



**RIVERTON CITY  
REGULAR CITY COUNCIL MEETING  
AGENDA**

**April 21, 2015**

Notice is hereby given that the Riverton City Council will hold a **Regular City Council Meeting** beginning at **6:30 p.m.** on **April 21, 2015** 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
4. Public Comments

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

**3. DISCUSSION/ACTION ITEMS**

1. **Preliminary Plat Subdivision**, Autumnwood Estates Subdivision, 12175 South 3600 West, R-3 SD Zone, 36 Residential Lots, Ivory Development, Applicant – *Jason Lethbridge, Planning Manager*

**4. CONSENT AGENDA**

1. **Minutes:** RCCM 04-07-15
2. **Bond Releases:** N/A
3. **Resolution No. 15-36** – Requesting approval to issue a PO Contract to Applied Geotechnical Engineers to complete the Lover's Lane Land Stability and Safety Study - *Craig Calvert, Purchasing Manager*
4. **Resolution No. 15-32** – Adopting a Revised Personnel Policies and Procedures Manual – *Ryan Carter, City Attorney*
5. **Resolution No. 15-35** – Authorizing the City to enter an Interlocal Cooperation Agreement with Salt Lake County for the purchase of High-Resolution Google Imagery Data - *Trace Robinson, Public Works Director*
6. **Ordinance No. 15-05** - Amending Title 11, Chapter 5, of the Riverton City Code [Park Property] – *Sheril Garn, Parks & Public Services Director*

**5. STAFF REPORTS** - *Lance Blackwood, City Manager*

**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. April 28, 2015 - 6:30 p.m. – Regular City Council Meeting - *Cancelled*

2. May 5, 2015 - 6:30 p.m. – Regular City Council Meeting
3. May 12, 2015 - 6:30 p.m. – Regular City Council Meeting
4. May 19, 2015 - 6:30 p.m. – Regular City Council Meeting - *Cancelled*

## 8. ADJOURN

### 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](http://www.rivertoncity.com), and on the Utah Public Meeting Notice Website at <http://pmn.utah.gov>.

Dated this 16<sup>th</sup> day of April 2015

Virginia Loader, Recorder



# Issue Paper

Item No. 3.1

|  |  |  |
|--|--|--|
| <b>Presenter/Submitted By:</b>   | Jason Lethbridge, Planning Manager     |  |
| <b>Subject:</b><br><br><b>PRELIMINARY PLAT SUBDIVISION, AUTUMNWOOD ESTATES SUBDIVISION, 12175 SOUTH 3600 WEST, R-3 SD ZONE, 36 RESIDENTIAL LOTS, IVORY DEVELOPMENT, APPLICANT</b>  | <b>Meeting Date:</b><br>April 21, 2015 |  |
|  | <b>Fiscal Impact:</b><br>N/A           |  |
|  | <b>Funding Source:</b><br>N/A          |  |
| <b>Background:</b><br><br><p>Ivory Development has submitted an application requesting the approval of a subdivision of property located at 12175 South 3600 West. The property is currently zoned R-3 SD (Residential 14,000 square foot lots Specific Development) and is currently vacant agriculture land. Property to the north is zoned RR-22 (Rural Residential ½ acre lots). To the south and south west property is zoned R-1 (Residential 1 acre lots and RR-22, respectively). To the east on the adjacent side of the canal property is zoned RR-22. On the west property is zoned R-2 (Residential 19,000 square foot lots) and R-3. All of the land uses surrounding the property are single-family residential.</p> <p>The applicant is proposing to subdivide 19.34 acres into 36 single family residential lots of varying sizes. The varying lots sizes comes from requirements of the SD designation attached to the R-3 zoning. On June 3, 2014 the Riverton City council approved a zoning change on this property to R-3 SD, the SD attaching certain zoning requirements that must be upheld during the subdivision process. Those requirements were:</p> <ol style="list-style-type: none"> <li>1. A minimum of ½ of the lots developed within this property shall be a minimum of .5 acres in size.</li> <li>2. All lots adjacent to the south property line shall be a minimum of ½ acre in size.</li> <li>3. Two access points shall be allowed to the property, one on the north and one on 3600 West.</li> </ol> <p>The proposed preliminary plat does comply with the requirements as found in the SD designation as well as the standard zoning requirement as found in the R-3 zone regarding lot sizes, lot widths and lot frontages. Twenty lots within the subdivision are ½ acre or larger with the remaining 19 lots being larger than 14,000 square feet. All ½ acre lots are on the south side of the property adjacent to the 1 acre lots as required by the SD designation.</p> |  |  |
| <b>Recommendation:</b><br><br><p>On February 26, 2015, the Planning Commission voted to recommend APPROVAL of this preliminary plat application.</p>   |  |  |
| <b>Proposed Motion</b><br><br><p>“I move the City Council approve Application #14-1005, Autumnwood Estates Subdivision, located at 12175 South 3600 West South with the conditions outlined in the Staff Report.”</p>  |  |  |

**RIVERTON CITY  
MEMORANDUM**

**TO:** Honorable Mayor and City Council

**FROM:** Development Review Committee

**DATE:** April 21, 2015

**SUBJECT:** PRELIMINARY PLAT SUBDIVISION, AUTUMNWOOD ESTATES SUBDIVISION, 12175 SOUTH 3600 WEST, R-3 SD ZONE, 36 RESIDENTIAL LOTS, IVORY DEVELOPMENT, APPLICANT

**PL NO.:** 14-1005 – Autumnwood Estates Subdivision

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**On February 26, 2015, the Planning Commission voted to recommend APPROVAL of this preliminary plat application. Minutes from that meeting are included below. The Commission specifically added condition #4 below in light of changes to the fencing ordinance that were in discussion at the time of their approval. The Planning Commission recommended to following motion:**

I move the City Council APPROVE application #14-1005, Autumnwood Estates Subdivision, located at 12175 South 3600 West South with the following conditions:

1. Storm drainage systems and installation shall comply with Engineering Department requirements and standards.
2. Any and all irrigation ditches associated with the property be addressed, with disposition of the irrigation systems approved by Riverton City and the proper irrigation company or users.
3. The subdivision shall comply with any and all applicable Riverton City standards and ordinances, including the International Building and Fire Codes.
4. Six foot solid masonry fencing be installed around the entire perimeter of the parcel, and that it meet the new fencing ordinances as approved by the City at the time of final plat approval.

**BACKGROUND:**

Ivory Development has submitted an application requesting the approval of a subdivision of property located at 12175 South 3600 West. The property is currently zoned R-3 SD (Residential 14,000 square foot lots Specific Development) and is currently vacant agriculture land. Property to the north is zoned RR-22 (Rural Residential ½ acre lots). To the south and south west property is zoned R-1 (Residential 1 acre lots and RR-22, respectively). To the east on the adjacent side of the canal property is zoned RR-22. On the west property is zoned R-2 (Residential 19,000 square foot lots) and R-3. All of the land uses surrounding the property are single-family residential.

The applicant is proposing to subdivide 19.34 acres into 36 single family residential lots of varying sizes. The varying lots sizes comes from requirements of the SD designation attached to the R-3 zoning. On June 3, 2014 the Riverton City council approved a zoning change on this property to R-3 SD, the SD attaching certain zoning requirements that must be upheld during the subdivision process. Those requirements were:

1. A minimum of ½ of the lots developed within this property shall be a minimum of .5 acres in size.
2. All lots adjacent to the south property line shall be a minimum of ½ acre in size.
3. Two access points shall be allowed to the property, one on the north and one on 3600 West.

The proposed preliminary plat does comply with the requirements as found in the SD designation as well as the standard zoning requirement as found in the R-3 zone regarding lot sizes, lot widths and lot frontages. Twenty lots within the subdivision are ½ acre or larger with the remaining 19 lots being larger than 14,000 square feet. All ½ acre lots are on the south side of the property adjacent to the 1 acre lots as required by the SD designation.

Access into the subdivision will be gained from two points. There will be an access onto 3600 West and will be aligned with an existing access into McMillan Farms Subdivision on the west side of 3600 West. The other access will connect to Janice Drive on the north side of the property. There not be a connection to Janice Drive on the south side of the property.

There is a storm water management pond located at the north east corner of the subdivision. This pond will be installed by the developer. Installation will include landscaping and an irrigation system. After the pond has been completed and once the warranty period has expired Riverton City will take over ownership and maintenance of the pond.

The Planning Commission included as a condition of approval the requirement for solid masonry fencing surrounding the development, and that the fencing comply with the requirements of the recently updated fencing ordinance. At the time the Planning Commission recommended approval of this subdivision, that ordinance had not yet been ratified by the City Council.

**ATTACHMENTS:**

The following items are attached:

1. Copies of the vicinity, zoning, and aerial maps identifying the property.
2. A copy of the proposed subdivision plat.



PL No. 14-1005  
Date \_\_\_\_\_

# Application Subdivision

Preliminary Plat       Single Phase       Final Plat

A. Applicant's Name Ivory Development  
Home Address 978 Woodoak Lane  
City Salt Lake City State UT Zip 84117  
Telephone # 801-747-7021 Mobile # 801-870-2543  
E-mail Address Kyleh@Ivorydevelopment.com Fax # 801-747-7321

B. Primary Contact Person Kyle Honeycutt  
Address 978 Wood oak lane  
City Salt Lake City State UT Zip 84117  
Telephone # 801-747-7021 Mobile # 801-~~870-2543~~ 870-2543  
E-mail Address Kyleh@Ivorydevelopment.com Fax # 801-747-7321

C. Project Information  
1. Subdivision Name Petersen Farms  
2. Subdivision Address 12175 South 3600 West  
3. Sidwell/Tax ID# 2729253004 Total Acreage of the Site \_\_\_\_\_  
4. Current Zoning of the Proposed Site zoned for 36 lots  
Zoning of Adjacent Parcels North 1/2 South 1 acre East 1/3 West 1/4  
5. Total acreage of the property 19.34 Number of lots 36  
Gross Density 1.83 Net Density 1.83  
6. Type of requested development \_\_\_\_\_  
Regular Subdivision  SD Zone \_\_\_\_\_ P.U.D. Overlay \_\_\_\_\_

By signing this application, I acknowledge that I have read and understood the application, ordinances, checklists, etc. associated with this application, and that any and all required drawings, plans, and other submittals are included and complete. All drawings and plans, and the proposed development, must comply with the requirements of the Engineering Plan Review Checklist, Riverton City Standards and Specifications, and all applicable Riverton City ordinances and standards.

