yr 2 Budget | 2012-2013 Prior Yr 1 Budget | 2013-2014 Projected Budget | 2014-2015 Mayor's Budget |
|--|-----------------------------------|-----------------------------------|----------------------------------|--------------------------------|
| Beginning Fund Balance | 2,464,123 | 1,674,712 | 1,296,213 | 906,706 |
| Revenue over (under) expenditures (Budgeted Use of) or Addition to Fund Balance | (789,411) | (378,499) | (389,507) | (859,550) |
| Ending Fund Balance | 1,674,712 | 1,296,213 | 906,706 | 47,156 |

Balance Sheet position as of 6-30-2014 (unaudited)

Assets

| | | |
|---------------------|-----------|------------------|
| Cash | 1,127,107 | |
| Accounts Receivable | 230,551 | |
| Total Assets | | 1,357,658 |

Liabilities + Fund Balance

| | | |
|---|---------|------------------|
| Liabilities | 441,448 | |
| Fund Balance | 916,210 | |
| Total Liabilities + Fund Balance | | 1,357,658 |



Issue Paper

Item No. 3.1

| | |
|---|---|
| Presenter/Submitted By: Mayor Applegarth | |
| Subject: June 22, 2015 Main Park Opening Extravaganza | Meeting Date: October 7 ,2014 |
| | Fiscal Impact: \$125,000.00 |
| | Funding Source: 10-80-350 |
| Background: As part of the Riverton City sesquicentennial celebration Mayor Applegarth is proposing an extravaganza on Monday, June 22, 2015 that will serve as the Main Park Opening. A proposal has been submitted by O2 Productions that will be specifically centered on the theme of recognizing Riverton City's 150 th year birthday. The O2 group will be presenting details of their proposal at this meeting. | |
| Recommendation: The Riverton City Council authorizing Mayor Applegarth to enter into an agreement with O2 Productions for the June 22, 2015 Main Park Opening Extravaganza. | |
| Recommended Motion: "I move that the Riverton City Council authorize Mayor Applegarth to enter into an agreement with O2 Productions for a Main Park Opening Extravaganza." | |

RIVERTON CITY, UTAH
RESOLUTION NO. 14-65

A RESOLUTION AUTHORIZING THE MAYOR TO NEGOTIATE WITH O2 PRODUCTIONS TO OBTAIN EVENT PLANNING AND PRODUCTION SERVICES FOR A CONCERT EVENT TO OCCUR AT THE RIVERTON CITY MAIN PARK IN THE SUMMER OF 2015

WHEREAS, the Riverton City Council desires to host a concert event in the summer of 2015 to commemorate Riverton City's 150th anniversary; and

WHEREAS, Riverton City has sent out a public request for proposals to solicit interest from concert producers to manage a concert event at the Riverton City Main Park in the summer of 2015; and

WHEREAS, O2 Productions is the only entity which has responded to the City's request for proposals; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of Riverton City as follows:

1. The Mayor is authorized to negotiate and execute agreement with O2 Productions or affiliate to plan and produce a concert event during Riverton City's 150th Anniversary, provided the contract cost does not exceed the amount of \$125,000. The Mayor is not authorized to sign an agreement with Osmund Studios until said agreement has been approved as to legal form by the Riverton City Attorney.
2. This resolution shall take effect upon passing.

PASSED AND ADOPTED this 7th day of October 2014 by the following vote:

| | | |
|--------------------------------|-----------|----------|
| Council Member Brent Johnson | _____ Yes | _____ No |
| Council Member Al Leavitt | _____ Yes | _____ No |
| Council Member Trent Staggs | _____ Yes | _____ No |
| Council Member Sheldon Stewart | _____ Yes | _____ No |
| Council Member Paul Wayman | _____ Yes | _____ No |

RIVERTON CITY

[SEAL]

ATTEST:

Bill Applegarth, Mayor

Virginia Loader, MMC
Recorder



Issue Paper

Item No. 3.1

| | | |
|--|---|--|
| Presenter/Submitted By: | Jason Lethbridge, Planning Manager | |
| Subject: COMMERCIAL SITE PLAN, 14-8007, KARNAM OFFICE DEVELOPMENT, 1543 W 12600 S, C-G ZONE, DR. UMA KARNAM, APPLICANT | Meeting Date: October 7, 2014 | |
| | Fiscal Impact: N/A | |
| | Funding Source: N/A | |
| Background: <p>Dr. Uma Karnam has submitted an application for a commercial site plan to be located on 1.78 acres at 1543 West 12600 South. The property is zoned Commercial Gateway, as is the property to the east. The properties to the north across 12600 South are zoned C-G and R-4, and the property to the west, across the canal, is zoned C-D. The property to the south is zoned P-OS, and is part of the main city park. The site does include a portion of the right-of-way for the 1500 West roadway which was abandoned with the reconfiguration of the park. This property will be vacated by action of the City Council as part of this site plan.</p> <p>The proposed project will consist of two buildings oriented to the rear of the property, with parking between the buildings and 12600 South. The buildings will be a combination of medical office and retail space, with the applicant occupying some of the medical space for his practice. The site details and associated engineering have been reviewed by Riverton City staff and is compliant with the standards and specifications of the City. Access from 12600 South is by permit from U.D.O.T., for which an application has been made by the applicant.</p> | | |
| Recommendation: <p>On September 25, 2014, the Planning Commission voted to recommend APPROVAL of this site plan application.</p> | | |
| Proposed Motion: <p>“I move the City Council approve the Karnam Office Development Site Plan, Application Number PL-14-8007, located at 1543 W 12600 S, with the conditions outlined in the Staff Report.”</p> | | |

**RIVERTON CITY
MEMORANDUM**

TO: Honorable Mayor and City Council

FROM: Development Review Committee

DATE: October 7, 2014

SUBJECT: COMMERCIAL SITE PLAN, 14-8007, KARNAM OFFICE DEVELOPMENT, 1543 W 12600 S, C-G ZONE, DR. UMA KARNAM, , APPLICANT

PL NO.: 14-8007 – KARNAM OFFICE DEVELOPMENT

On September 25, 2014, the Planning Commission voted to recommend APPROVAL of this Site Plan application. Minutes from that meeting are included below. The Planning Commission recommended the following motion:

I move the City Council APPROVE the Karnam Office Development site plan, application number PL-14-8007, located at 1543 W 12600 S, with the following conditions:

1. Storm drainage systems and accommodation comply with Riverton City standards and ordinances, and with the recommendations of the Riverton City Engineering Division.
2. An interim storm drainage and erosion control plan and an access management plan be approved by the City prior to any construction or grading on the site.
3. The site and structures comply with any and all applicable Riverton City standards and ordinances, including the International Building and Fire Codes.
4. Lighting, both on the building and in the site shall be designed and installed to minimize impacts to the surrounding properties.
5. Any and all rooftop mechanical equipment shall be fully screened from view from the roadway and surrounding properties.
6. Obtain and maintain a UDOT access permit for access to 12600 South.
7. Architecture on the second building will match that of the first, as approved herein.
8. The site be maintained per Riverton City standards until the entire site is completed.

BACKGROUND:

Dr. Uma Karnam has submitted an application for a commercial site plan to be located on 1.78 acres at 1543 West 12600 South. The property is zoned Commercial Gateway, as is the property to the east. The properties to the north across 12600 South are zoned C-G and R-4, and the property to the west, across the canal, is zoned C-D. The property to the south is zoned P-OS, and is part of the main city park. The site does include a portion of the right-of-way for the 1500 West roadway which was abandoned with the reconfiguration of the park. This property will be vacated by action of the City Council as part of this site plan.

The proposed project will consist of two buildings oriented to the rear of the property, with parking between the buildings and 12600 South. The buildings will be a combination of medical office and retail space, with the applicant occupying some of the medical space for his practice. The site details and associated engineering have been reviewed by Riverton City staff and is

compliant with the standards and specifications of the City. Access from 12600 South is by permit from U.D.O.T., for which an application has been made by the applicant.

The building architecture is typical of commercial design in Riverton City. There is good variation in the roofline, and the architecture includes elements consistent with ordinance. One item of note is the use of lighter toned porcelain tile finish on the lower course and around the entryways. The Commercial Gateway zone does state that “the lower portion of the wall shall consist of brick, *tile*, stone, decorative cinder block, or decorative concrete.” The proposed material is consistent with that ordinance, but not one that has been extensively utilized on recent buildings. The architect for the project will be present at the upcoming meeting, and will have a materials board for examination if there are questions on this material.

ATTACHMENTS:

The following items are attached for your review:

1. A copy of the Site Plan application
2. A copy of the Zoning Map
3. A copy of the Aerial Views
4. A copy of the Site Plan and Landscape Plans.
5. A copy of the building elevations