Kyle Honeycutt  
Applicant's Signature

6-26-14  
Date

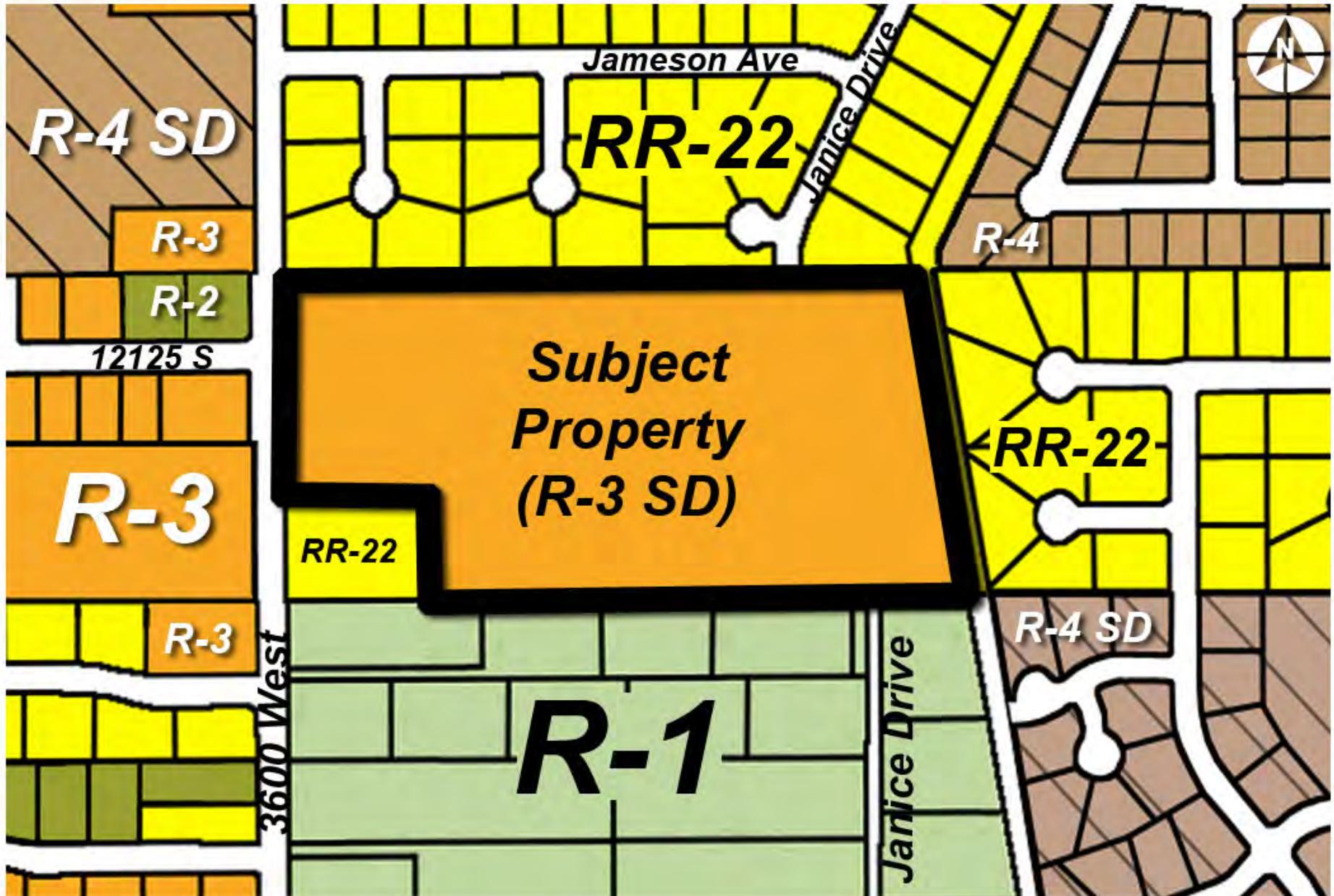
\*\*\*You will receive a letter following the Planning Commission and City Council meeting providing status of your application\*\*\*

# **AUTUMNWOOD ESTATES SUBDIVISION**

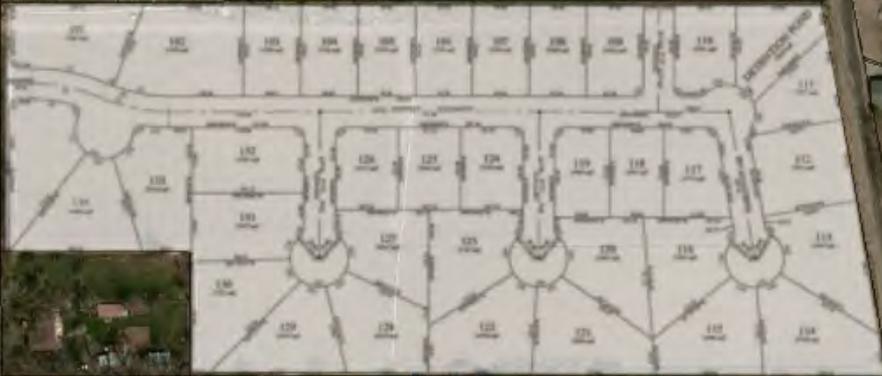


**AERIAL VIEW**

# AUTUMNWOOD ESTATES SUBDIVISION



**ZONING MAP**



# IVORY - 3600 WEST

## PRELIMINARY PLAT

LOCATED IN THE NW 1/4 OF SECTION 32, T3S, R1W, SLB&M.  
RIVERTON CITY, UTAH  
SALT LAKE COUNTY, UTAH

### SURVEYOR'S CERTIFICATE

I, DENNIS P. CARLISLE, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NUMBER 172675 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS:

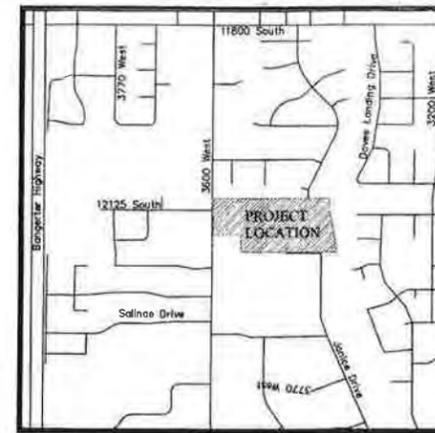
### IVORY - 3600 WEST

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT

### BOUNDARY DESCRIPTION

A portion of the NE1/4 of Section 29, Township 3 South, Range 1 West, Salt Lake Base & Meridian, located in Riverton, Utah, more particularly described as follows:  
Beginning at the intersection of the northerly line of that Real Property described in Deed Book 9183 Page 1085 of the Official Records of Salt Lake County, and the easterly line of 3600 West Street located N0°06'35"W along the 1/4 Section line 212.00 feet and S89°53'25"E 33.00 feet from the Center 1/4 Corner of Section 29, T3S, R1W, SLB & M; thence N0°06'35"W parallel with, and 33.00 feet easterly of the 1/4 Section line 430.77 feet to the south line of Plat 12, VICTORIAN STATION Subdivision, according to the Official Plat thereof on file in the Office of the Salt Lake County Recorder, thence East along said Plat and also Plat 13, VICTORIAN STATION Subdivision 1,398.10 feet to the westerly line of the Utah Lake Distribution Canal, defined as 49.5' westerly of the west line of Plat 11, VICTORIAN STATION Subdivision; thence S10°47'42"E along said canal 136.82 feet; thence S9°56'52"E along said canal 517.43 feet to the south line of the NE1/4 of Section 29; thence N89°57'17"W along the 1/4 Section line 1,191.88 feet to the southeast corner of said Deed Book 9183 Page 1085; thence N0°06'35"W along said deed 212.96 (record: 212.00 feet) to the northeast corner of said deed; thence S89°53'25"W along said deed 320.00 feet to the point of beginning  
Contains: 19.94 +/- acres

VICINITY MAP  
N.T.S.



### OWNERS DEDICATION

KNOWN ALL BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE DESCRIBED TRACT OF LAND ABOVE, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO HEREAFTER BE KNOWN AS

### IVORY - 3600 WEST

DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND WARRANT, DEFEND, AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE CITY'S USE, OPERATION, AND MAINTENANCE OF THE STREETS AND DO FURTHER DEDICATE THE EASEMENTS AS SHOWN FOR THE USE BY ALL SUPPLIERS OF UTILITY OR OTHER NECESSARY SERVICES

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

### LIMITED LIABILITY ACKNOWLEDGEMENT

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AN FOR THE COUNTY OF SALT LAKE, IN SAID STATE OF UTAH, \_\_\_\_\_ WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE PRESIDENT OF \_\_\_\_\_ L.L.C., A UTAH L.L.C. AND THAT HE SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED

MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC RESIDING IN SALT LAKE COUNTY

### EASEMENT APPROVAL

| CENTURY LINK         | DATE |
|----------------------|------|
|                      |      |
| ROCKY MOUNTAIN POWER | DATE |
|                      |      |
| QUESTAR GAS          | DATE |
|                      |      |
| COMCAST              | DATE |
|                      |      |

### RIVERTON CITY WATER

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_ BY THE RIVERTON CITY WATER DEPT.

### STREET LIGHTING DISTRICT

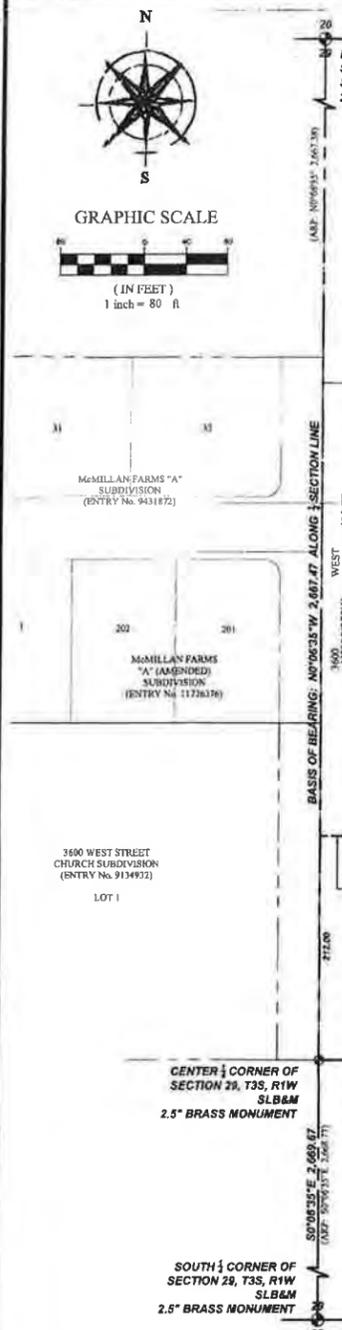
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

CHAIRMAN

### QUESTAR GAS NOTE

QUESTAR APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE A GUARANTEE. APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET IN THE OWNERS DEDICATION AND THE NOTES AND TERMS NOT CONSTITUTE A GUARANTEE OF PARTICULAR TYPES OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION, PLEASE CONTACT QUESTAR'S RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8512

| Curve Table |        |            |        |                 | Curve Table  |       |        |            |        |                 |              |
|-------------|--------|------------|--------|-----------------|--------------|-------|--------|------------|--------|-----------------|--------------|
| CURVE       | RADIUS | DELTA      | LENGTH | CHORD DIRECTION | CHORD LENGTH | CURVE | RADIUS | DELTA      | LENGTH | CHORD DIRECTION | CHORD LENGTH |
| C1          | 15.00  | 90°06'35"  | 23.59  | S44°56'41"W     | 21.23        | C27   | 15.00  | 90°00'00"  | 23.56  | N45°00'00"W     | 21.21        |
| C2          | 15.00  | 89°53'25"  | 23.53  | S45°00'17"W     | 21.19        | C28   | 15.00  | 49°44'52"  | 13.02  | N24°52'26"E     | 12.62        |
| C3          | 327.00 | 23°14'21"  | 132.35 | S78°24'20"E     | 131.44       | C29   | 50.00  | 81°55'49"  | 71.50  | N08°46'58"E     | 65.56        |
| C4          | 273.00 | 3°42'20"   | 14.46  | S68°19'41"E     | 14.45        | C30   | 50.00  | 54°50'45"  | 47.86  | N59°56'19"W     | 46.06        |
| C5          | 273.00 | 20°09'18"  | 96.03  | S79°55'21"E     | 95.54        | C31   | 50.00  | 54°19'57"  | 47.57  | S65°42'46"W     | 45.80        |
| C6          | 273.00 | 23°14'21"  | 132.35 | S78°24'20"E     | 131.44       | C32   | 50.00  | 88°13'13"  | 76.97  | S05°38'46"E     | 69.59        |
| C7          | 300.00 | 23°14'21"  | 121.42 | S78°24'20"E     | 120.59       | C33   | 15.00  | 49°44'52"  | 13.02  | S34°52'26"E     | 12.62        |
| C8          | 300.00 | 23°14'21"  | 121.42 | N78°24'20"W     | 120.59       | C34   | 50.00  | 27°22'29"  | 243.91 | N90°00'00"E     | 64.62        |
| C9          | 273.00 | 15°31'02"  | 73.94  | N82°14'29"W     | 73.71        | C35   | 15.00  | 90°00'00"  | 23.56  | S45°00'00"W     | 21.21        |
| C10         | 15.00  | 100°51'40" | 26.41  | N24°03'08"W     | 23.13        | C36   | 15.00  | 79°45'25"  | 20.88  | N59°07'17"W     | 19.23        |
| C11         | 50.00  | 133°55'12" | 116.87 | N40°34'54"W     | 92.02        | C37   | 15.00  | 49°44'52"  | 13.02  | N14°37'51"E     | 12.62        |
| C12         | 50.00  | 133°55'12" | 116.87 | N40°34'54"W     | 92.02        | C38   | 50.00  | 78°22'29"  | 68.39  | N00°19'02"E     | 63.19        |
| C13         | 50.00  | 66°00'55"  | 57.61  | S53°27'03"W     | 54.48        | C39   | 50.00  | 55°53'28"  | 48.77  | N66°48'56"W     | 46.86        |
| C14         | 15.00  | 91°01'09"  | 22.83  | S51°57'10"W     | 21.40        | C40   | 50.00  | 53°42'40"  | 46.87  | S58°23'00"W     | 45.17        |
| C15         | 327.00 | 7°27'44"   | 42.59  | N86°16'08"W     | 42.56        | C41   | 50.00  | 91°31'07"  | 79.87  | S14°13'53"E     | 71.64        |
| C16         | 50.00  | 139°56'07" | 174.48 | S73°35'21"E     | 98.49        | C42   | 15.00  | 49°44'52"  | 13.02  | S35°07'01"E     | 12.62        |
| C17         | 15.00  | 90°00'00"  | 23.56  | N45°00'00"W     | 21.21        | C43   | 50.00  | 27°22'29"  | 243.91 | N79°45'29"E     | 64.62        |
| C18         | 15.00  | 49°44'52"  | 13.02  | N24°52'26"E     | 12.62        | C44   | 15.00  | 43°47'33"  | 11.46  | S11°39'12"W     | 13.19        |
| C19         | 50.00  | 51°26'38"  | 44.89  | N24°01'33"E     | 43.40        | C45   | 50.00  | 53°37'47"  | 46.80  | S60°44'05"W     | 45.11        |
| C20         | 50.00  | 50°18'39"  | 43.90  | N26°51'05"W     | 42.51        | C46   | 50.00  | 51°33'58"  | 45.00  | S45°11'48"E     | 43.50        |
| C21         | 50.00  | 51°23'58"  | 45.00  | N77°47'24"W     | 43.50        | C47   | 50.00  | 65°14'40"  | 56.94  | N75°43'53"E     | 53.91        |
| C22         | 50.00  | 50°40'50"  | 44.23  | S51°09'12"W     | 42.80        | C48   | 15.00  | 46°53'23"  | 12.28  | N60°33'16"E     | 11.94        |
| C23         | 50.00  | 75°29'39"  | 65.88  | S12°00'02"E     | 61.22        | C49   | 50.00  | 170°28'25" | 148.74 | N51°40'15"W     | 99.63        |
| C24         | 15.00  | 49°44'52"  | 13.02  | S24°52'26"E     | 12.62        | C50   | 15.00  | 90°00'00"  | 23.56  | S45°00'00"W     | 21.21        |
| C25         | 50.00  | 27°22'29"  | 243.91 | N90°00'00"E     | 64.62        | C51   | 15.00  | 90°00'00"  | 23.56  | N45°00'00"E     | 21.21        |
| C26         | 15.00  | 90°00'00"  | 23.56  | S45°00'00"W     | 21.21        |       |        |            |        |                 |              |



**GENERAL NOTES:**

- POTENTIAL PURCHASERS OF PROPERTY LEGALLY DESCRIBED BY THIS PLAT ARE ADVISED TO FAMILIARIZE THEMSELVES WITH ALL NOTES, LOT INFORMATION, EASEMENTS AND OTHER PERTINENT INFORMATION CONTAINED WITH THIS PLAT AND ALSO WITH ANY CONDITIONS, COVENANTS AND RESTRICTIONS (CC&R) DOCUMENTS RECORDED AGAINST LAND LEGALLY DESCRIBED BY THIS PLAT. FAILURE TO ADHERE TO THESE NOTES, EASEMENTS, CC&R'S OR OTHER DOCUMENTS RECORDED AGAINST THE LAND COULD RESULT IN FINANCIAL LOSSES TO OR CHANGES IN EXPECTED PROPERTY USE OF THE PROPERTY OWNER. PROPERTY OWNERS AND PURCHASERS ARE RESPONSIBLE TO REVIEW AND TO BE IN COMPLIANCE WITH ALL NOTES, EASEMENTS, CC&R'S, AND OTHER RECORDED DOCUMENTS RELATED TO THIS PLAT, AS CURRENTLY EXISTING OR AS MAY FROM TIME TO TIME BE CHANGED AND/OR AMENDED.
- UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS (PUE) IDENTIFIED ON THIS PLAT MAP AS WELL AS NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE PUE. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE PUE AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PUE OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE PUE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES FACILITIES IN THE PUE.
- PROPERTY LIES WITHIN T334 FROM PANEL NUMBER 49035004406 WITH AN EFFECTIVE DATE OF SEPTEMBER 25, 2009, AND IS DESIGNATED ZONE "X". BUILDING SETBACKS ARE AS FOLLOWS:  
FRONT - 25'  
SIDE - 10' (20' CORNER, STREET SIDE)  
REAR - 25'
- STREET MONUMENT TO BE SET  
#5 REBAR AND CAP (FOCUS ENG) TO BE SET AT ALL LOT CORNERS. LEAD PLUGS TO BE SET IN THE TOP BACK OF CURB ON THE PROJECTION OF SIDE LOT LINES.

OWNER/DEVELOPER  
**IVORY DEVELOPMENT L.L.C.**  
978 WOODOAK LANE  
MURRAY, UTAH 84117  
PH: 801-747-7440



| COUNTY HEALTH DEPARTMENT                     | SOUTH VALLEY SEWER DISTRICT                  | RIVERTON CITY PLANNING                       | RIVERTON CITY ENGINEER                       | APPROVAL AS TO FORM                                     | RIVERTON CITY COUNCIL   |
|--|--|--|--|---|---|
| APPROVED THIS _____ DAY OF _____ A.D. 20____ | APPROVED THIS _____ DAY OF _____ A.D. 20____ | APPROVED THIS _____ DAY OF _____ A.D. 20____ | APPROVED THIS _____ DAY OF _____ A.D. 20____ | APPROVAL AS TO FORM THIS _____ DAY OF _____ A.D. 20____ | PRESENTED TO THE RIVERTON CITY COUNCIL THIS _____ DAY OF _____ A.D. 20____ AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED |

RECORDED #  
**IVORY - 3600 WEST**  
(AMENDED) LOCATED IN THE NW 1/4 OF SECTION 32, T3S, R1W, SLB&M RIVERTON CITY, UTAH SALT LAKE COUNTY, UTAH

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF:  
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_



**Minutes from  
Planning Commission Hearing**

1 RIVERTON CITY PLANNING COMMISSION  
2 MEETING MINUTES

3  
4 February 26, 2015

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

8  
9 Planning Commission Members:

Staff:

10  
11 Brian Russell  
12 Dennis Hansen  
13 Cade Bryant  
14 James Endrizzi  
15 Scott Kochevar  
16 James Webb

Andrew Aagard, City Planner  
Casey Taylor, Deputy City Attorney  
Gordon Miner, City Engineer

17  
18 Chair Russell called the meeting to order. Commissioner Webb led the Pledge of  
19 Allegiance.

20  
21 I. PUBLIC HEARING

22  
23 A. PRELIMINARY PLAT SUBDIVISION, AUTUMNWOOD ESTATES  
24 SUBDIVISION 12175 SOUTH 3600 WEST, R-3 SC ZONE, 36  
25 RESIDENTIAL LOTS, IVORY DEVELOPMENT, APPLICANT.

26  
27 City Planner, Andrew Aagard, presented the staff report and presented aerial  
28 photographs of the subject property. He reported that the subdivision will have frontage  
29 on 3600 West, and is bound on the east by a canal. Mr. Aagard stated that the zoning  
30 for the property was recently rezoned R-3 SD, residential, 14,000 square foot lots or  
31 larger. The surrounding properties are primarily zoned RR-22, as well as some R-1.  
32 Mr. Aagard added that the property adjacent to 3600 West was also zoned R-3. He  
33 explained that the applicant was proposing to subdivide the 19.34-acre property into 36  
34 single-family residential lots of varying sizes. Varying lot sizes was a requirement of the  
35 Special Designation connected to the zoning. The specific requirements for the Special  
36 Designation were as follows:

- 37  
38 1) A minimum of half of the lots developed on the property shall be a minimum of  
39 one-half acre in size;  
40  
41 2) All lots adjacent to the south property line shall be a minimum of one-half acre in  
42 size; and  
43  
44 3) Two access points shall be allowed to the property, one on the north and one onto  
45 3600 West.  
46

1 Mr. Aagard stated that all of the special zoning requirements have been met.

2  
3 Mr. Aagard presented a site plan for the property, showing the one-half acre lots along  
4 the south end of the subdivision adjacent to the R-1 zoning. The remaining lots were  
5 proposed to be one-third acre lots or larger than the 14,000 square foot minimum required  
6 by the zone. There will be 20 one-half acre lots, and 15 one-third acre lots. With regard  
7 to access, Mr. Aagard stated that the plans comply with the requirements. There will be  
8 access on 3600 West and one connecting to Janice Drive to the north. There will not,  
9 however, be a connection to Janice Drive on the south end of the subdivision.

10  
11 Mr. Aagard addressed the fencing requirements and stated that the zoning ordinance  
12 requires six-foot solid masonry collector street fencing along 3600 West and the property  
13 line along the canal. Tom Beasley from the Riverton City Storm Water Management  
14 Division, requested that staff add a condition to the staff report requiring the applicant to  
15 install masonry fencing along the canal for safety purposes. Mr. Aagard stated that six-  
16 foot solid animal impact resistant fencing was also required on a portion of the property's  
17 perimeter. The ordinance does not provide specific fencing for this, therefore, it will fall  
18 to the Planning Commission and City Council to determine what specifically will be  
19 required of the applicant. Staff recommended approval of the subdivision with the five  
20 conditions listed in the staff report.

21  
22 As a clarification, Mr. Aagard confirmed that the applicant could choose not to use vinyl  
23 fencing at all if they want to use masonry or precast concrete.

24  
25 The Commission was informed that the City Council would be proposing an ordinance  
26 amendment to clarify required fencing types in Riverton City. They wanted to ensure that  
27 whatever is required of the applicant in the conditions is complied with in the new  
28 ordinance.