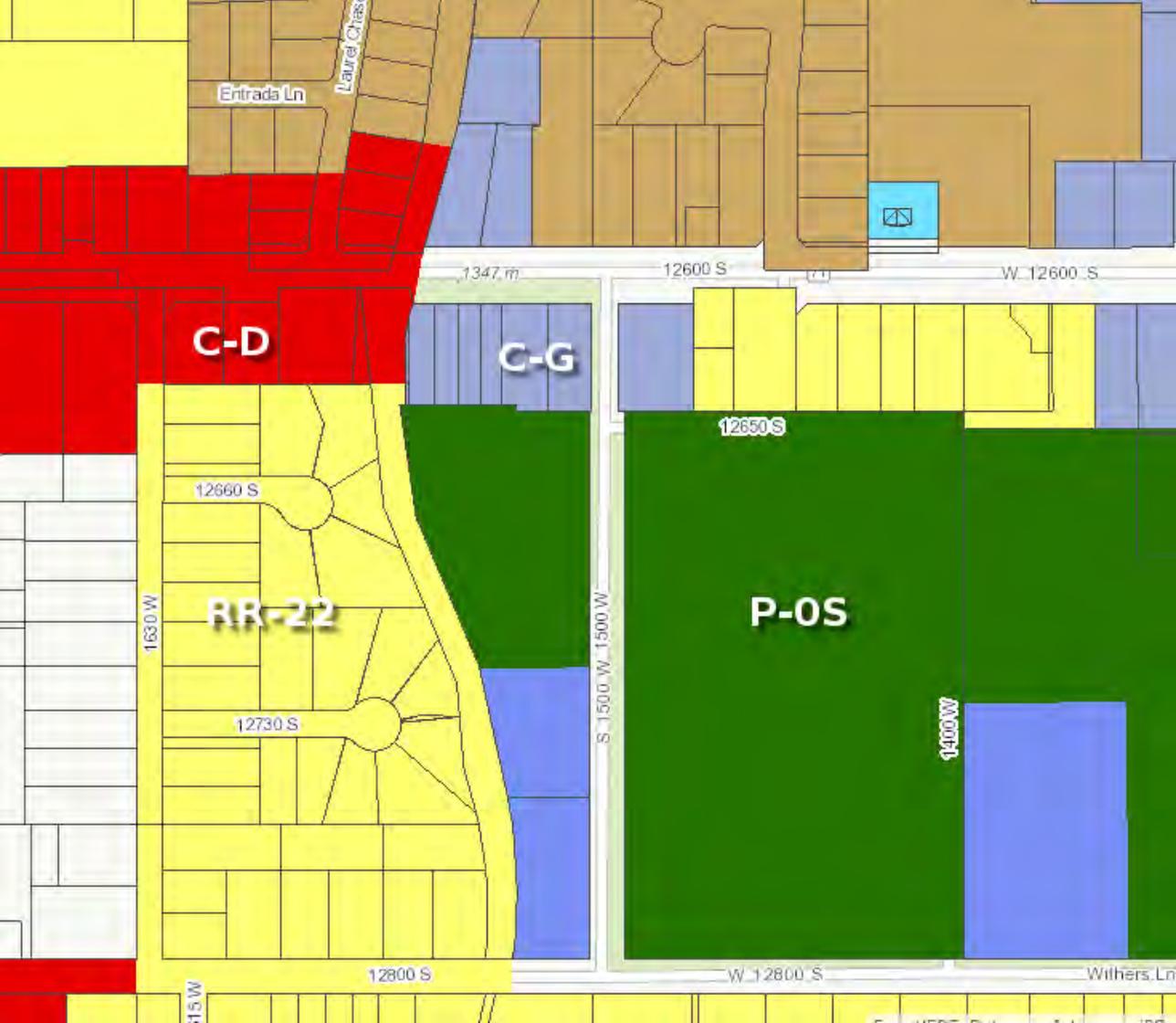
12600 South



**Main
City
Park**

1300 West

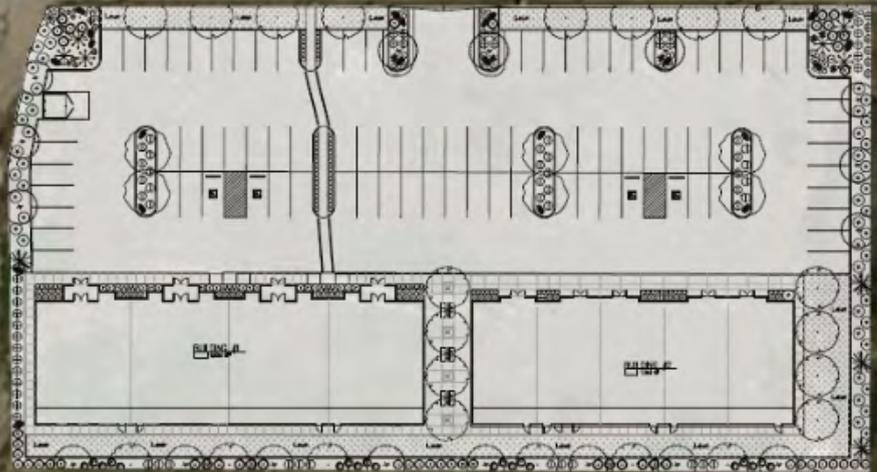
12800 South



12600 South

Bombdigdigity

City Park



50 m



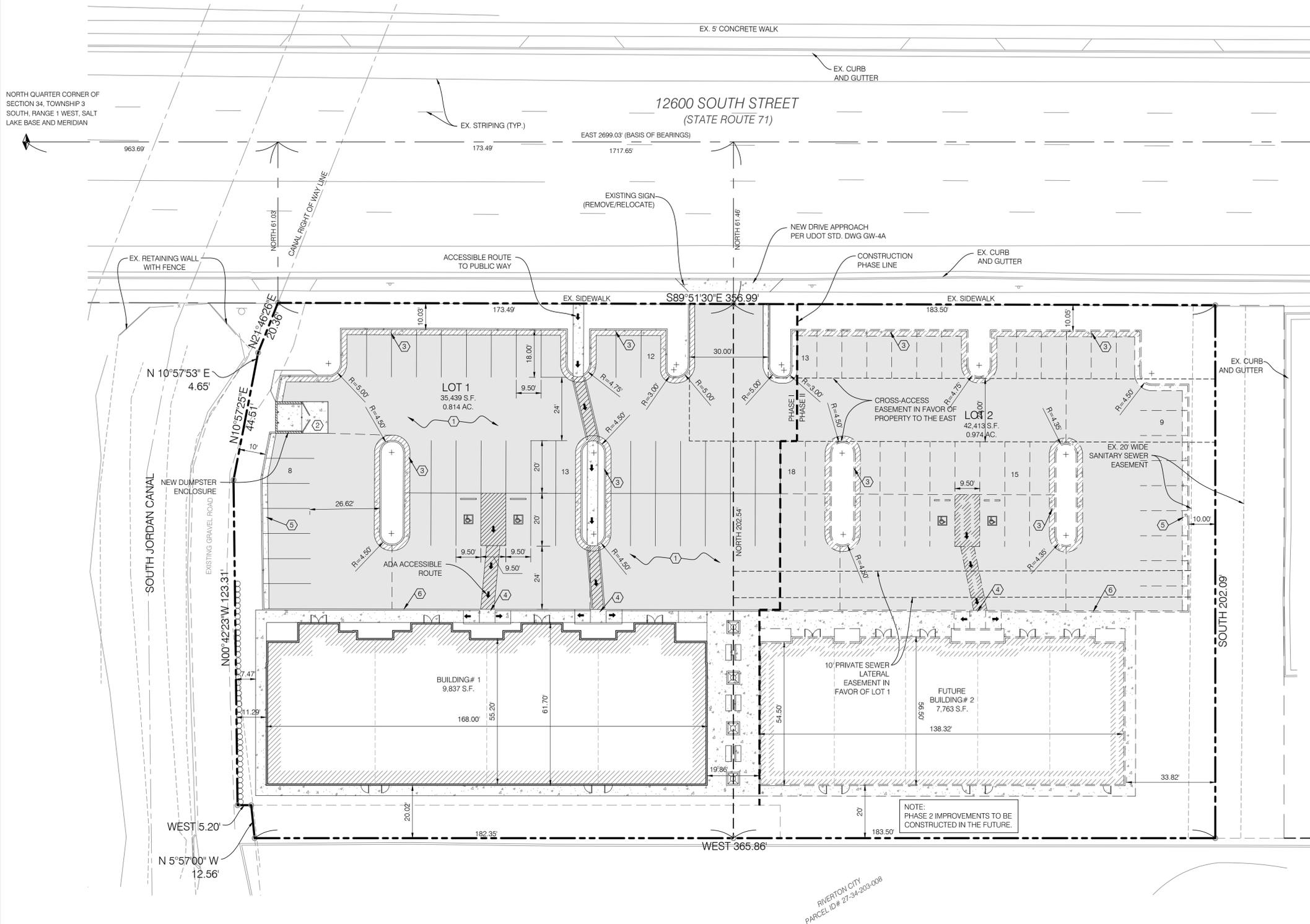
GRAPHIC SCALE



(IN FEET)
1 inch = 20ft.

NORTH QUARTER CORNER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN

NORTHEAST CORNER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN



| CONSTRUCTION KEY NOTES REFERENCE | | |
|----------------------------------|--|----------|
| NO. | DESCRIPTION | DETAIL |
| 1 | STANDARD DUTY ASPHALT PAVEMENT WITH GRANULAR BASE. | 2/CDT.01 |
| 2 | CONCRETE PAVEMENT | 2/CDT.01 |
| 3 | 2.5' RELEASE CURB & GUTTER | 1/CDT.01 |
| 4 | ADA PEDESTRIAN RAMP | 1/CDT.02 |
| 5 | 2.5' HIGHBACK CURB & GUTTER PER APWA# 205 TYPE 'A' | 3/CDT.01 |
| 6 | SIDEWALK THICKENED EDGE | 4/CDT.01 |
| 7 | DRIVEWAY APPROACH PER UDOT STD. DWG. GW-4A | 2/CDT.03 |

| AREA TABLE | | |
|-------------|--------|------|
| PARTICULARS | S.F. | % |
| BUILDING | 17,600 | 23.4 |
| HARDSCAPE | 35,213 | 46.9 |
| LANDSCAPE | 22,257 | 29.7 |
| TOTAL | 75,070 | 100 |

| PARKING COUNT | | | |
|-------------------------|---|------------------------------------|-----|
| USE | NO. OF STALLS REQUIRED (1 SPACE/200 SF) | NO. OF STALLS PROVIDED (INCL. ADA) | ADA |
| OFFICE (MEDICAL/DENTAL) | 88 | 88 | 4 |

NOTE: ARCHITECTURAL APPROVAL IS NEEDED PRIOR TO BUILDING PERMIT.

NOTE: A R.O.W. ENCROACHMENT PERMIT MUST BE OBTAINED FROM RIVERTON CITY PRIOR TO DOING ANY WORK IN THE RIGHT-OF-WAY. CONTACT AARON ROBERTS AT (801) 208-3195.

LEGEND:

→ ACCESSIBLE ROUTE

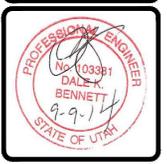
← SLOPE

NOTE: PHASE 2 IMPROVEMENTS TO BE CONSTRUCTED IN THE FUTURE.

RIVERTON CITY
PARCEL ID# 27-34-203-008

ENVIRONMENTAL LABS, INC.
PARCEL ID# 27-34-226-001

| | |
|-------------|---------------------------|
| PROJECT NO. | 1402012 |
| DATE | 09/09/14 |
| DESCRIPTION | REVISED PER CITY COMMENTS |
| DESIGNED BY | DNB |
| DRAWN BY | SUREY |
| CHECKED BY | DATE 07/30/14 |
| DATE | 1402012SIB |
| DWG. FILE | |



BENCHMARK ENGINEERING & LAND SURVEYING

9130 SOUTH STATE STREET SUITE # 100
SANDY, UTAH 84070 (801) 542-7192
www.benchmarkcivil.com

KARNAM OFFICE COMPLEX

1543 WEST 12600 SOUTH
RIVERTON CITY, UTAH

CALL BEFORE YOU DIG.
IT'S FREE & IT'S THE LAW.

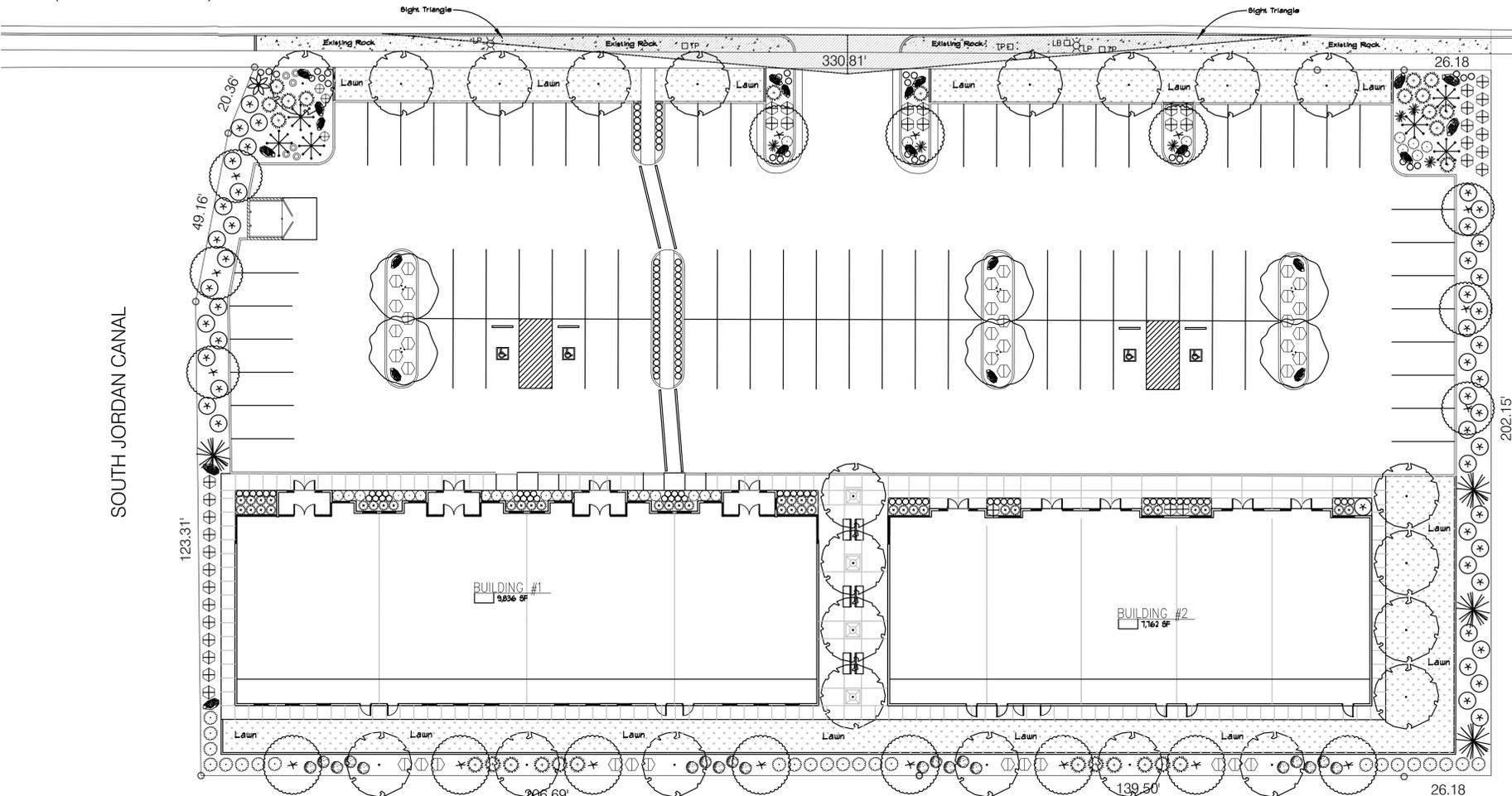
BLUE STAKES OF UTAH
UTILITY NOTIFICATION CENTER

1-800-662-4111
www.bluestakes.org

PROJECT NO. 1402012

SITE PLAN

CSP.01
3 OF 9



Plant List (TREES)

| Quan. | Symbol | Botanical Name | Common Name | Size | Remarks |
|-------|----------|---------------------------------|----------------------------|----------------------------|-------------------------------|
| 6 | (Symbol) | Fraxinus 'Autumn Purple' | Autumn Purple Ash | 2" Calliper 10'-12" Height | Matched Heads Straight Trunks |
| 23 | (Symbol) | Gleditsia triacanthos 'Skyline' | Skyline Honeylocust | 2" Calliper 10'-12" Height | Matched Heads Straight Trunks |
| 6 | (Symbol) | Picea abies 'Columnaris' | Columnar Norway Spruce | 1" Min. Height B 4 B | Full Width Form Specimen |
| 4 | (Symbol) | Picea orientalis 'Green Knight' | Green Knight Spruce | 1" Min. Height B 4 B | Full Width Form Specimen |
| 17 | (Symbol) | Fyus calleryana 'Chanticleer' | Chanticleer Flowering Pear | 2" Calliper 8'-10" Height | Matched Heads Straight Trunks |

Plant List (SHRUBS)

| Quan. | Symbol | Botanical Name | Common Name | Size | Remarks |
|-------|----------|--------------------------------|----------------------|-------------------------|---------|
| 40 | (Symbol) | Buxus microphylla 'Julia Jane' | Julia Jane Boxwood | 5 Gallon 15"-18" Height | |
| 47 | (Symbol) | Cornus alba 'Ivory Halo' | Ivory Halo Dogwood | 5 Gallon 18"-24" Height | |
| 20 | (Symbol) | Euonymus alatus 'Compacta' | Dwarf Burning Bush | 5 Gallon 18"-24" Height | |
| 1 | (Symbol) | Physocarpus o. 'Summer Wine' | Summer Wine Ninebark | 5 Gallon 18"-24" Height | |
| 27 | (Symbol) | Rhus aromatic 'Low Grow' | Grow Low Sumac | 5 Gallon 18"-24" Spread | |
| 24 | (Symbol) | Rosa sp. 'Knock Out Red' | Red Knock Out Rose | 5 Gallon 18"-24" Height | |
| 26 | (Symbol) | Spiraea japonica 'Neon Flash' | Neon Flash Spiraea | 5 Gallon 15"-18" Height | |
| 6 | (Symbol) | Yucca filamen. 'Golden Sword' | Golden Sword Yucca | 5 Gallon 15"-18" Height | |

Plant List (ORNAMENTAL GRASSES/PERENNIALS)

| Quan. | Symbol | Botanical Name | Common Name | Size | Remarks |
|-------|----------|-----------------------------|------------------------|-------------------------|---------|
| 39 | (Symbol) | Calamagrostis a. 'Foerster' | Foerster Feather Grass | 5 Gallon 24"-30" Height | |
| 39 | (Symbol) | Calamagrostis a. 'Overdam' | Overdam Feather Grass | 5 Gallon 24"-30" Height | |
| 3 | (Symbol) | Helictotrichon sempervirens | Blue Oat Grass | 2 Gallon 15"-18" Height | |
| 136 | (Symbol) | Lavandula 'Hidcote Blue' | Hidcote Blue Lavender | 1 Gallon 12"-15" Height | |
| 6 | (Symbol) | Fernistatum a. 'Hemeln' | Dwarf Fountain Grass | 2 Gallon 12"-15" Height | |

Plant Material Quality Note:

All plant materials shall be of number one quality and size for the container specified. All materials of each variety shall be furnished by the same supplier and come from the same stock or group. The Owner and Landscape Architect have the right to reject any and all plant materials not meeting specification or in a healthy condition for the project. The contractor shall secure all plant materials for the project a minimum of 60 days prior to the anticipated installation date. No plant material substitutions will be considered following this 60 day period. All plant materials shall be reviewed and approved prior to shipment to the site.

Planting Notes

- All lawn areas shall receive a 4 inch depth of topsoil, all shrub planting areas shall receive an 8 inch depth of topsoil. In rock only areas, no topsoil shall be installed. Topsoil material is not expected to be from on-site sources, and shall be imported from approved local sources. All topsoil material used for in for landscape purposes shall be of a sandy loam mix.
- Prior to placement of topsoil, all subgrade areas shall be loosened by scarifying the soil to a depth of 6 inches, by the use of mechanical means, in order to create a transition layer.
- All lawn areas shall be sodded using high grade material of a water conservative mixture, and shall be composed of turf type "Tall Fescue" and/or Bluegrass. Prior to installation, all areas shall receive a starter fertilizer applied at the rate recommended by the manufacturer.
- All plant material holes shall be dug twice the diameter of the rootball and 6 inches deeper. Excavated material shall be removed from the site.
- Plant backfill mixture shall be composed of 3 parts topsoil to 1 part humus additive, and shall be rotary mixed on-site prior to installation.
- Plant fertilizer shall be 'Agriform' brand 21 gram tablets used as per manufacturers recommendations.
- All trees located in lawn areas shall receive an 'Arbor Guard' trunk protector, or equal, and have a 36 inch diameter soil-free ring. All trees shall be staked for wind protection, unless indicated.
- Upon completion of installation, all shrub and tree wells shall receive a four inch depth of fine ground bark mulch mixture as a cover. The overall shrub beds themselves shall receive a 4" depth of decorative stone surfacing over 30 mil weed barrier fabric. Provide sample for each type of stone specified. The different rock sizes shall be of various colors, but in the "earth tones" to match the building. All stone material shall be of a clean and/or a "washed" product.
- In decorative stone beds, cut the fabric from around the water well of each plant, then apply fine ground bark inside water well. The remainder of the planter bed shall receive the depth of decorative stone.
- Landscape maintenance shall be required for a period of 30 days, or two mowings of the lawn, and shall include mowing, weeding, pruning and a minimum of one fertilizations of the lawn.
- The project shall be swept clean of dirt and debris prior to completion of the project, and on a daily basis, if required, as determined by the Owner/contractor.
- The contractor shall comply with all warranties and guarantees set forth by the Owner, and in no case shall that period be less than one year following the date of final completion and acceptance.

Planting General Notes

- The contractor shall verify the exact location of all existing and proposed utilities, and all site conditions prior to beginning construction. The contractor shall coordinate his work with the project manager and all other contractors working on the site.
- The finish grade of all planting areas shall be smooth, even and consistent, free of any humps, depressions or other grading irregularities. The finish grade of all landscape areas shall be graded consistently 1/2" below the top of all surrounding walkways, etc.
- The contractor shall stake the location of all plants for approval prior to planting. Trees shall be located equidistant from all surrounding plant material. Shrubs and ground covers shall be triangular spaced.
- The plant materials list is provided as an indication of the specific requirements of the plants located, wherever in conflict with the planting plan, the planting plan shall govern.
- The contractor shall provide all materials, labor and equipment required for the proper completion of all landscape work as specified and shown on the drawings.
- All plant materials shall be approved prior to planting. The Owner/Landscape Architect has the right to reject any and all plant material not conforming to the specifications. The Owner decision will be final.
- The contractor shall keep the premises, storage areas and paving areas neat and orderly at all times. Remove trash, sweep, clean, hose, etc. daily.
- The contractor shall plant all plants per the planting details, stakes/guy as shown. The top of root balls shall be planted flush with finish grade.
- The contractor shall not impede drainage in any way. The contractor shall always maintain positive drainage away from the building, walkways, etc.
- The contractor shall maintain all work until all work is complete and accepted by the Owner, but in no case less than 30 days following the date of substantial completion. Maintenance shall include mowing, weeding, pruning, fertilizing, cleaning, insecticides, herbicides, etc. and all other necessary for a complete service of project.
- It shall be the contractors responsibility to ensure that any damaged or disturbed landscaping from the construction of this project is to be returned to as good or better condition.
- It shall be the responsibility of the property owner to maintain all landscaping and irrigation facilities after construction at the end of the contractor warranty period.

Planting Submittal Requirements

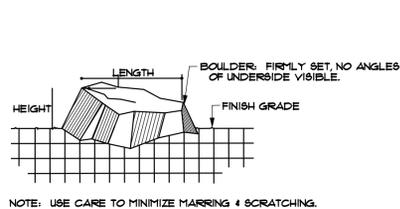
- The contractor shall provide to the Owner/Engineer product samples of all landscape materials such as rock/boulders, decorative stone, bark mulches, weed barrier fabric, soil amendments 4 import topsoil in order to obtain approval to be used on the project, and prior to any shipment to the site. Failure to provide this in a timely manner will in no way affect or delay the construction schedule and time for project completion.
- All plant materials shall be secured for the project a minimum of 60 days prior to shipment to the site. The contractor shall provide to the Owner/Engineer written confirmation of this a minimum of 30 days prior to planting of the project. No substitutions will be considered following this time period.

Sub-Grade Requirements

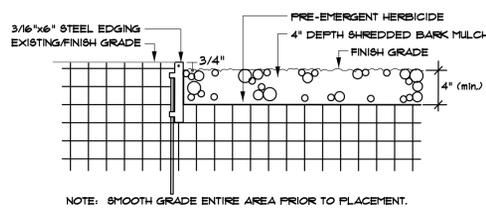
- LAWN AREAS : Six (6) inches below finish grade. This will allow for the installation of a 4 inch depth of topsoil along with the sodding material and finish grade and concrete areas.
- SHRUB AREAS : Twelve (12) inches below finish grade. This will allow for the installation of an 8 inch depth of topsoil along with a four inch depth of bark mulch or decorative stone mulch over the weed barrier fabric, leaving it slightly below finish grade and concrete areas.
- ROCK (ONLY) AREAS : Five (5) inches below finish grade. This will allow for a four inch depth of decorative rock over the weed barrier fabric, leaving it slightly below finish grade and concrete areas.