29  
30 City Engineer, Gordon Miner, added that the plans displayed at the meeting and the plans  
31 that the Engineering Department received showed the proposed detention pond in  
32 different locations. The pond would actually be constructed in the vicinity of Lot 113. The  
33 City Engineer saw no potential problems with the proposed location. He also requested  
34 that the Commission include in the motion the fact that the number of lots proposed was  
35 not guaranteed to remain the same, since this is a preliminary approval.

36  
37 Chair Russell opened the public hearing.

38  
39 Greg Liddiard, a Janice Drive resident, requested clarification about the lot number not  
40 being guaranteed. Engineer Miner explained that it was unlikely that the number of lots  
41 will change, but there may be some lot line adjustments made prior to final plat approval.  
42 If the number of lots changes there will not be more lots, but less.

43  
44 Scott Hansen stated that his property backs Lot 113. He requested more information  
45 about the decision to put the detention pond in that location. He also wanted to know if  
46 Ivory Homes submitted home designs for this location. Engineer Miner responded that

1 the area with the detention pond would look like a park area, and was placed there  
2 because of the proximity to the canal. Mr. Aagard responded to a question raised about  
3 home designs and stated that the homes will not be higher than 35 feet high, according  
4 to the ordinance.

5  
6 Perry White, a Jameson Street resident, stated that his home is located to the north of  
7 the proposed subdivision. He expressed concern with the proposed lot sizes. Chair  
8 Hansen clarified that the lots will be a mix of one-half acre and one-third acre lots. There  
9 will be nothing smaller than that.

10  
11 Grace Payne asked if the detention pond area shown on the map, which was previously  
12 established, would be the actual location of the pond or a residential lot. Engineer Miner  
13 responded that the lot in the northeast corner would be a residential lot, and the pond  
14 would be near Lot 113. The size of the pond area had not yet been determined and was  
15 awaiting further engineering study. Ms. Payne was confused by the process and stated  
16 that she previously attended a meeting for the rezoning of the area and was not sure why  
17 tonight's meeting was needed. Chair Russell described the application and hearing  
18 process to the public. The application before the Commission was to approve a  
19 preliminary plat. The applicant would have to come back to the Planning Commission  
20 obtain approval of the final plat within one year or the preliminary approval would expire.  
21 He also stated that the final plat approval would not be a public hearing, but the  
22 information would still be available to the public.

23  
24 Greg Liddiard asked for more information about the previous rezoning of the subject  
25 property. Mr. Aagard stated that in 2014, the applicant requested that the property, which  
26 was zoned RR-22, be rezoned to R-3, which the City Council approved with Special  
27 Designations, as stated previously. There was a discussion regarding the requirements  
28 for the one-half and one-third acre lots. Mr. Liddiard was not comfortable with the high  
29 number of lots proposed for the project.

30  
31 Leo Cootmans posed questions regarding the legality of draining the detention pond into  
32 the canal. Engineer Miner stated that the applicant is required to obtain permits from both  
33 Salt Lake County and the canal company in order to drain into the canal. It was noted  
34 that the applicant was already in the process of doing so.

35  
36 Garth Spires, who lives close to Lots 129 and 128, asked if the applicant had proposed a  
37 specific type of fencing long the property line. Commissioner Hansen stated that the  
38 ordinance requires fencing that can withstand the impact of a large animal, but the exact  
39 type of fencing was yet determined by the Planning Commission and City Council. He  
40 stated that Mr. Spires could discuss his preference for fencing type and design with the  
41 applicant.

42  
43 Grace Payne had additional concerns about the fencing type and stated that Ivory Homes  
44 proposed masonry fencing at the rezoning meeting. She was uncomfortable with the  
45 possibility of vinyl fencing there.

46

1 There were no further public comments. Chair Hansen closed the public hearing.

2  
3 Ken Watson was present representing the applicant, Ivory Development, and addressed  
4 the public concerns raised. He first addressed the fencing issues and stated that Ivory  
5 Homes would choose fencing that adheres to the ordinance requirements. The likely  
6 choice would be precast concrete bordering the subdivision, with something more  
7 decorative along 3600 West. Ivory Homes does not like installing vinyl and will avoid it.

8  
9 Mr. Watson addressed the location of the detention pond and stated that it was placed  
10 near Lot 113 because it had the easiest access to the canal for drainage. He assured  
11 the public that they had been working closely with Mr. Miner and the Engineering  
12 Department to ensure that this is a suitable location. Mr. Watson also stated that the  
13 preliminary application was thoroughly researched, and was as complete as they could  
14 make it at this stage of the process.

15  
16 Mr. Watson stated that Ivory Homes had no intention of changing their plan and creating  
17 multi-family dwellings. The proposed subdivision would be used for single-family  
18 dwellings only. Mr. Watson informed the Commission that Ivory Homes has a catalogue  
19 of approved homes that follow all zoning requirements a property owner can choose to  
20 build on their lot. Some homes will be two stories and some ramblers depending on the  
21 choices made by property owners.

22  
23 There was discussion between the Commissioners and Mr. Watson regarding the fencing  
24 requirements. Mr. Watson requested clarification on what type of fencing is considered  
25 animal impact resistant and stated that they would likely use OL type of fencing. It was  
26 confirmed that this type would fall under that category and be allowed. Mr. Watson stated  
27 that they would install the same type of fencing around the entire perimeter of the  
28 subdivision.

29  
30 A discussion followed regarding the upcoming ordinance amendment about fencing types  
31 and how to enter that in as a condition of approval of this application.

32  
33 **Commissioner Hansen moved that the Planning Commission recommend**  
34 **APPROVAL of Application #14-1005, Autumnwood Estates Subdivision with the**  
35 **first three conditions as outlined in the staff report, striking condition Number 4,**  
36 **and changing condition number five to include “masonry fencing around the entire**  
37 **perimeter of the parcel, and that it meet the new ordinances as proposed by the**  
38 **City Council at the time of final plat approval”. Commissioner Webb seconded the**  
39 **motion. Vote on motion: Chair Russell – Aye; Commissioner Hansen – Aye;**  
40 **Commissioner Bryant – Aye; Commissioner Endrizzi – Aye; Commissioner Webb;**  
41 **Commissioner Kochevar – Aye. The motion passed unanimously.**

42  
43 **II. ADJOURNMENT**

44  
45 The meeting adjourned at approximately 7:14 p.m.

46

- 1 *Note: Following adjournment, the Commission was briefed on some of the changes that*
- 2 *will be taking place, as discussed at the February 24, 2015, joint meeting with the City*
- 3 *Council. The major change was that the Planning Commission will be the approving*
- 4 *authority over everything other than rezone requests and ordinance amendments.*

**Minutes from  
Rezone Decision**

## Public Comments

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

[7:10:40 PM](#) Tish Brouker spoke about the bridge on the Jordan River Parkway at 90<sup>th</sup> South and stated that the trail was almost complete. She discussed the benefits of enjoying the parkway and said that the Jordan River Parkway Best Practices document had suggestions on how cities can work together for environmental restoration along the Jordan Parkway Trail.

[7:14:48 PM](#) Wyoma Darlington expressed her appreciation for the development of the Parkway Trail and for Trish Brouker and her volunteer efforts.

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

## 2. PUBLIC HEARINGS

### 1. **Public Hearing** – approximately 19 acres located at 12175 S 3600 W General Plan Amendment to Low Density Residential and Rezone to R-3-SD, SF Residential with 1/3 acre minimum lot size with Specific Development Designations, with the SD designation requiring a mix of 1/3 and ½ lots, Ivory Homes, Applicant

[7:15:44 PM](#) Jason Lethbridge, Planning Manager, explained that Kyle Honeycutt, representing Ivory Homes, made application for a General Plan amendment and rezone of property located at 12175 South 3600 West. The property consists of 19.34 acres and is currently zoned RR-22. The properties to the north and east are also zoned RR-22. The properties to the south are zoned R-1, and the properties to the west are zoned R-3. The General Plan designation for the property is currently Estate Density Residential, which calls for a minimum ½ acre lots.

Mr. Lethbridge said the applicant has proposed a mix of lot sizes within development on the property, and has produced a concept plan illustrating the proposal. Essentially, the southern half of the property would consist of ½ acre lots, with the northern half developed as 1/3 acre lots. There are several methods by which this could be accomplished, but what is being proposed by the applicant is an R-3 zone, allowing for a minimum lot size of 1/3 acre, with a Specific Development designation requiring a minimum of ½ of the developed lots within the property to be at least a half-acre in size, and that all of the lots adjacent to the southern property line be that size. The development to the south is currently zoned R-1, and consists of larger, more rural lots with animal rights. The proposed zoning would buffer those lots with the larger half-acre lots. The existing subdivision to the north is zoned RR-22, which also carries animal rights, but with the required fencing as a buffer any impacts would be mitigated there.

Mr. Lethbridge said that On May 22, 2014, the Planning Commission voted to recommend approval of the application.

[7:24:01 PM](#) City Attorney Ryan Carter stated that the only way to have a road connect on the south end of the development towards Janice Drive would be for litigation to occur with possible condemnation of a portion of the property.

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

[7:29:51 PM](#) Leslie Peterson Christianson stated that she would love to be able to please everyone in town, unfortunately that cannot occur. She said her parents bought land after WWII in the 1940's and that property was near and dear to the Peterson family. She said the Peterson family has had numerous offers for the land and they ultimately chose to develop with Ivory Homes and they want the development to be an honor to their parents and the neighborhood.

[7:35:53 PM](#) Kendall Peters asked about animal rights issues. A discussion occurred regarding animal rights and fire pits. UFA Chief Eric Sandstrom stated that on the UFA website, citizens could find requirements regarding back yard burning and fire pits.

[7:40:37 PM](#) Phil McMillen said he was opposed to the development not having animal rights and wants to keep it ½ acre lots.

[7:41:55 PM](#) Kyle Honeycutt, Ivory Homes, thanked all the property owners in the area for their input and the discussions regarding the development. He stated that the development would be mostly rambler homes with third car garages, which require wider lot sizes.

[7:45:14 PM](#) There being no additional comments, Mayor Applegarth declared the Public Hearing closed.