Legend

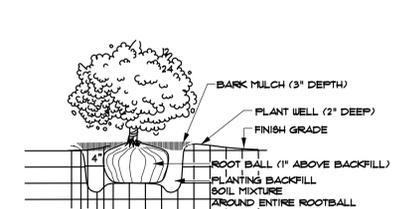
| Symbol | Description | Remarks |
|----------|---|--|
| (Symbol) | 4" x 6" Extruded Mowstrip Natural Concrete Color. | Install In True Lines, Flush To All Concrete Edges & Between All Lawn And Shrub Areas. |
| (Symbol) | Decorative Landscape Boulder - 3'-4" Minimum Size | Provide Landscape Boulder Of Similar Color As Decorative Rock / Provide Sample For Approval. |
| (Symbol) | New Lawn Area - Use Water Conservative Mixture | Install Water Conservative/Drought Tolerant Mixture Over Specified Topsoil Depth. |
| (Symbol) | Decorative Stone - Rock 2" Minus Size / Crushed | Install To A Depth Of Four (4) Inches Over "Dallitt" Brand Weed Barrier Fabric. |
| (Symbol) | Decorative Stone - Rock 2" Minus Size / Crushed | Rock In Park Strip Is Existing And Is Intended To Remain In Place. Provide Additional Material If Any Areas Are Damaged During Construction. |



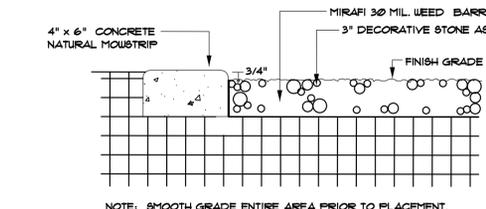
1 Decorative Boulder
N.T.S.



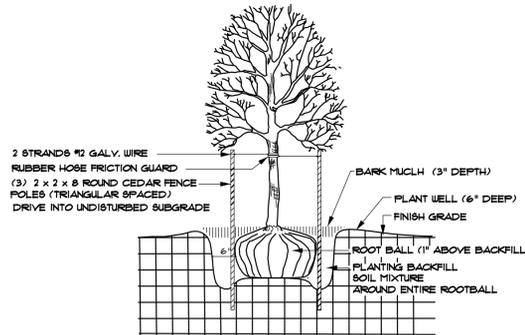
2 Steel Edging / Bark Mulch
N.T.S.



3 Shrub Planting
N.T.S.



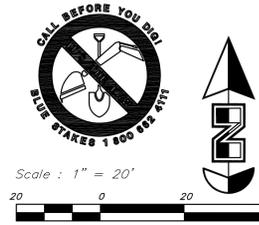
4 Concrete Mowstrip
N.T.S.



5 Tree Planting
N.T.S.

Landscape Architect

rdl Design Company, Inc.
1020 East Tule Avenue
Salt Lake City, Utah 84105
Phone : 801-647-3114
Fax : 801-355-4544
Email : rdl@comcast.net





1 BUILDING PERSPECTIVE
A3

SCALE: NOT TO SCALE



2 BUILDING PERSPECTIVE
A3

SCALE: NOT TO SCALE

PROJECT NUMBER
1404

REVISIONS

SHEET TITLE
SCHEMATIC
ELEVATIONS

PROJECT/OWNER
RIVERTON PARK
1543 WEST 12600 SOUTH,
RIVERTON CITY, UTAH
OWNER: UMA KARNAM

ARCHITECT

NICHOLS • NAYLOR
ARCHITECTS
1155 EAST WILMINGTON AVENUE SUITE 250
SALT LAKE CITY, UTAH 84106 (801) 487-3330



DATE
8/21/2014

SHEET NUMBER
A2



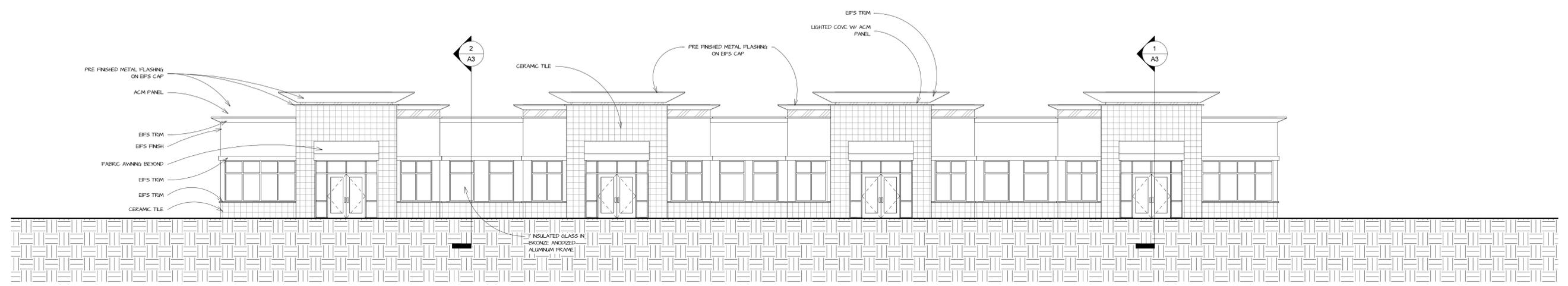
1 WEST ELEVATION
A2
0 2 4 6 8 16 FT
SCALE: 1/8" = 1'-0"

2 NORTH ELEVATION
A2
0 2 4 6 8 16 FT
SCALE: 1/8" = 1'-0"

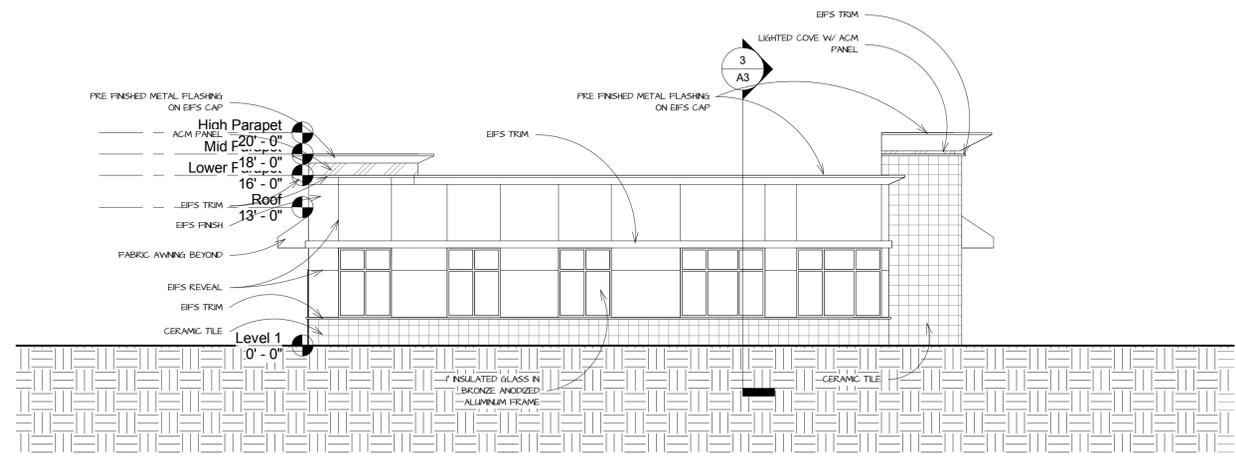


3 SOUTH ELEVATION
A2
0 2 4 6 8 16 FT
SCALE: 1/8" = 1'-0"

4 EAST ELEVATION
A2
0 2 4 6 8 16 FT
SCALE: 1/8" = 1'-0"

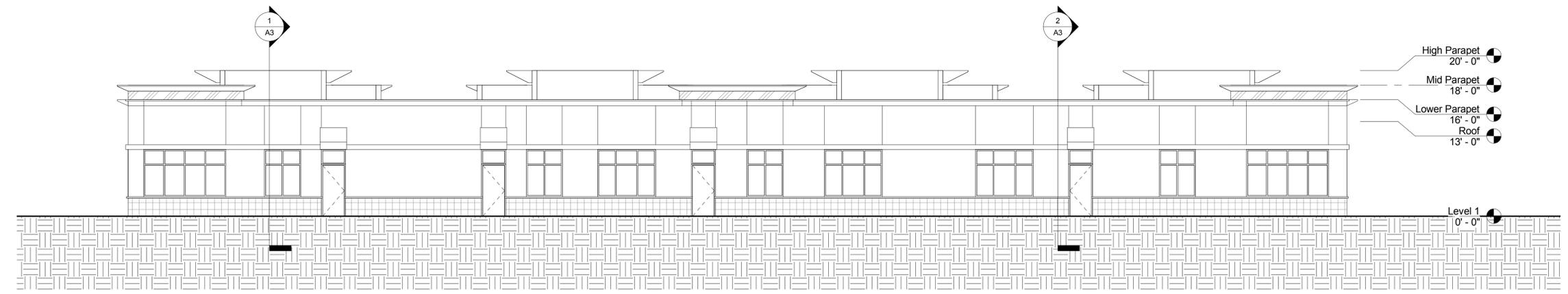
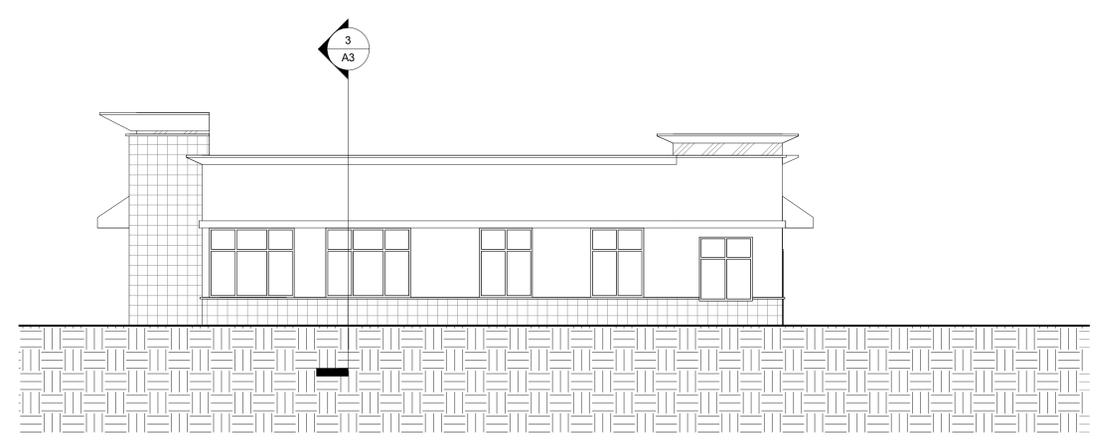


② North
 1/8" = 1'-0"



① East
 1/8" = 1'-0"

③ West
 1/8" = 1'-0"



④ South
 1/8" = 1'-0"