**1. Ordinance No. 14-08 – Amending the Riverton City General Plan to Low Density Residential and Rezoning 19.34 acres located at 12175 South 3600 West from RR-22 to R-3-SD, requiring a mix of ½ and 1/3 acre lots**

[7:45:17 PM](#) Council Member Sheldon Stewart **MOVED to adopt Ordinance No. 14-08 - amending the General Plan designation to Low Density Residential and rezoning 19.34 acres located at 12175 South 3600 West from RR-22 (Rural Residential ½ acre lots) to R-3-SD (Residential, 14,000 sf min lot site with Specific Development Designation), with the following SD designations:**

- 1. A minimum of ½ of the lots developed within this property shall be a minimum of .5 acres in size.**
  - 2. All lots adjacent to the south property line shall be a minimum of ½ acre in size.**
  - 3. Two access points shall be allowed to the property, one on the north and one on 3600 West.**
- Council Member Paul Wayman **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Excused and Wayman-Yes. **The motion passed unanimously.**

[7:47:01 PM](#)

**2. Public Hearing – regarding General Plan Amendment And Rezone, Rezone 1.03 acres located At 4472 West Maegan Nicole Lane from RR-22 (Residential 1/2 Acre Lots) to R4-SD (Residential 10,000 Square foot lots Specific Development), Matt Lepire, Applicant**

Jason Lethbridge, Planning Manager, explained that Matt Lepire made application for general plan amendment and rezone of property located at 4472 West Maegan Nicole Lane. The property is 1.03 acres in size, and is zoned RR-22. The surrounding properties are all also zoned RR-22. The adjacent property to the west is a meetinghouse for The Church of Jesus Christ of Latter-Day Saints, and the adjacent properties to the north and east are currently vacant. The property



# Issue Paper

Item No. 4

|  |  |  |
|--|--|--|
| <b>Presenter/Submitted By:</b>   | Mayor Applegarth                       |  |
| <b>Subject:</b><br><br>Consent Agenda  | <b>Meeting Date:</b><br>April 21, 2015 |  |
|  | <b>Fiscal Impact:</b>                  |  |
|  | <b>Funding Source:</b>                 |  |
| <p><b>Background:</b></p> <p><b>4. CONSENT AGENDA</b></p> <ol style="list-style-type: none"> <li>1. <b>Minutes:</b> RCCM 04-07-15</li> <li>2. <b>Bond Releases:</b> N/A</li> <li>3. <b><u>Resolution No. 15-36</u></b> – Requesting approval to issue a PO Contract to Applied Geotechnical Engineers to complete the Lover’s Lane Land Stability and Safety Study - <i>Craig Calvert, Purchasing Manager</i></li> <li>4. <b><u>Resolution No. 15-32</u></b> – Adopting a Revised Personnel Policies and Procedures Manual – <i>Ryan Carter, City Attorney</i></li> <li>5. <b><u>Resolution No. 15-35</u></b> – Authorizing the City to enter an Interlocal Cooperation Agreement with Salt Lake County for the purchase of High-Resolution Google Imagery Data - <i>Trace Robinson, Public Works Director</i></li> <li>6. <b><u>Ordinance No. 15-05</u></b> - Amending Title 11, Chapter 5, of the Riverton City Code [Park Property] – <i>Sheril Garn, Parks &amp; Public Services Director</i></li> </ol> |  |  |
| <p><b>Recommendation:</b></p> <p>Approve the Consent Agenda as listed.</p>   |  |  |
| <p><b>Recommended Motion:</b></p> <p>“I move the City Council approve the Consent Agenda as listed.”</p>   |  |  |

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**Riverton City**  
**REGULAR CITY COUNCIL MEETING**  
**Minutes**  
**April 7, 2015**

**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:**

22 Jeff Hawker, Asst. City Manager  
23 Virginia Loader, Recorder  
24 Ryan Carter, City Attorney  
25 Jason Lethbridge, Planning Manager  
26 Trace Robinson, Public Works Director  
27 Sheril Garn, Parks & Public Services Director  
28 Lisa Dudley, Finance Director  
29 Rod Norton, Chief UPD Riverton Precinct  
30 Capt. Wade Watkins, UFA

31  
32 **Citizens:** Michael Johnson, Wyoma Darlington, Norma Bench, Tish Buroker, Paul Patterson, Belinda  
33 Patterson, Phil Staggs, Brian Morrow, Matthew Young, Randall Larsen

34  
35 **1. GENERAL BUSINESS**

36  
37 **1. Call to Order and Roll Call** [6:33:28 PM](#)

38  
39 **2. Pledge of Allegiance** [6:33:57 PM](#) – Jason Lethbridge

40  
41 **3. Presentations/Reports**

42  
43 **1. Recognition of Boy Scout Troops -** [6:34:42 PM](#)

44  
45 **2. Riverton Choice Awards for Excellence in Education – Oquirrh Hills Middle  
46 School –** [6:35:52 PM](#) Council Member Paul Wayman - Madison Jean Ellsworth,  
47 Eric Hammond, Mr. Glen Richins

[6:43:23 PM](#) Mayor Applegarth commented.

**4. Public Comments**

[6:43:51 PM](#) Mayor Applegarth called for public comments.

1 [6:45:14 PM](#) Matthew Young, Jordan School District Board Member, reported on the recent  
2 legislative session. He read a resolution of appreciation to the Legislators within Jordan District  
3 Boundaries and to the City Councils of Bluffdale, Herriman, Riverton, South Jordan and West  
4 Jordan. He then reported on various happenings and projects within the Jordan School District.

5  
6 [6:52:44 PM](#) Phil Staggs reported on Meadow Springs Lane and the amount of traffic, parking  
7 and limited lighting on that street during sporting events. He then suggested painting a red zone  
8 on one side of the street which designates no parking.

9  
10 [6:55:22 PM](#) Mayor Applegarth commented.

11  
12 [6:56:26 PM](#) Jason Lethbridge, Planning Manager, commented.

13  
14 [6:56:53 PM](#) Council Member Tricia Tingey commented.

15  
16 Mayor Applegarth commented.

17  
18 [7:01:15 PM](#) Tish Buroker thanked the Parks Department for the flower gardens within the City.  
19 She then questioned the need for an Urban Forester in the City and spoke of the trees throughout  
20 the City. She suggested placing tree rings around the trees and then spoke in favor of a City Tree  
21 Board. She then suggested that the City Council 1) determine the usefulness of the tree ordinance  
22 and either comply with the ordinance or eliminate it; 2) identify how one Urban Forester will be  
23 able to reverse the current demise of Riverton trees, how will success be determined; 3) begin a  
24 program that will insure that all trees in Riverton have tree rings that are established when trees  
25 are planted and maintained throughout the life of the tree.

26  
27 Bruce Singleby, Western Springs resident, thanked Council Member Sheldon Stewart and Public  
28 Works Director Trace Robinson for the work and coordination they have pursued for the  
29 realignment of Bobcat Drive and he urged the City Council to approve funding for that project.

30  
31 There were no further Public Comments.

32  
33 Mayor Applegarth introduced Josh Hensley and he explained that one in every 2,500 pregnancies  
34 are diagnosed with a congenital diaphragmatic hernia (CDH); and since 2000, it is estimated that  
35 over 500,000 babies have been born with CDH; however, only 50 percent of those babies  
36 survived. Mayor Applegarth then read a Proclamation proclaiming April 19 as a Day of  
37 Congenital Diaphragmatic Hernia Awareness.

## 38 39 **2. PUBLIC HEARINGS**

### 40 41 **1. Public Hearing - Riverton City is proposing the following amendments to its Land Use** 42 **Code: Amending Sections 18.(20,25,30,35,40,45,50,53,57), Residential Development,** 43 **18.155, Fencing, 18.215, Site Plans, 18.135.070, General Provisions, Title 17,** 44 **Subdivision, and 18.05.030, Definitions, addressing fencing requirements**

45  
46 Jason Lethbridge, Planning Manager, explained a proposed amendment regarding fencing  
47 requirements for development in Riverton City. He said there is language currently in several  
48 sections of the Land Use Code that addresses such fencing requirements. However, that language

1 does not establish a consistent and clear standard for required fence types.

2  
3 Mr. Lethbridge said the language has led to significant questions in the application on this  
4 ordinance as to what constitutes a fence ‘able to withstand an impact from large animals’. That  
5 standard has been interpreted in various ways as it has been applied to projects since its adoption,  
6 and staff would like to eliminate confusion regarding that language by adopting a clearer  
7 standard, not only to the animal rights standards but to the entire fencing ordinance.  
8

9 **7:12:16 PM** Mr. Lethbridge reviewed the following fencing requirements:

10  
11 **► 18.155.080 Noncompatible Zones.**

12 **► (1) Noncompatible Zones.** A solid core decorative concrete fence with a minimum height  
13 of six (6) feet shall be required between noncompatible zones. Both sides of the fence  
14 shall receive equal treatment with respect to pattern, color, etc. Hollow, foam core,  
15 fiberglass/concrete mix, or other alternative fence types are not permitted.

16 **► (2) Fencing Height.** Fencing shall be a minimum of eight (8) feet in height between  
17 commercial/industrial zones and residential zoning of any type, and between multi-family  
18 development and single family residential zones – 8 foot solid core decorative concrete  
19 fence.  
20

21 **Perimeter Fencing**

22 **► 18.155.090 Fences surrounding development.**

23 **► (1) Developments Adjacent to Compatible Zones.** New development adjacent to  
24 compatible zones shall have a solid fence or wall at a minimum height of six (6) feet.  
25 Fencing shall be consistent in color and design with area fencing, and shall be reviewed  
26 as part of development approvals. The Planning Commission and City Council may  
27 require fence type and design based on surrounding fencing. Fencing for all subdivisions  
28 shall meet all ordinances as outlined in Chapter 17.15 RCC.  
29

30 **Collector Street Fencing - Proposed**

31 **► (2) Collector/Arterial Street Fencing.** Fencing along collector and arterial streets as  
32 defined by Riverton City shall consist of a minimum six (6) feet high decorative solid  
33 core concrete fencing. Hollow, foam core, fiberglass/concrete mix, or other alternative  
34 fence types are not permitted. Both sides of the fence shall receive equal treatment with  
35 respect to pattern, color, etc.  
36

37 **Ditches/Waterways – Proposed**

38 **► (4) Irrigation Fencing.** Fencing along ditches, canals or other irrigation lines shall consist  
39 of a minimum six (6) feet high decorative solid core concrete fencing. Hollow, foam  
40 core, fiberglass/concrete mix, or other alternative fence types are not permitted. Both  
41 sides of the fence shall receive equal treatment with respect to pattern, color, etc.  
42

43 **Elevation Differential**

44 **► 1) Change in Elevation.** Fences, walls, or hedges located along a property line separating  
45 two lots where there is a difference in the grade of two feet or greater shall be approved  
46 by the Planning Manager prior to installation, and may require Engineering Department  
47 review and approval.  
48

1 7:19:59 PM Mr. Lethbridge clarified that where types and standards of fencing have been  
2 identified, they are specific to and limited to the situations described.

3  
4 7:21:29 PM Council Member Paul Wayman commented.

5  
6 Mayor read request from Brian Morrow to address the City Council for ten minutes.

7  
8 Council Member Brent Johnson **MOVED to extend allowed time for Brian Morrow**. Council  
9 Member Trent Staggs **SECONDED** the motion. Mayor Applegarth called for  
10 discussion on the motion; Mayor Applegarth then called for a Roll Call Vote. The vote was as  
11 follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion**  
12 **passed unanimously**

13  
14 Mayor Applegarth opened a Public Hearing and called for public comments.

15  
16 7:24:54 PM Brian Morrow, President of Rhino Rock, spoke of the proposed ordinance and then  
17 described his lightweight fencing type, which is Rhino Rock. He said the proposed ordinance  
18 will limit the choice from which developers can choose in noncompatible zones. He said the  
19 proposed ordinance would disallow his type of fencing as well as block fencing and it would  
20 only allow one type of fencing, which is a solid core fencing. He expressed concern that the solid  
21 core concert type of fencing would limit competition because he is aware of only one supplier for  
22 that type. He then referred to an Engineering Report that he provided to the City Council. He  
23 said he hoped the City Council would change the language to allow Rhino Rock.

24  
25 Bridger Taylor said that he recently built a development and he suggested that consideration of  
26 the purpose needs to be taken into account and not just the product.

27  
28 Jacob Wetzel, spoke in behalf of his father, and said he would love to put Rhino Rock around his  
29 property and does not want all fencing to look the same within the City.

30  
31 Adam Anderson, Lehi City resident, said he owns a 13 acre farm by Pioneer Crossing wherein he  
32 has 2,200 feet of Rhino Rock fencing surrounding his property and he has not had any problems  
33 with it.

34  
35 Kevin Andrews, Holy Trinity Lutheran Church, spoke in favor of Rhino Rock that surrounds  
36 their property. He said the proposed ordinance would be taking away a good option for  
37 developers.

38  
39 Randall Larsen said he is a customer of Rhino Rock and is very pleased with the product that  
40 surrounds his property.

41  
42 Mayor Applegarth commented.

43  
44 There being no further comments, Mayor Applegarth closed the Public Hearing.

45  
46 **1. Ratification of Ordinance No. 15-02 - Amending Sections**

47 **18.(20,25,30,35,40,45,50,53,57), Residential Development, 18.155, Fencing, 18.215,**  
48 **Site Plans, 18.135.070, General Provisions, Title 17, Subdivision, and 18.05.030,**

**Definitions, addressing fencing requirements**

Council Member Tricia Tingey commented.

Council Member Sheldon Stewart commented.

Council Member Tricia Tingey commented.

Mayor Applegarth commented.

Council Member Paul Wayman commented.

Council Member Trent Staggs commented.

Jason Lethbridge, Planning Manager, commented.

Council Member Brent Johnson commented.

Council Member Paul Wayman **MOVED to approve Ordinance No. 15-02 - amending Sections 18.(20,25,30,35,40,45,50,43,57), Residential Development, 18.155, Fencing, 18.215, Site Plans, 18.135.070, General Provisions, Title 17, Subdivision sections 17.10.010.K, 17.15.020.C, and 17.15.030.13, and 18.05.030, Definitions, as described herein and that Section 18.155.040 (1) be amended to read residential fencing, rear and/or side yard setback be amended to allow a maximum fence height of 8 feet. Fencing taller than 6 feet in height must be engineered before installation and meet Riverton City Engineering Department approval.**

[8:02:56 PM](#) Council Member Brent Johnson commented.

Council Member Sheldon Stewart commented.

Jason Lethbridge, Planning Manager, commented.

Council Member Brent Johnson commented.

[8:06:07 PM](#) Mayor Applegarth commented.

[8:09:14 PM](#) Council Member Sheldon Stewart commented.

[8:09:29 PM](#) Jason Lethbridge, Planning Manager, commented.

[8:10:07 PM](#) Council Member Sheldon Stewart commented.

[8:10:28 PM](#) Mayor Applegarth commented.

[8:11:53 PM](#) Council Member Paul Wayman commented.

[8:12:07 PM](#) Council Member Sheldon Stewart commented.

1 [8:12:12 PM](#) Jason Lethbridge, Planning Manager, commented.

2  
3 [8:12:43 PM](#) Mayor Applegarth commented.

4  
5 [8:12:48 PM](#) Council Member Paul Wayman commented.

6  
7 [8:13:34 PM](#) Mayor Applegarth commented.

8  
9 [8:14:38 PM](#) Mayor Applegarth asked that the motion be repeated.

10  
11 Council Member Paul Wayman **MOVED** to approve **Ordinance No. 15-02** - amending  
12 **Sections 18.(20,25,30,35,40,45,50,43,57), Residential Development, 18.155, Fencing, 18.215,**  
13 **Site Plans, 18.135.070, General Provisions, Title 17, Subdivision sections 17.10.010.K,**  
14 **17.15.020.C, and 17.15.030.13, and 18.05.030, Definitions, as described herein and that**  
15 **Section 18.155.040 (1) be amended to read residential fencing, rear and/or side yard**  
16 **setback be amended to allow a maximum fence height of 8 feet. Fencing taller than 6 feet in**  
17 **height must be engineered before installation and meet Riverton City Engineering**  
18 **Department approval. [8:14:44 PM](#) Council Member Sheldon Stewart **SECONDED** the motion.**  
19 Mayor Applegarth called for discussion on the motion; [8:14:53 PM](#) Council Member Trent  
20 Staggs commented.

21  
22 [8:15:52 PM](#) Jason Lethbridge, Planning Manager, commented.

23  
24 [8:16:50 PM](#) Council Member Sheldon Stewart commented.

25  
26 [8:16:55 PM](#) Council Member Trent Staggs commented.

27  
28 [8:18:08 PM](#) Jason Lethbridge, Planning Manager, commented.

29  
30 [8:19:34 PM](#) Mayor Applegarth commented.

31  
32 [8:19:38 PM](#) Council Member Trent Staggs made a **SUBSTITUTE MOTION** and **MOVED** to  
33 **approve Ordinance No. 15-02** - amending **Sections 18.(20,25,30,35,40,45,50,43,57),**  
34 **Residential Development, 18.155, Fencing, 18.215, Site Plans, 18.135.070, General**  
35 **Provisions, Title 17, Subdivision sections 17.10.010.K, 17.15.020.C, and 17.15.030.13, and**  
36 **18.05.030, Definitions, as described herein with a change that in places where proposed**  
37 **language says solid core it be substituted with decorative precast or integrally color and**  
38 **textured block, brick, or other masonry fence.**

39  
40 [8:20:36 PM](#) Council Member Sheldon Stewart commented.

41  
42 [8:20:44 PM](#) Jason Lethbridge, Planning Manager, commented.

43  
44 Council Member Sheldon Stewart commented.

45  
46 [8:21:10 PM](#) Mayor Applegarth commented.

47  
48 [8:21:15 PM](#) Council Member Brent Johnson **SECONDED** the motion.

- 1 [8:21:21 PM](#) Council Member Sheldon Stewart commented.
- 2
- 3 [8:21:40 PM](#) Mayor Applegarth called for discussion on the motion
- 4
- 5 [8:21:50 PM](#) Council Member Paul Wayman commented.
- 6
- 7 [8:22:28 PM](#) Mayor Applegarth commented.
- 8
- 9 [8:22:32 PM](#) Council Member Trent Staggs commented.
- 10
- 11 [8:23:45 PM](#) Council Member Sheldon Stewart commented.
- 12
- 13 [8:24:17 PM](#) Council Member Trent Staggs commented.
- 14
- 15 [8:24:24 PM](#) Council Member Sheldon Stewart commented.
- 16
- 17 [8:24:36 PM](#) Council Member Trent Staggs commented.
- 18
- 19 [8:25:01 PM](#) Council Member Sheldon Stewart commented.
- 20
- 21 [8:25:31 PM](#) Mayor Applegarth commented.
- 22
- 23 [8:25:43 PM](#) Council Member Brent Johnson commented.
- 24
- 25 [8:26:39 PM](#) Mayor Applegarth called for a vote on the motion.
- 26
- 27 [8:26:44 PM](#) Council Member Trent Staggs commented.
- 28
- 29 [8:27:00 PM](#) Council Member Sheldon Stewart made a **SUBSTITUTE MOTION** to approve
- 30 **Ordinance No. 15-02** - amending Sections 18.(20,25,30,35,40,45,50,43,57), Residential
- 31 **Development, 18.155, Fencing, 18.215, Site Plans, 18.135.070, General Provisions, Title 17,**
- 32 **Subdivision sections 17.10.010.K, 17.15.020.C, and 17.15.030.13, and 18.05.030, Definitions,**
- 33 **as described herein, with a change that in places where proposed language says solid core it**
- 34 **be substituted with decorative precast or integrally color and textured block, brick, or**
- 35 **other masonry fence and leave the language related to hollow foam core fiber glass in**
- 36 **18.155.080.**
- 37
- 38 [8:28:32 PM](#) Ryan Carter, City Attorney, commented.
- 39
- 40 [8:28:50 PM](#) Council Member Sheldon Stewart made a **SUBSTITUTE MOTION** and **MOVED**
- 41 **to approve Ordinance No. 15-02** - amending Sections 18.(20,25,30,35,40,45,50,43,57),
- 42 **Residential Development, 18.155, Fencing, 18.215, Site Plans, 18.135.070, General**
- 43 **Provisions, Title 17, Subdivision sections 17.10.010.K, 17.15.020.C, and 17.15.030.13, and**
- 44 **18.05.030, Definitions, as described herein, with the additional scripted details decorative**
- 45 **precast or integrally color and textured block, brick, or other masonry fence and the**
- 46 **language remains intact and that Section 18.155.040 (1) residential fencing, rear and/or**
- 47 **side yard setback be amended to allow a maximum fence height of 8 feet. Fencing taller**
- 48 **than 6 feet in height must be engineered before installation and meet Riverton City**

1 **Engineering Department approval. [8:29:44 PM](#).** The motion **Died for lack of a Second.**

2  
3 [8:29:57 PM](#) Mayor Applegarth called for a Roll Call Vote on the following motion:

4  
5 Council Member Trent Staggs made a **SUBSTITUTE MOTION** and **MOVED to approve**  
6 **Ordinance No. 15-02 - amending Sections 18.(20,25,30,35,40,45,50,43,57), Residential**  
7 **Development, 18.155, Fencing, 18.215, Site Plans, 18.135.070, General Provisions, Title 17,**  
8 **Subdivision sections 17.10.010.K, 17.15.020.C, and 17.15.030.13, and 18.05.030, Definitions,**  
9 **as described herein with a change that in places where proposed language says solid core it**  
10 **be substituted with decorative precast or integrally color and textured block, brick, or**  
11 **other masonry fence.** The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-No, Tingey-  
12 No, and Wayman-No. **The motion failed 3 to 2.**

13  
14 [8:30:25 PM](#) Mayor Applegarth then called for a Roll Call Vote on the following motion:

15  
16 Council Member Paul Wayman **MOVED to approve Ordinance No. 15-02 - amending**  
17 **Sections 18.(20,25,30,35,40,45,50,43,57), Residential Development, 18.155, Fencing, 18.215,**  
18 **Site Plans, 18.135.070, General Provisions, Title 17, Subdivision sections 17.10.010.K,**  
19 **17.15.020.C, and 17.15.030.13, and 18.05.030, Definitions, as described herein and that**  
20 **Section 18.155.040 (1) be amended to read residential fencing, rear and/or side yard**  
21 **setback be amended to allow a maximum fence height of 8 feet. Fencing taller than 6 feet in**  
22 **height must be engineered before installation and meet Riverton City Engineering**  
23 **Department approval. [8:14:44 PM](#)** Council Member Sheldon Stewart **SECONDED** the motion.  
24 The vote was as follows: Johnson-No, Staggs-No, Stewart-Yes, Tingey-Yes, and Wayman-Yes.  
25 **The motion passed 3 to 2.**

26  
27 [8:31:06 PM](#) Mayor Applegarth moved to Agenda Item 2.3

28  
29 **2.3. Public Hearing - Proposed amendment to the 2014-2015 Fiscal Year Municipal Fee**  
30 **Schedule regarding Riverton City Main Park Reservations**

31  
32 [8:31:39 PM](#) Sheril Garn, Parks & Public Services Director, said that at a previously held Field  
33 Trip of the Riverton Main Park, she distributed a Riverton City Main Park Master Programming  
34 Plan to the Council Members describing the buildings and recreation facilities in the Park, along  
35 with a proposed Park Reservation Fee Schedule. She said a fee schedule needs to be established  
36 to allow reservations to be made.

37  
38 The following Agenda Item was then addressed:

39  
40 **1. Presentation of Tax Implications for proposed Fee Schedule**

41  
42 [8:32:29 PM](#) Randall Larsen, Bond Counsel, Ballard Spahr, explained that when tax exempt  
43 bonds are issued that finance the improvements at the park, there are certain tax covenants that  
44 run with those. He said the biggest principle in line with tax exempt bonds is that you don't  
45 allow tax exempt financed facilities to be used for private business purposes.