Issue Paper

Item No. 3.3

| | | |
|--|--|--|
| Presenter/Submitted By: | Lance Blackwood, Trace Robinson, Ryan Carter | |
| Subject: <p>A resolution authorizing the Mayor to distribute: 1) public information which will assist Riverton City culinary water account holders to make a choice regarding their preference for future culinary water supply; 2) a ballot for Riverton City culinary water utility customers to consider and return to assist the City Council in determining the future source of Riverton City's culinary water supply.</p> | Meeting Date: October 7, 2014 | |
| | Fiscal Impact: N/A, see attached information sheet in Exhibit A. | |
| | Funding Source: | |
| Background: <p>Riverton City's elected officials and staff have engaged in a lengthy dialog about Riverton City's culinary water quality, and whether the City should change the source of its culinary water supply in the future. The attached resolution if adopted will frame how the process to reach an ultimate decision will proceed and will give formal direction to the Mayor as to how to carry the process forward.</p> | | |
| Recommendation: <p>City Staff has no recommendation as to whether the City's culinary water supply should be changed. However, staff recommends adoption of this resolution as a tool to enable reaching a decision on this issue.</p> | | |
| Recommended Motion: <p>"I move the Riverton City Council adopt a resolution authorizing the Mayor to distribute: 1) public information which will assist Riverton City culinary water account holders to make a choice regarding their preference for future culinary water supply; 2) a ballot for Riverton City culinary water utility customers to consider and return to assist the City Council in determining the future source of Riverton City's culinary water supply."</p> | | |

RIVERTON CITY, UTAH
RESOLUTION NO. 14-63

A RESOLUTION AUTHORIZING THE MAYOR TO DISTRIBUTE: 1) PUBLIC INFORMATION WHICH WILL ASSIST RIVERTON CITY CULINARY WATER ACCOUNT HOLDERS TO MAKE A CHOICE REGARDING THEIR PREFERENCE FOR FUTURE CULINARY WATER SUPPLY; 2) A BALLOT FOR RIVERTON CITY CULINARY WATER UTILITY CUSTOMERS TO CONSIDER AND RETURN TO ASSIST THE CITY COUNCIL IN DETERMINING THE FUTURE SOURCE OF RIVERTON CITY'S CULINARY WATER SUPPLY

WHEREAS, Riverton City supplies culinary water service to all residents located within its boundaries; and

WHEREAS, Riverton City is also a member of the Jordan Valley Water Conservancy District; and

WHEREAS, residents located east of 4800 West Street receive culinary water supplied from wells which are owned and operated by Riverton City, and located within Riverton City municipal territory; and

WHEREAS, residents located west of 4800 West Street receive culinary water which is supplied from sources managed by the Jordan Valley Water Conservancy District; and

WHEREAS, the quality of the water, particularly its taste, has become an issue of concern for some Riverton City culinary water customers located east of 4800 West Street; and

WHEREAS, the Riverton City Council finds and determines that the water hardness, the presence of calcium carbonate, and the concentrations of total dissolved solids can affect water taste; and

WHEREAS, the Riverton City Council has asked City staff to conduct feasibility studies to assist the Council in deciding how to provide future culinary water supplies; and

WHEREAS, the Riverton City Council has authorized the Mayor to hire consultant engineering firms to provide feasibility studies for several capital projects which would reduce concentrations of total dissolved solids, calcium carbonate, and water hardness; and

WHEREAS, through reports supplied by City staff and consultant engineers, the Riverton City Council finds and determines that construction of capital facilities which

would treat culinary well water to reduce concentrations of total dissolved solids, calcium carbonate, or water hardness, are cost prohibitive; and

WHEREAS, the Riverton City Council finds and determines that it ought to consider whether or not all Riverton culinary water utility customers shall obtain culinary water which is sourced from water provided by the Jordan Valley Water Conservancy District; and

WHEREAS, the Riverton City Council finds and determines that customer input is crucial to the Council's decision of whether to switch sources of culinary water from City water wells, to water supplied by Jordan Valley Water Conservancy District;

NOW THEREFORE, BE IT RESOLVED by the City Council of Riverton City, Utah as follows:

1. As used in this Resolution, the term "Riverton City culinary water utility customer" shall be any signator of a culinary water service contract on file with Riverton City, or designated representative of said signator.
2. The Riverton City Council hereby approves the information attached in Exhibit A for distribution to all Riverton City culinary water utility customers.
3. The Riverton City Council further directs the Mayor to enclose a ballot with the information attached in Exhibit A to be distributed with the same.
4. The question to be asked of Riverton City culinary water utility customers in the provided ballot shall read as follows: "Shall the Riverton City Council switch Riverton City's current culinary water supply for residents east of 4800 West Street from City-owned culinary well sources, to water supplied by the Jordan valley Conservancy District? Please state your preference by placing a mark in the appropriate location: Yes (____) No (____)." The ballot shall include instructions to voters which state their respective ballot must be appropriately filled out and returned via hand delivery or postmarked no later than December 8, 2014 for it to be considered. An appropriately sized envelope with postage attached shall be supplied with said ballot.
5. The Riverton City Council further directs the Mayor to distribute the information described in Sections 1., 2., and 3. of this Resolution no later than November 10, 2014.
6. The Riverton City Council further directs the Mayor to hire an independent consultant with appropriate experience in assisting governmental entities with polling and/or ballot processing to receive ballots returned by voting customers. The independent consultant shall

receive and count all ballots returned by Riverton culinary water customers, and report said findings to the Riverton City Council no later than 45 days following the date by which ballots must be returned by voters.

7. Prior to distribution of the information described in Sections 1., 2., and 3., of this Resolution, the Mayor is directed to arrange a series of “open house” events at the following locations, dates, and times:
 - a. Riverton City Public Works Building, at the address of 12526 South 4150 West, Riverton Utah, on the date of October 14, 2014, from 5:00 pm to 9:00 pm.
 - b. Riverton City Public Works Building, at the address of 12526 South 4150 West, Riverton Utah, on the date of October 16, 2014, from 6:00 pm to 8:00 pm (to accommodate Districts 1 and 2).
 - c. Riverton City Hall, at the address of 12830 South Redwood Road, Riverton, Utah, on the date of October 23, 2014, from 6:00 pm to 8:00 pm (to accommodate Districts 4 and 5).
 - d. CR Hamilton Sports Park, at the address of 13800 South 3600 West, Riverton, Utah, on the date of November 6, 2014, from 6:00 pm to 8:00 pm (to accommodate District 3).

At the above described “open house” events, the public shall be invited and attendees shall be provided with information about the ballot question described in Section 3. of this Resolution.

8. After distribution of the information described in Sections 1., 2., and 3., of this Resolution and no less than 5 calendar days before the deadline to return ballots as described in Section 3 of this Resolution, the Mayor is directed to conduct an “open house” event whereby the public may receive information about the ballot question described in Section 3. of this Resolution. Said open house event shall occur at the location of Riverton City Hall, 12830 South Redwood Road, Riverton, Utah, on the date of November 12, 2014, from 5:00 pm to 9:00 pm.
9. The City Council agrees that it shall abide by the result of the aggregate votes cast by Riverton City culinary water utility customers in making its decision as to whether or not the source of Riverton City culinary water shall be switched from City owned wells to water supplied by the Jordan Valley Water Conservancy District, for customers located east of 4800 West Street. The Riverton City Council’s reliance on votes cast by Riverton City culinary water utility customers is subject to the City’s receipt of not less than 15% of the distributed ballots from at least 3 voting districts.
10. This resolution shall become effective upon passage.

[Remainder of page intentionally left blank]

PASSED AND ADOPTED by the City Council of Riverton, Utah, on this 7th day of October 2014 by the following vote:

| | | | | |
|--------------------------------|-----|-----|-----|----|
| Council Member Brent Johnson | ___ | Yes | ___ | No |
| Council Member Trent Staggs | ___ | Yes | ___ | No |
| Council Member Sheldon Stewart | ___ | Yes | ___ | No |
| Council Member Roy Tingey | ___ | Yes | ___ | No |
| Council Member Paul Wayman | ___ | Yes | ___ | No |

RIVERTON CITY

[SEAL]

Bill Applegarth, Mayor

ATTEST:

Virginia Loader, MMC
City Recorder



Dear Riverton City Culinary Water Customer,

The quality of Riverton City's culinary water is an important and growing issue for local residents and the City's culinary water utility customers. City staff has dedicated years of research and engaged in serious deliberation with the City Council to identify feasible options which will improve the quality of City culinary water. I am now pleased to present you with two alternatives in which YOUR CHOICE will be heard.

The City Council has selected the two most feasible options to pursue for the future of our culinary water supply. These options were derived from professional studies conducted by both independent consultants and Riverton City staff. The two choices include the continued use of culinary water from Riverton's well water sources and water sourced from the Jordan Valley Water Conservancy District (JVWCD).

Hardness and Total Dissolved Solids (TDS) are the two main factors affecting Riverton's quality of water, including taste. To help you understand the differences in hardness and TDS when comparing Riverton's well water and Jordan Valley Conservancy water, please refer to the Fact Sheet following this letter. Naturally, the City's well water and Jordan Valley Conservancy water are perfectly safe to drink; however, customers may prefer the taste of water which features lower TDS and hardness concentrations. Then again, customers may prefer the City's well water taste. The cost for consuming culinary water from each of these sources is also found in the following Fact Sheet.

Along with this information, Riverton City will undergo a trial period, in which Jordan Valley Conservancy water will be made available to culinary water customers. This trial period is now underway for customers located east of 4800 West. Customers residing to the west of 4800 West are already consumers of water supplied by JVWCD and will undergo no change during this trial period to their respective culinary water supply. This trial-period will last until December 12, 2014. -Please take this opportunity to use and taste 100% Jordan Valley Conservancy water first-hand. Take note of your personal experience with this culinary water alternative, consider the information supplied with this letter, and properly submit your enclosed ballot, so that YOUR CHOICE will be heard. The City Council will use the ballot results to determine the future source for culinary water in Riverton City.

Sincerely,

Mayor Bill Applegarth

Riverton City Culinary Water Alternatives *Your Choice: Fact Sheet*

Jordan Valley Water Conservancy District (JVWCD) Water Trial Period

On October 1, 2014, Jordan Valley Conservancy water will begin to be mixed into Riverton City's culinary water system. It will take approximately one month for the current well water to finish running through the system, during which time culinary water customers, east of 4800 West, will receive a blend of the two water alternatives. On November 3, 2014, those customers can expect to receive 100% Jordan Valley water. The 100% JVWCD water trial period will end December 12, 2014. Following this date, a blend of the two culinary water sources will again be received until Jordan Valley Conservancy water has been depleted from the system.

Water Hardness

Water hardness is caused by a high mineral content. Hard water contains deposits of mainly calcium and magnesium, along with a variety of other metals. The "hardness" of water is measured by two separate formulas: grains per gallon or milligrams per liter (mg/l). The mg/l can also be expressed as parts per million (ppm).

Water Hardness Comparison

| Water Source | Grains/Gallon | Milligrams/liter (mg/l) Or Parts/Million (ppm) | Classification |
|--------------------------|---------------|--|----------------|
| Riverton City well water | 14.9 – 33.1 | 225 – 566* | Very Hard |
| JVWCD | 7.9 | 136 (avg) | Hard |

*The range of data is taken from the City's five culinary wells.

Hard water requires more soap and synthetic detergents for home laundry and washing, and contributes to scaling in water heaters, softeners, dishwashers, and other appliances through which the water passes.

Total Dissolved Solids (TDS)

"Dissolved solids" refers to any minerals, salts, metals, or positively and negatively charged ions in dissolved in water. Total dissolved solids are also comprised of inorganic salts and some amounts of organic matter. Higher TDS is an indication of hard water and can result in undesirable taste.