46  
47 Mr. Larsen said that should the City elect to use management contracts as a way to not count  
48 towards private business use. He said the general interest in that is that you avoid an equity

1 relationship with someone who is using your publically tax exempt financed facilities. You don't  
2 have something based on a profit or an equity relationship. He said that is the extent of  
3 limitations on tax exempt financed facilities, is to avoid private business use, or if you want to  
4 have a private business relationship, structure it in a way that does not create an equity  
5 partnership.

6  
7 Mr. Larsen said the most important question is if there is a limitation on the fees that you can  
8 charge. He said he was not aware of any statutory code that would limit the fees for usage of a  
9 park. He said there is an equitable principle in court that when you have governmental facilities  
10 you have a reasonable relationship between the cost of the services being provided and the fee  
11 being charged, and the tax analysis of the City's tax exempt bonds will have no impact on that.

12  
13 Mr. Larsen said that one thing that could occur, which is a common pitfall in park usage, is  
14 having a private entity utilize a particular station in the park for a long period of time. He said  
15 that at some point that would reach a private business use. He said if there is a provision or  
16 something like that the City would like to structure, he recommended the City check with Bond  
17 Counsel for any procedural questions. He then addressed comments and questions from Council  
18 Members.

19  
20 [8:36:31 PM](#) Council Member Trent Staggs commented.

21  
22 [8:36:44 PM](#) Mayor Applegarth commented.

23  
24 [8:37:35 PM](#) Council Member Paul Wayman commented.

25  
26 Randall Larsen commented.

27  
28 [8:38:19 PM](#) Mayor Applegarth commented.

29  
30 [8:38:27 PM](#) Council Member Sheldon Stewart commented.

31  
32 [8:38:41 PM](#) Randall Larsen commented.

33  
34 [8:39:45 PM](#) Council Member Paul Wayman commented.

35  
36 [8:39:58 PM](#) Randall Larsen commented.

37  
38 [8:40:22 PM](#) Council Member Paul Wayman commented.

39  
40 Randall Larsen commented.

41  
42 [8:42:02 PM](#) Council Member Trent Staggs commented.

43  
44 [8:42:11 PM](#) Randall Larsen commented.

45  
46 [8:43:28 PM](#) Mayor Applegarth commented.

47  
48 [8:44:27 PM](#) Council Member Tricia Tingey commented.

- 1 [8:45:18 PM](#) Council Member Paul Wayman commented.  
2  
3 Randall Larsen commented.  
4  
5 [8:46:30 PM](#) Ryan Carter, City Attorney, commented.  
6  
7 [8:50:07 PM](#) Randall Larsen commented.  
8  
9 [8:50:18 PM](#) Ryan Carter, City Attorney, commented re. Governmental Immunity.  
10  
11 [8:51:09 PM](#) Mayor Applegarth commented.  
12  
13 [8:51:56 PM](#) Sheril Garn, Parks & Public Services Director, explained proposed fees.  
14  
15 [8:53:33 PM](#) Council Member Brent Johnson commented.  
16  
17 [8:53:41 PM](#) Council Member Sheldon Stewart commented.  
18  
19 [8:53:52 PM](#) Mayor Applegarth commented.  
20  
21 [8:54:06 PM](#) Council Member Sheldon Stewart commented.  
22  
23 [8:54:11 PM](#) Mayor Applegarth commented.  
24  
25 [8:54:34 PM](#) Sheril Garn, Parks & Public Services Director, commented.  
26  
27 [8:55:06 PM](#) Council Member Trent Staggs commented.  
28  
29 [8:55:19 PM](#) Sheril Garn, Parks & Public Services Director, commented.  
30  
31 [8:55:32 PM](#) Mayor Applegarth commented.  
32  
33 [8:55:41 PM](#) Council Member Paul Wayman commented.  
34  
35 [8:58:00 PM](#) Mayor Applegarth commented.  
36  
37 [8:58:07 PM](#) Council Member Paul Wayman commented.  
38  
39 [8:58:11 PM](#) Mayor Applegarth commented.  
40  
41 [8:58:30 PM](#) Mayor Applegarth opened a Public Hearing and called for public comments. There  
42 being no comments, Mayor Applegarth closed the Public Hearing.  
43  
44 [8:58:52 PM](#) Council Member Tricia Tingey commented.  
45  
46 [8:59:10 PM](#) Randall Larsen said that from a bond perspective, the City will have little to no  
47 issues with the proposed fee schedule. The City's bonds are not going to intrude on that to any  
48 significance extent except a long term contract with a private entity.

1 [9:00:33 PM](#) Mayor Applegarth commented.

2  
3 **3. DISCUSSION/ACTION ITEMS**

4  
5 **1. Resolution No. 15-27 – Approving a Main Park Master Programming Plan**

6  
7 [9:00:59 PM](#) Sheril Garn, Parks & Public Services Director, said that with the completion of the  
8 Main Park comes new buildings that will be available for reservation and she presented and  
9 explained the proposed Main Park Reservation Fee Schedule.

10  
11 [9:02:29 PM](#) Mayor Applegarth commented.

12  
13 [9:02:59 PM](#) Sheril Garn, Parks & Public Services Director, commented.

14  
15 [9:03:56 PM](#) Mayor Applegarth commented.

16  
17 [9:04:01 PM](#) Sheril Garn, Parks & Public Services Director, commented.

18  
19 [9:05:31 PM](#) Mayor Applegarth commented.

20  
21 [9:06:12 PM](#) Council Member Sheldon Stewart commented.

22  
23 [9:06:28 PM](#) Sheril Garn, Parks & Public Services Director, commented.

24  
25 [9:06:57 PM](#) Council Member Brent Johnson commented.

26  
27 [9:07:22 PM](#) Council Member Trent Staggs commented.

28  
29 Council Member Tricia Tingey commented.

30  
31 [9:09:08 PM](#) Council Member Brent Johnson commented.

32  
33 [9:09:34 PM](#) Mayor Applegarth commented.

34  
35 [9:09:54 PM](#) Council Member Trent Staggs commented.

36  
37 [9:10:49 PM](#) Council Member Brent Johnson commented.

38  
39 [9:11:26 PM](#) Randall Larsen commented.

40  
41 [9:12:38 PM](#) Council Member Sheldon Stewart commented.

42  
43 [9:12:52 PM](#) Randall Larsen commented.

44  
45 [9:12:59 PM](#) Council Member Sheldon Stewart commented.

46  
47 [9:13:55 PM](#) Randall Larsen commented.

48

- 1 [9:15:05 PM](#) Ryan Carter, City Attorney, commented.  
2  
3 [9:15:29 PM](#) Mayor Applegarth commented.  
4  
5 [9:15:48 PM](#) Council Member Tricia Tingey commented.  
6  
7 [9:15:58 PM](#) Council Member Brent Johnson commented.  
8  
9 [9:16:35 PM](#) Council Member Brent Johnson commented.  
10  
11 [9:16:40 PM](#) Council Member Sheldon Stewart commented.  
12  
13 [9:16:55 PM](#) Council Member Brent Johnson commented.  
14  
15 [9:17:48 PM](#) Council Member Trent Staggs commented.  
16  
17 [9:18:20 PM](#) Council Member Sheldon Stewart **MOVED** the City Council approve **Resolution**  
18 **No. 15-27** – **Adopting a Main Park Reservation Fee Schedule with changes to reflect**  
19 **columns 4 & 5 changing to Resident and all Others with the Resident Fees at \$600.00 for**  
20 **the Meeting Hall.** Council Member Tricia Tingey **SECONDED** the motion. Mayor Applegarth  
21 called for discussion on the motion; [9:19:57 PM](#) Council Member Trent Staggs commented.  
22 Mayor Applegarth then called for a Roll Call Vote. The vote was as follows: Johnson-Yes,  
23 Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**  
24  
25 [9:21:18 PM](#) Sheril Garn, Parks & Public Services Director, presented the Park Programming  
26 Master Plan explaining the purpose of the Park and describing the buildings and recreation  
27 facilities in the Park.  
28  
29 Council Member Tricia Tingey commented.  
30  
31 Sheril Garn, Parks & Public Services Director, commented.  
32  
33 [9:24:32 PM](#) Randall Larsen commented.  
34  
35 [9:26:12 PM](#) Mayor Applegarth commented.  
36  
37 [9:26:55 PM](#) Sheril Garn, Parks & Public Services Director, commented.  
38  
39 [9:29:11 PM](#) Council Member Tricia Tingey commented.  
40  
41 [9:29:24 PM](#) Council Member Trent Staggs commented.  
42  
43 [9:29:57 PM](#) Sheril Garn, Parks & Public Services Director, commented.  
44  
45 [9:30:23 PM](#) Council Member Sheldon Stewart commented.  
46  
47 [9:30:40 PM](#) Randall Larsen commented.  
48

1 [9:32:05 PM](#) Council Member Trent Staggs commented.  
2  
3 [9:32:23 PM](#) Mayor Applegarth commented.  
4  
5 [9:33:31 PM](#) Council Member Sheldon Stewart commented.  
6  
7 [9:34:14 PM](#) Council Member Paul Wayman commented.  
8  
9 [9:35:32 PM](#) Council Member Tricia Tingey commented.  
10  
11 [9:36:09 PM](#) Council Member Sheldon Stewart commented.  
12  
13 [9:36:26 PM](#) Mayor Applegarth commented.  
14  
15 [9:37:47 PM](#) Sheril Garn, Parks & Public Services Director, commented.  
16  
17 [9:39:50 PM](#) Mayor Applegarth commented.  
18  
19 [9:40:04 PM](#) Council Member Paul Wayman commented.  
20  
21 [9:40:34 PM](#) Council Member Tricia Tingey commented.  
22  
23 [9:42:15 PM](#) Council Member Sheldon Stewart commented.  
24  
25 [9:43:23 PM](#) Ryan Carter, City Attorney, commented.  
26  
27 Mayor Applegarth commented.  
28  
29 Sheril Garn, Parks & Public Services Director, commented.  
30  
31 [9:44:30 PM](#) Council Member Trent Staggs commented.  
32  
33 [9:45:21 PM](#) Mayor Applegarth commented.  
34  
35 [9:46:32 PM](#) Council Member Brent Johnson commented.  
36  
37 [9:47:13 PM](#) Council Member Sheldon Stewart commented.  
38  
39 [9:48:52 PM](#) Council Member Sheldon Stewart **MOVED to approve Resolution No. 15-27a -**  
40 **adopting a Main Park Master Programming Plan, which includes the revisions discussed.**  
41 Council Member Trent Staggs **SECONDED** the motion. Mayor Applegarth then called for a  
42 Roll Call Vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes,  
43 and Wayman-Yes. **The motion passed unanimously.**  
44  
45 Mayor Applegarth moved to Agenda Item No. 2.2.  
46

1 **2. Public Hearing - Shelley Pritzkau is requesting that property located at 3092 West**  
2 **12600 South be rezoned from RR-22 (Rural Residential ½ acre lots) to C-PO**  
3 **(Commercial Professional Office –**  
4

5 [9:51:02 PM](#) Jason Lethbridge, Planning Manager, explained that Shelly Pritzkau submitted an  
6 application for rezone of .80 acres located at 12600 South 3092 West in Riverton City. The  
7 property is currently zoned RR-22. The adjacent property to the east is zoned Commercial  
8 Professional Office. The properties to the north and west are zoned RR-22. The properties to the  
9 south across 12600 South are residentially zoned. The adjacent properties to the east are  
10 designated in the City's General Plan as Business Park, which is essentially a professional office  
11 designation. He said this property was not included in that designation when the General Plan  
12 was amended previously because at that time it had not been submitted for rezone.  
13

14 [9:52:43 PM](#) Council Member Sheldon Stewart commented.