TDS Comparison

| Water Source | TDS mg/l |
|--------------------------|----------|
| Riverton City well water | 773** |
| JVWCD | 28 – 301 |

**Average of the City's five culinary water wells

Culinary Water Sources / Utility Rates

Riverton City Well Water

Currently, Riverton City culinary water sources are divided among customers located east or west of 4800 West and are billed according to separate rate structures.

East of 4800 West

Riverton City culinary water customers residing east of 4800 West currently receive culinary water sourced from City wells and are billed a base rate of \$21.32 for 0-10,000 gallons with a tiered structure for higher usage.

West of 4800 West

Riverton City culinary water customers residing west of 4800 West currently receive culinary water sourced from JVWCD and are billed a base rate of \$24.01 for 0-10,000 gallons with a tiered structure for higher usage.

JVWCD Water

The JVWCD alternative would consolidate all Riverton City culinary water customers to the JVWCD source. All customers would then be billed at the same base rate of \$2.50 for each meter + \$3.91 for every 1,000 gallons used.

**Riverton City Well Water & Jordan Valley Conservancy Water
Cost Comparison per 1,000 Gallons Usage**

| East of 4800 West | | |
|-------------------|----------------------------------|---------------------------------|
| x1,000 gal | Current Riverton City Well Water | Jordan Valley Conservancy Water |
| - | \$21.32 | \$2.50 |
| 1 | \$21.32 | \$6.41 |
| 2 | \$21.32 | \$10.32 |
| 3 | \$21.32 | \$14.23 |
| 4 | \$21.32 | \$18.14 |
| 5 | \$21.32 | \$22.05 |
| 6 | \$21.32 | \$25.96 |
| 7 | \$21.32 | \$29.87 |
| 8 | \$21.32 | \$33.78 |
| 9 | \$21.32 | \$37.69 |
| 10 | \$21.32 | \$41.60 |
| 25 | \$41.27 | \$100.25 |
| 50 | \$79.72 | \$198.00 |
| 75 | \$127.42 | \$295.75 |
| 100 | \$180.42 | \$393.50 |
| 125 | \$286.42 | \$491.25 |
| 150 | \$392.42 | \$589.00 |
| 175 | \$498.42 | \$686.75 |
| 200 | \$604.42 | \$784.50 |
| 225 | \$710.42 | \$882.25 |
| 250 | \$816.42 | \$980.00 |

| West of 4800 West | | |
|-------------------|----------------------------------|---------------------------------|
| x1,000 gal | Current Riverton City Well Water | Jordan Valley Conservancy Water |
| - | \$24.01 | \$2.50 |
| 1 | \$24.01 | \$6.41 |
| 2 | \$24.01 | \$10.32 |
| 3 | \$24.01 | \$14.23 |
| 4 | \$24.01 | \$18.14 |
| 5 | \$24.01 | \$22.05 |
| 6 | \$24.01 | \$25.96 |
| 7 | \$24.01 | \$29.87 |
| 8 | \$24.01 | \$33.78 |
| 9 | \$24.01 | \$37.69 |
| 10 | \$24.01 | \$41.60 |
| 25 | \$55.81 | \$100.25 |
| 50 | \$112.01 | \$198.00 |
| 75 | \$171.41 | \$295.75 |
| 100 | \$232.41 | \$393.50 |
| 125 | \$297.41 | \$491.25 |
| 150 | \$362.41 | \$589.00 |
| 175 | \$427.41 | \$686.75 |
| 200 | \$492.41 | \$784.50 |
| 225 | \$557.41 | \$882.25 |
| 250 | \$622.41 | \$980.00 |

Vote Your Choice

Once you have determined the source of the culinary water supply you would prefer for Riverton City, please mark your choice between Riverton City well water or Jordan Valley Conservancy water on the enclosed ballot. Return your ballot in the self-addressed, postage-paid envelope on or before December 8, 2014. **Return ballots must be post-marked by December 8, 2014** to be included in the final tally.

Ballots will be received and counted by an independent firm. Results will be presented to the Riverton City Council during the December 16, 2014, City Council Meeting. In accordance with the alternative culinary water resolution, which was approved on October 7, 2014, the City Council will utilize the ballot results to determine which culinary water alternative will be implemented at the beginning of the next fiscal year, July 1, 2015.



RIVERTON CITY **WATER SURVEY METHODOLOGY**

Oct. 22 – Riverton City forwards Ballot information to the Printer

Ballot Materials Production and Mailing

(Estimated 10,000 mailed)

- Process Eligibility List for maximum USPS discount
- Design/Layout of all Ballot Materials
- Produce optical Scan Ballots, 3.5”x9”
- Produce Official Return Envelope, one color
- Produce outbound windowed envelope, one color
- Prepare, assemble and mail Ballot Material Packages

Voter Information Document Production

(Estimated 10,000 mailed)

(Estimate assumes 8-1/2 x 11 brochure, black only, and is subject to final specification.)

- Design/Layout materials
- Produce materials
- Prepare materials for mail assembly

Nov. 10 – Printer Mails Ballots to Riverton City Users

Dec. 1 – Deadline to Request Replacement Ballot from Printer

Replacement Ballot Materials

Base Fee, plus \$10 per Replacement Package if issued by IVS – (Plus Postage @ USPS Express Mail)

- Produce Replacement Ballot Materials for client distribution
- Process all inbound materials for duplicates (remote)
- Manage processing and tracking of Replacement Materials

Dec. 8 – Postmark Deadline for Ballot to be received by Printer

Tabulation, Programming and Service Package

(Estimated 2,500 returns)

- Manage all Election and Production Processes
- Process and review Inbound Ballot Materials (remote)
- Tabulate qualified Surveys
- Prepare Ballot Audit Report & Tabulation Results

Dec. 15 – Results to Riverton City prior to RCCM 12-16-14

Postage Estimate based on 1 ounce:

Based on Presorted First Class USPS, package weight under two ounces.

Return Postage – estimate 20% return, includes permit for BRM

Postage Deposit:

Postage must be received 5 days prior to mailing.



Issue Paper

Item No. 4

| | | |
|---|---|--|
| Presenter/Submitted By: | Mayor Applegarth | |
| Subject: Consent Agenda | Meeting Date: October 7, 2014 | |
| | Fiscal Impact: | |
| | Funding Source: | |
| Background: 4. CONSENT AGENDA <ol style="list-style-type: none"> 1. Minutes: RCCM 09-16-14; CC/TS 09-30-14 2. Bond Releases: N/A 3. <u>Resolution No. 14-64</u> – Authorizing the execution and recording of a Delay Agreement between Riverton City and Norma R. Bench for property located at 2164 West 13250 South | | |
| Recommendation: Approve the Consent Agenda as listed. | | |
| Recommended Motion: “I move the City Council approve the Consent Agenda as listed.” | | |

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Riverton City
REGULAR CITY COUNCIL MEETING
Minutes
September 16, 2014

Riverton City Hall
12830 South 1700 West
Riverton, Utah 84065

10 **Attendance:**

11
12 Mayor William R. Applegarth

13
14 **Council Members:**

15 Council Member Brent Johnson
16 Council Member Trent Staggs
17 Council Member Sheldon Stewart
18 Council Member Tricia Tingey
19 Council Member Paul Wayman

20
21
22 **City Staff:**

Lance Blackwood, City Manager
Virginia Loader, Recorder
Ryan Carter, City Attorney
Jeff Hawker, Asst. City Manager
Trace Robinson, Public Works Director
Erik Sandstrom, UFA Battalion Chief
Rod Norton, UPD Chief, Riverton Precinct

23 **Citizens:** Michael S. Johnson, Wyoma Darlington, Dennis Page, John H. Jackson, J. Clint Jackson
24
25

26 **CLOSED SESSION – 5:45 p.m.**

27
28 **Call to Order and Roll Call**

29
30 [5:47:08 PM](#) Mayor Applegarth called the meeting to order at 5:47 p.m. and welcomed those in
31 attendance. He then conducted a Roll Call and Council Members Staggs, Tingey, and Wayman
32 were present. Council Member Brent Johnson was absent and Council Member Sheldon Stewart
33 was excused.

34
35 **1. Strategy Session to Discuss Litigation**

36
37 [5:48:04 PM](#) Council Member Tricia Tingey **MOVED the City Council meet in a Strategy**
38 **Session to discuss litigation.** Council Member Paul Wayman **SECONDED** the motion. Mayor
39 Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote.
40 The vote was as follows: Johnson-Absent, Staggs-Yes, Stewart-Excused, Tingey-Yes, and
41 Wayman-Yes. **The motion passed unanimously.**

42
43 Minutes of the Closed Session were taken and recorded and are now on file as a Protected
44 Record.

45
46 **1. GENERAL BUSINESS**
47

1 **Call to Order and Roll Call**

2
3 [6:30:50 PM](#) Council Member Tricia Tingey called the Regular City Council Meeting to order at
4 6:30 p.m. and welcomed those in attendance. She then conducted a Roll Call and Council
5 Members Johnson, Staggs, Tingey, and Wayman were present. Council Member Sheldon
6 Stewart was excused.

7
8 **Pledge of Allegiance** – City Manager Lance Blackwood directed the Pledge of Allegiance.

9
10 **Presentations/Reports**

11
12 **Recognition of Boy Scout Troops**

13
14 There were no Boy Scouts in attendance.

15
16 Council Member Tricia Tingey moved to Staff and Elected Officials Reports as follows: [6:32:56](#)
17 [PM](#)

18
19 **5. STAFF REPORTS**

20
21 **1. City Manager Lance Blackwood** – No reports

22
23 **2. Safety Training** – No report

24
25 **6. ELECTED OFFICIAL REPORTS**

26
27 **Council Member Brent Johnson** – [6:33:09 PM](#) said it was his understanding that the Planning
28 Commission approved a Conditional Use Permit (CUP) in a residential neighborhood for a
29 business that has light manufacturing. He said that a Public Hearing took place without proper
30 notice to the nearby residents and a CUP was issued; he questioned how that happened.

31
32 [6:34:55 PM](#) In response to Councilman Johnson, City Manager Lance Blackwood explained that
33 although a CUP was granted, the property owner may be in violation of the terms of the CUP. He
34 said he would report back following further research on the issue.

35
36 **Council Member Trent Staggs** – [6:36:47 PM](#) recognized the efforts of the City Staff in clearing
37 out the Jordan Parkway. He spoke of the 1900 West Project and Public Works Director Trace
38 Robinson explained the process prior to final design and Open House. Councilman Staggs then
39 reported that he had received complaints regarding the number of vehicles that are parked in
40 resident's front and/or back yards and he requested further discussion at a future Work Session.

41
42 **Council Member Sheldon Stewart** – Excused

43
44 **Council Member Tricia Tingey** – No report

45
46 **Council Member Paul Wayman** – [6:40:38 PM](#) spoke of the water user rate analysis that was
47 prepared by Zions Bank to determine what the monthly user rate would be for single family
48 residential customers if the City switched its water source to Jordan Valley Water Conservancy

1 District. He said that he did not feel good about the rate that they adopted on September 9, 2014
2 and he requested that the City Council relook at that rate and contract with Zions Bank to do
3 another analysis to validate their decision or to come up with other options. He said he had
4 contacted Zions Bank they said they could do an analysis at an additional cost, which would take
5 approximately two weeks. He then asked if other City Council Members would be interested in
6 pursuing another study. Council Member Tricia Tingey said she was not in favor of putting more
7 money into a study. Council Member Staggs said he was supportive of looking at different rate
8 structures at some time in the future but didn't feel there was value in restudying the issue at this
9 time; Council Member Brent Johnson spoke in opposition of another survey, which he said
10 would just be speculation. Council Member Wayman then said the main issue was what the rate
11 was going to be; again, he said he did not feel comfortable with it.
12

13 **Mayor Bill Applegarth** – reported that he had the opportunity to meet with the Jordan School
14 District to discuss their five-year plan and he was very encouraged with their plans, their new
15 employees and with their new financial plan.
16

17 **Public Comments**

18
19 [6:32:26 PM](#) Council Member Tricia Tingey explained the public comment procedure and called
20 for public comments. There were no public comments; therefore, she closed the Public Comment
21 period.
22

23 **2. PUBLIC HEARINGS**

24 25 **1. Public Hearing – Consideration of a One Year Lease Agreement with the South Valley 26 Sanctuary, a Utah Nonprofit Organization dedicated to the purpose of providing support 27 to victims of domestic violence**

28
29 [6:51:02 PM](#) Ryan Carter, City Attorney, explained that, Pursuant to Utah Code Annotated,
30 Section 10-8-2, the City Council may waive revenues in the form of rental fees otherwise due to
31 the City and may otherwise provide financial and nonfinancial support to a nonprofit entity
32 providing services to the citizens of the City. He said to do this, the City must first conduct a
33 form of a cost benefit analysis that measures the value of the intangible benefits which City
34 residents may receive in connection with a transaction where the City forebears acceptance of
35 revenue. The intangible benefits must also be found to enhance the health, safety, welfare, moral
36 well-being of the community. He further explained that Section 10-8-2 also limits the charitable
37 contribution to nonmonetary contributions such as rental fee waivers and City services. It also
38 limits the total charitable contributions for the fiscal year to 1% of the City's budget for that
39 fiscal year, which is not an issue in the present case.
40

41 Mr. Carter further explained that South Valley Sanctuary, Inc. is a nonprofit corporation, and the
42 requested nonmonetary contribution for use of Room #S 107 in the Sandra Lloyd Community
43 Center for a term of one year. He said that from collection of rents gathered during ordinary use
44 of the room over the past three years, the City has generously estimated that the amount of rent
45 that the City could reasonably expect to receive from ordinary use of the space may equal, but
46 not exceed, \$5,000.00 per year.
47

1 Mr. Carter said the proposed Lease Agreement between Riverton City and South Valley
2 Sanctuary, Inc. identifies the location of the office space and sets forth the terms and conditions
3 of the Lease. The South Valley Sanctuary has a history of being a good tenant under the terms of
4 a similar lease agreement with West Jordan City, wherein the South Valley Sanctuary leases
5 room space within West Jordan City Hall. He then recommended the City Council hold a public
6 hearing and accept public comment on whether the intangible benefits received by approving a
7 Lease Agreement with the South Valley Sanctuary would equal or exceed the value of the rents
8 waived through ordinary use of the building and consider whether to approve a Lease Agreement
9 as provided by City staff.

10
11 [6:59:58 PM](#) Mr. Carter addressed questions from Council Members.

12
13 [7:00:35 PM](#) Mayor Applegarth reported on incidents he and Council Member Stewart witnessed
14 at the South Valley Sanctuary and he spoke in favor of the center and the services they offer. Jen
15 Campbell, South Valley Sanctuary representative, thanked the City for their support and
16 resources. She spoke of the services that have benefited many Riverton City residents and she
17 spoke of the services they offer.

18
19 Mayor Applegarth open a Public Hearing and called for public comment.

20
21 [7:06:54 PM](#) Wyoma Darlington encouraged the City to support the South Valley Sanctuary and
22 spoke of various experiences she was aware of.

23
24 There being no further comments, Mayor Applegarth declared the Public Hearing closed.

25
26 **Resolution No. 14-61 – Approving a Lease Agreement with the South Valley**
27 **Sanctuary**

28
29 [7:09:14 PM](#) Council Member Trent Staggs **MOVED the City Council approve Resolution No.**
30 **14-61 - Authorizing the Mayor to execute a lease agreement with the South Valley**
31 **Sanctuary in accordance with said Resolution.** Council Member Brent Johnson **SECONDED**
32 the motion. Mayor Applegarth called for discussion on the motion; there being none, he called
33 for a Roll Call Vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Excused,
34 Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**

35
36 Council Members offered resources to help accommodate the move to the Riverton City
37 location.

38
39 **3. DISCUSSION/ACTION ITEMS**

40
41 **Establish Open House Dates and Venues for Council Districts 3, 4 & 5**

42
43 The following dates were scheduled for Council District Open Houses regarding the Water Rate
44 Study and Survey:

45
46 [7:13:00 PM](#) Council Member Paul Wayman, Council District 3, scheduled an Open House on
47 November 6, 2014 from 6:00 to 8:00 p.m. at the C. R. Hamilton Pavilion.

48

1 Council Member Trent Staggs, Council District 4, and Brent Johnson, Council District 5
2 scheduled a Joint Open House on October 23, 2014 from 6:00 to 9:00 p.m. at Riverton City Hall.

4. CONSENT AGENDA

1. **Minutes:** FT 09-06-14; RCCM 09-09-14
2. **Bond Releases:** N/A
3. *See below*
4. **Resolution No. 14-60** – Ratifying a Purchase Order given to Sontag Recreation to Furnish and Install a New Playground at Homestead Park

6 Council Member Paul Wayman requested that Item 4.3 be removed from the Consent Agenda
7 for further discussion.

9 **7:16:29 PM** Council Member Trent Staggs **MOVED the City Council approve the Consent**
10 **Agenda with the exception of Item 4.3.** Council Member Tricia Tingey **SECONDED** the
11 motion. Mayor Applegarth called for discussion on the motion; Staggs-Yes, Stewart-Excused,
12 Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**

3. **Resolution No. 14-59** – **Authorizing the City to Approve an amendment to the Federal Aid Agreement with The Utah Department of Transportation for Funding of The 13400 South Widening Project; 4000 West to Mountain View**

15 **7:17:01 PM** Trace Robinson noted an error on the Issue Paper that the Council received
16 regarding this issue then explained that in 2009, Riverton City obtained Federal Funding for the
17 reconstruction and widening of 13400 South from 4000 West to Mountain View. On April 29,
18 2010 Riverton City entered into a Federal Aid Agreement with the Utah Department of
19 Transportation for the construction of the project and during construction. The contractor
20 experienced delays due to utility work performed by Questar Gas Co.; those delays resulted in a
21 claim of \$524,820.98. Riverton was able to obtain an additional \$300,000 STP funding through
22 the WFRC to offset some of those costs. He further explained that the amendment outlines the
23 obligation of the City for their match and identifies and authorizes the funding for the project,
24 which required that Riverton pay the match of %6.77, which is \$20,300.00 (*which is the correct*
25 *amount for the Issue Paper*). Mr. Robinson said the match was included in the numbers previously
26 submitted to and approved by the Council on August 5, 2014 regarding the Settlement
27 Agreement with Wadsworth Bros Construction.

29 Council Member Paul Wayman **MOVED the City Council approve Resolution No. 14-59 -**
30 **Authorizing the City to Approve an amendment to the Federal Aid Agreement with The**
31 **Utah Department of Transportation for Funding of The 13400 South Widening Project;**
32 **4000 West to Mountain View.** Council Member Trent Staggs **SECONDED** the motion. Mayor
33 Applegarth called for discussion on the motion; Staggs-Yes, Stewart-Excused, Tingey-Yes, and
34 Wayman-Yes. **The motion passed unanimously.**

7. UPCOMING MEETINGS

38 Mayor Applegarth reviewed the following upcoming meetings:
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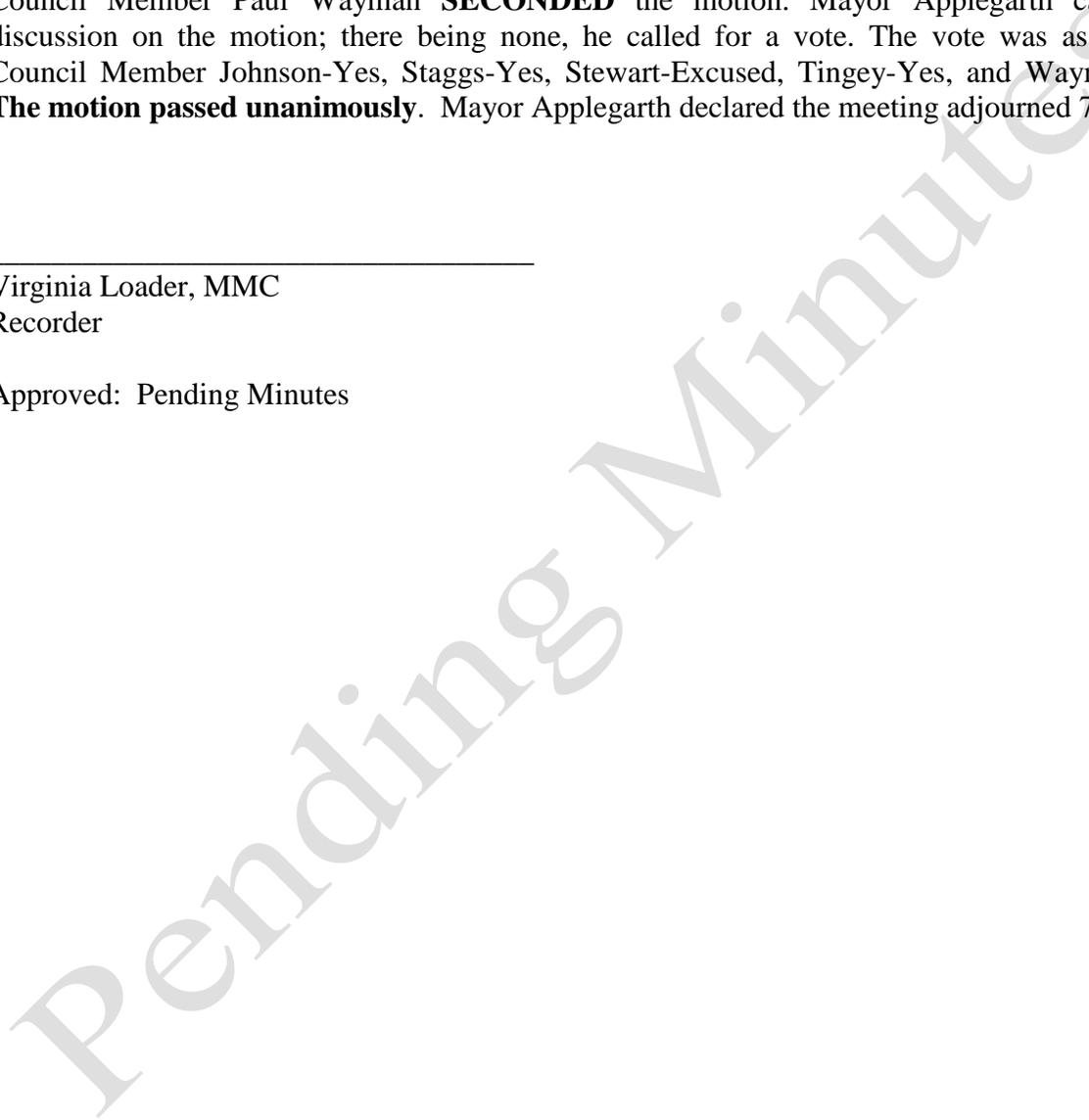
1. **September 30, 2014** – 6:00 p.m. – City Council and Emergency Training
2. **October 7, 2014** – 6:30 p.m. – Regular City Council Meeting
3. **October 21, 2014** – 6:30 p.m. - Regular City Council Meeting

8. ADJOURN

7:22:36 PM Council Member Paul Wayman **MOVED to adjourn the City Council Meeting.** Council Member Paul Wayman **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-Excused, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.** Mayor Applegarth declared the meeting adjourned 7:22 p.m.

Virginia Loader, MMC
Recorder

Approved: Pending Minutes



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Riverton City
CITY COUNCIL MEETING & TRAINING SESSION
Minutes
September 30, 2014

Riverton City Hall
12830 South 1700 West
Riverton, Utah 84065

10 **Attendance:**

11
12 Mayor William R. Applegarth

13
14 **Council Members:**

15 Council Member Brent Johnson
16 Council Member Trent Staggs
17 Council Member Sheldon Stewart
18 Council Member Tricia Tingey
19 Council Member Paul Wayman

20
21 **City Staff:**

Lance Blackwood, City Manager
Joy Johnson, Deputy Recorder
Ryan Carter, City Attorney
Jeff Hawker, Asst. City Manager

22
23
24 **Citizens:** No citizens were present at the beginning of the meeting.

25
26 **1. GENERAL BUSINESS**

27 **Call to Order and Roll Call**

28 Mayor Applegarth called the meeting to order at 6:00 p.m. and welcomed those in attendance.
29 He then conducted a Roll Call and Council Members Staggs, Stewart, Tingey, and were present.
30 Council Members Wayman and Johnson arrived after the meeting began.

31
32 **Presentations/Reports**

33
34 **1. Jordan River Commission**

35
36 Jordan River Commission Member Chris McCandless, who is also a member of the Sandy City
37 Council, addressed the Council. He explained the Jordan Blue Print, a document which outlines
38 goals and objectives in protecting the Jordan River. He explained that Salt Lake County has
39 taken the lead in organizing and promoting Interlocal agreements between the cities and counties
40 along the Jordan River.

41
42 Laura Hansen, Director of the Jordan River Commission, informed the Council regarding the
43 current and potential members and agencies affiliated with the Jordan River Commission and
44 extended an invitation for Riverton City to join.

45
46 Ms. Hansen discussed the Technical Advisory Commission (TAC) and informed Council
47 members that if Riverton were to join the Commission, they would have a position on the TAC

1 Board. The annual fee contribution to join the Commission is formula based and for most cities
2 is approximately \$3,000 annually.

3 4 **2. Distribution of Water Survey Methodology**

5
6 City Economic Development Director Jeff Hawker distributed an outline for the Riverton City
7 Water Survey Methodology. He said the water alternatives option will be developed and branded
8 as “Your Choice” and will provide information to all water connection customers regarding the
9 option they will have to choose between, whether it be staying with the current water source, or
10 contracting with Jordan Valley Water Conservancy District.

11
12 A Fact sheet with information regarding branding, open houses, website, newsletter, social
13 media, and news media was distributed for Council to review. It was suggested that if any
14 changes were to occur in the methodology, that it would be made by at least three Council
15 Members.

16
17 Council Members discussed the need for a Resolution to accompany this topic when presented
18 for approval. Additionally they discussed the need for the documents to remain informational
19 only and not use the terms “for” or “against.” Council Members discussed the need to take time
20 to review the methodology information.

21 22 **Public Comments**

23
24 Mayor Applegarth explained the public comment procedure and called for public comments.
25 There were no public comments; therefore, Mayor Applegarth closed the Public Comment
26 period.

27 28 **2. TRAINING SESSION – 6:30 p.m.**

29
30 A training exercise of the Emergency Operations Center (EOC) was conducted by Wade
31 Watkins, Salt Lake County Emergency.

32 33 **3. ADJOURN**

34
35 Council Member Tingey **MOVED to adjourn the City Council Meeting.** Council Member
36 Staggs **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there
37 being none, he called for a vote. The vote was as follows: Council Member Johnson-Yes, Staggs-
38 Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.** Mayor
39 Applegarth declared the meeting adjourned 7:36 p.m.

40
41
42
43 _____
44 Virginia Loader, MMC
45 Recorder

46 Approved: Pending Minutes
47



Issue Paper

Item No. 4.3

| | | |
|---|---|--|
| Presenter/Submitted By: | Ryan Carter / Scott Ball | |
| Subject: Resolution authorizing the execution of a Delay Agreement with Norma R. Bench for property located at 2164 W. 13250 S. | Meeting Date: October 7, 2014 | |
| | Fiscal Impact: N/A | |
| | Funding Source: N/A | |
| Background: The purpose of the Delay Agreement is to allow the owner to postpone the installation of curb & gutter, sidewalk and asphalt tie-in to the property until such time as the City demands that the improvements be completed and installed. | | |
| Recommendation: Staff recommends entering in to a Delay Agreement with Norma R. Bench for property located at 2164 W. 13250 S. | | |
| Recommended Motion: "I move the City Council approve <u>Resolution No. 14-64</u> - authorizing the City to enter into a Delay Agreement Norma R. Bench for property located at 2164 W. 13250 S." | | |

RIVERTON CITY, UTAH
RESOLUTION NO. 14-64

**A RESOLUTION AUTHORIZING THE EXECUTION AND RECORDING OF A
DELAY AGREEMENT BETWEEN RIVERTON CITY AND NORMA R. BENCH FOR
PROPERTY LOCATED AT 2164 WEST 13250 SOUTH**

WHEREAS, Norma R. Bench is the owner of the property located at 2164 West 13250 South, Riverton, Utah, have executed an agreement entitled, Delay Agreement for Completion of Improvements" (herein the "Agreement"); and

WHEREAS, the purpose for the Agreement is to allow the owner to postpone the installation of certain improvements to the property until such time as the City demands that the improvements be completed and installed; and

WHEREAS, it is deemed to be in the best interest of the citizens of Riverton City to approve and execute the Agreement.

**NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF
RIVERTON CITY AS FOLLOWS:**

1. The Agreement entitled, "Delay Agreement for the Completion of Improvements," executed by Norma R. Bench, is approved.
2. The Mayor is authorized to execute the Agreement for and in behalf of Riverton City.
3. The City Recorder is directed to record the Agreement in the office of the Salt Lake County Recorder.
4. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED by the Riverton City Council on this 7th day of October 2014, by the following vote:

| | | | | |
|--------------------------------|-----|-----|-----|----|
| Council Member Brent Johnson | ___ | Yes | ___ | No |
| Council Member Trent Staggs | ___ | Yes | ___ | No |
| Council Member Sheldon Stewart | ___ | Yes | ___ | No |
| Council Member Roy Tingey | ___ | Yes | ___ | No |
| Council Member Paul Wayman | ___ | Yes | ___ | No |

RIVERTON CITY

[SEAL]

ATTEST:

Bill Applegarth, Mayor

Virginia Loader, MMC
Recorder

WHEN RECORDED RETURN TO:
Riverton City Recorder
12830 South 1700 West
Riverton, Utah 84065

Space above for County Recorder's use only

Parcel No: 27343050410000

**RIVERTON CITY
DELAY AGREEMENT FOR COMPLETION OF IMPROVEMENTS**

THIS AGREEMENT, (herein "Agreement"), is entered into this ____ day of _____,
2014.

PARTIES

APPLICANT:

Norma R. Bench
2164 W. 13250 S.
Riverton, Utah 84065

CITY:

Riverton City, a municipal corporation of the State of Utah,
Address: 12830 South 1700 West
Riverton, Utah 84065

RECITALS

WHEREAS, APPLICANT desires to execute a Delay Agreement with the CITY for property identified as Lot 21, Hamilton Acres located at **2164 West 13250 South** the legal description of land contiguous to where the improvements described below are to be installed and/or constructed is described in **Exhibit "A"** attached hereto and incorporated herein by reference;

WHEREAS, prior to the actual issuance of any permit(s)/approval(s), APPLICANT is required to complete this Agreement, which will delay the installation of **141 linear feet of curb & gutter, sidewalk and asphalt tie-in.**

WHEREAS, CITY cannot grant said permit(s) and/or approval(s) until APPLICANT agrees to the conditions set forth hereunder regarding the above-described improvements.

NOW, THEREFORE, in consideration of the premises, the parties agree as follows:

1. To defer completion of the improvements until such time as written notice is sent to APPLICANT demanding installation and/or completion of any or of all the improvements; or, to reimburse CITY for CITY's installation and/or completion of the improvements at such time as CITY, through written notice to APPLICANT, demands reimbursement.
2. Unless otherwise expressly agreed in paragraph 1 above, CITY may require any or all of the improvements to be partially or wholly completed, in any order or pursuant to any timetable deemed appropriate by CITY.
3. Installation of the improvements by APPLICANT shall commence within 30 days of the date of the written notice or other time mentioned in paragraph 1 above, and shall be completed within **ninety (90)** days of the date of the written notice.
4. The cost of the improvements and their installation and completion shall be completely and wholly borne by APPLICANT.
5. APPLICANT shall not be relieved from the obligation to install the improvements until such installation has been performed to the satisfaction of CITY.
6. Notwithstanding the provisions set forth above, if prior to the deferred time period set out in paragraph 1 above APPLICANT applies to CITY for approval to develop the property adjacent to the property described above, CITY may require said deferred improvements to be installed at the same time approval is given to develop the adjacent property.
7. If APPLICANT sells or leases property adjacent to the property described above and the buyer or lessee applies to CITY for approval to develop the adjacent property, CITY may require the improvements to be installed at the same time approval is given to develop the adjacent property.
8. The parties expressly agree that CITY may at any time, at its option, install and/or complete the improvements. Should CITY exercise its option, APPLICANT shall reimburse to CITY, within 30 days of the date mentioned in paragraph 1 above, all costs resulting from said installation and/or completion.
9. Should APPLICANT fail to install and complete the improvements as required by CITY pursuant to the terms of this Agreement or reimburse CITY as herein agreed, or otherwise fail to perform its obligation pursuant to the terms of this Agreement, APPLICANT recognizes CITY's right to recover the costs necessary to install the improvements or obtain reimbursement therefore through foreclosure proceedings on the property described above.

- 10. If a special improvement district is proposed, which district would in whole or in part finance the installation of any or of all the improvements required under this Agreement, APPLICANT expressly agrees not to oppose the forming of the special improvement district or the cost thereof. APPLICANT expressly acknowledges that its obligation for completion of or reimbursement for any improvements which are the subject of this Agreement, but are not or will not be installed as part of the special improvement district, shall not be affected by said special improvement district.
- 11. Any and all of the obligations of APPLICANT as outlined in this Agreement shall run with the land described above and shall constitute an encumbrance thereon. The rights, duties and obligations herein shall inure to the benefit of and be binding upon the heirs, successors-in-interest, assigns, transferees, and any subsequent purchaser of the parties.
- 12. In the event CITY commences legal action to enforce or interpret any term of this Agreement, CITY shall be entitled to recover from APPLICANT reasonable attorney's fees, court costs, and any other costs in connection with said action.
- 13. If any provision of this Agreement is declared invalid by a court of competent jurisdiction, the remaining provisions shall not be affected thereby, but shall remain in full force and effect.

WHEREUPON, the parties hereto have set their hands the day and year first above written.

“APPLICANT”

NORMA R. BENCH

Signature: _____

State of Utah)
 :SS
 County of Salt Lake)

On this _____ day of _____, 2014, personally appeared before me **NORMA R. BENCH**, whose identity is personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that she executed the same.

Notary Public

“CITY”

MAYOR

ATTEST:

CITY RECORDER

APPROVED AS TO FORM:

By: _____
CITY Attorney's Office

Date