15  
16 [9:52:56 PM](#) Mayor Applegarth opened a Public Hearing and called for public comments. There  
17 being no comments, Mayor Applegarth closed the Public Hearing.  
18

19 **1. Ordinance No. 15-03 - Rezoning .80 Acres located at 12600 South 3092 West from**  
20 **RR-22 (Residential 1/2 Acre Lots) to C-PO (Commercial Professional Office), Shelley**  
21 **Pritzkau, Applicant**  
22

23 [9:53:17 PM](#) Council Member Brent Johnson **MOVED** the City Council approve **Ordinance**  
24 **No. 15-03, rezoning .80 acres located at 12600 South 3092 West from RR-22 (Rural**  
25 **Residential ½ acre lots) to C-PO (Commercial Professional Office).** Council Member Paul  
26 Wayman **SECONDED** the motion. Mayor Applegarth called for discussion on the motion;  
27 Mayor Applegarth then called for a Roll Call Vote. The vote was as follows: Johnson-Yes,  
28 Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**  
29

30 **3.2 Financial Accounting of sources and uses of funding for Main Park Renovation**  
31 **and Construction**  
32

33 [10:02:39 PM](#) Lisa Dudley explained that in July 2013, the City issued Franchise and Sales Tax  
34 Revenue Bonds Series 2013. The bonds were issued to finance two major construction projects:  
35 (1) the renovation and construction of the City's Main Park, (2) the construction of the Unified  
36 Police Department's Riverton Precinct building.  
37

38 Ms. Dudley further explained that bond proceeds and related interest earnings, along with other  
39 sources of monies constitute the Main Park construction project sources. Project uses include  
40 architecture and design work, the construction contract, construction management necessary  
41 demolition costs, utility work, surveys and inspections, furniture, fixture and equipment, park  
42 amenities, etc.  
43

44 Ms. Dudley said the original estimated project costs served as the basis for the Main Park Project  
45 budget. During the project life the City has requested additional work, estimated costs have  
46 become known, and unexpected utility costs were also realized. Actual project costs have been  
47 tracked against the project budget on a monthly basis. All changes, including change orders to  
48 Oakland's contract, have properly followed the City's procurement policies.

1 [10:11:37 PM](#) Mayor Applegarth commented.

2  
3 [10:11:51 PM](#) Council Member Trent Staggs commented.

4  
5 [10:12:59 PM](#) Lisa Dudley, Finance Director, commented.

6  
7 [10:13:55 PM](#) Council Member Trent Staggs commented.

8  
9 [10:14:16 PM](#) Lisa Dudley, Finance Director, commented.

10  
11 **3. Ordinance No. 15-04 – Amending Sections 13.10.300 of the Riverton City Municipal**  
12 **Code regarding Secondary Water Meters**

13  
14 [10:14:34 PM](#) Trace Robinson, Public Works Director, explained Riverton’s estimated  
15 consumptive use of irrigation water is 19,000,000 gallons per day, peak summer use. Current  
16 demand, requires that the City pump approximately 35,000,000 gallons per day to keep their  
17 reservoirs full. This reveals the misuse and waste of this valuable resource and associated  
18 pumping costs. He said that much of the misuse can be overcome through education and  
19 outreach. To accomplish this, he recommended the City require the installation of secondary  
20 water meters for all new construction. From these meters, information will be gathered that will  
21 be used to analyze trends and patterns and this information can be used to provide awareness and  
22 promote public conservation practices with the hope of reducing demands. He said the success  
23 of this program has been realized by several cities throughout the State and is being implemented  
24 by others.

25  
26 [10:15:35 PM](#) Council Member Sheldon Stewart commented.

27  
28 [10:16:34 PM](#) Trace Robinson, Public Works Director, commented.

29  
30 [10:17:10 PM](#) Council Member Sheldon Stewart commented.

31  
32 [10:17:15 PM](#) Council Member Trent Staggs **MOVED** the City Council approve **Ordinance**  
33 **No. 15-04 - Adopting modifications to the Secondary Water Ordinance which will require**  
34 **secondary water meters to be installed with all new construction.** Council Member Paul  
35 Wayman **SECONDED** the motion. Mayor Applegarth called for discussion on the motion;  
36 Mayor Applegarth then called for a Roll Call Vote. The vote was as follows: Johnson-Yes,  
37 Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**

38  
39 **3. Resolution No. 15-32 – Adopting a Revised Personnel Policies and Procedures**  
40 **Manual** – This agenda item was not addressed.

41  
42 **4. CONSENT AGENDA**

43  
44 Mayor Applegarth presented the following Consent Agenda:

- 45
1. **Minutes:** RCCM 03-17-15
  2. **Bond Releases:**

1. Riverton Market – 90% Performance
3. **Resolution No. 15-29** – Approving a Sublease Agreement with Salt Lake Valley Law Enforcement Service Area and Unified Police Department of Greater Salt Lake – *Ryan Carter, City Attorney*
4. **Resolution No. 15-24** – Declaring Identified Property of Riverton City as Surplus – *Craig Calvert, Purchasing Manager*
5. **Resolution No. 15-25** - Ratifying the contract issued to Ellsworth Paulsen Construction Company to Complete the Water Meter Vaults Modification Project – *Craig Calvert, Purchasing Manager*
6. **Resolution No. 15-26** – Granting approval to issue a purchase order to Oasis Stage Werks for the purchase of a portable stage for the Main City Park – *Craig Calvert, Purchasing Manager*
8. **Resolution No. 15-31** – Authorizing the execution of an amendment to the Interlocal Cooperation Agreement between Salt Lake County and Riverton City for Animal Control Services – *Ryan Carter, City Attorney*
9. **Resolution No. 15-33** – Ratifying the PO Contract issued to NKD Technologies, LLC for SCADA Equipment on the Water Meter Vaults Modification Project - *Craig Calvert, Purchasing Manager*
11. **Resolution No. 15-34** - Authorizing the Mayor to execute an agreement with the Wasatch Front Regional Council for the Planning and Layout of a City Wide Bike and Trail Active Transportation Master Plan – *Trace Robinson, Public Works Director*

1

2 Consent Agenda Items 4.7 and 4.10 were removed for further discussion.

3

4 Council Member Sheldon Stewart **MOVED the City Council approve Consent Agenda except**  
5 **for Items 4.7 and 4.10.** Council Member Paul Wayman **SECONDED** the motion. Mayor  
6 Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote.  
7 The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-  
8 Yes. **The motion passed unanimously.**

9

7. **Resolution No. 15-30** - **Appointing Council Member Tingey to serve on a volunteer-based exploratory committee to study the feasibility of an Amateur Ice Hockey Arena in Riverton City**

10

11 [10:19:26 PM](#) City Attorney Ryan Carter commented explained that on March 17, 2015, the  
12 Riverton City Council received public comment from citizens residing in the southwest area of  
13 Salt Lake County who expressed their desire to support the development and construction of an  
14 amateur hockey arena in Riverton City. The project to construct an amateur ice hockey arena  
15 would require study to determine true cost and market demand for an amateur ice hockey arena if  
16 it were located in Riverton City.

17

18 Mr. Carter said that following public comment, this matter was informally discussed among the  
19 Council during the March 17, 2015. Councilmember Tingey volunteered to serve on an  
20 exploratory committee to study the feasibility of a project to create an arena. He said  
21 Councilmember Tingey can utilize her professional and community affiliations to better  
22 coordinate with area stakeholders to determine market demand and identify funding sources in  
23 Riverton City.

1 [10:20:11 PM](#) Council Member Trent Staggs commented.

2  
3 Council Member Tricia Tingey commented.

4  
5 City Attorney Ryan Carter commented.

6  
7 Council Member Tricia Tingey commented.

8  
9 [10:23:17 PM](#) Council Member Paul Wayman commented.

10  
11 [10:23:27 PM](#) City Attorney Ryan Carter commented.

12  
13 [10:24:06 PM](#) Council Member Paul Wayman commented.

14  
15 [10:24:57 PM](#) Council Member Trent Staggs commented.

16  
17 [10:25:50 PM](#) City Attorney Ryan Carter commented.

18  
19 [10:26:34 PM](#) Council Member Sheldon Stewart commented.

20  
21 [10:27:11 PM](#) Council Member Trent Staggs commented.

22  
23 [10:27:32 PM](#) Council Member Trent Staggs **MOVED** the City Council approve **Resolution**  
24 **No. 15-30 - Appointing Council Member Tingey to serve on a volunteer-based exploratory**  
25 **committee to study the feasibility of an Amateur Ice Hockey Arena in Riverton City with a**  
26 **change to the paragraph “WHEREAS, the City Council finds and determines that**  
27 **Councilmember Tingey would evaluate the feasibility of a project” the final line... “market**  
28 **demand and identify potential funding sources in Riverton City;”. Council Member Tricia**  
29 **Tingey **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there**  
30 **being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Staggs-Yes,**  
31 **Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.****  
32

10. **Resolution No. 15-28 - Approving an Interlocal Agreement with Herriman**  
**City for the reconstruction of Bobcat Drive**

33  
34 [10:28:36 PM](#) City Attorney Ryan Carter explained that the Interlocal Agreement between  
35 Riverton City and Herriman City to reconstruct Bobcat Drive that was included in the packet had  
36 been revised and provided to each of the Council Members. He then reviewed the changes in the  
37 Agreement.

38  
39 [10:29:59 PM](#) Council Member Trent Staggs commented.

40  
41 [10:30:04 PM](#) Trace Robinson, Public Works Director, commented.

42  
43 [10:30:10 PM](#) Council Member Tricia Tingey **MOVED** the City Council approve **Resolution**  
44 **No. 15-28 – Authorizing the Mayor to enter into an Interlocal Agreement with Herriman**  
45 **City for the realignment of Bobcat Drive, as revised.** Council Member Sheldon Stewart  
46 **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being

1 none, he called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Staggs-Yes,  
2 Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**

3  
4 **5. STAFF REPORTS – Asst. City Manager Jeff Hawker [10:30:58 PM](#)**

5  
6 [10:31:21 PM](#) UFA Capt. Wade Watkins issued an invitation to the City Council to attend the  
7 UFA Annual Fire Training School on May 15, 2015.

8  
9 [10:32:00 PM](#) Council Member Tricia Tingey commented.

10  
11 [10:32:52 PM](#) UFA Capt. Wade Watkins also urged the City to practice their Shakeout Skills.

12  
13  
14 **6. ELECTED OFFICIAL REPORTS**

15  
16 **Mayor Bill Applegarth [10:33:14 PM](#)** – Requested Council’s approval to hire an  
17 Executive Administrator which would be funded out of CEA for the Western Commercial  
18 District. He said it would be funded out of the current budget until the end of June and it would  
19 be repayable out of CEA when that money is received.

20  
21 [10:35:59 PM](#) Council Member Tricia Tingey commented.

22  
23 Council Member Trent Staggs commented.

24  
25 Mayor Applegarth commented.

26  
27 Council Member Sheldon Stewart commented.

28  
29 Mayor Applegarth commented.

30  
31 Council Member Paul Wayman commented.

32  
33 Mayor Applegarth commented.

34  
35 Council Member Trent Staggs commented.

36  
37 Mayor Applegarth commented.

38  
39 Council Member Brent Johnson commented.

40  
41 Council Member Sheldon Stewart commented.

42  
43 The City Council concurred with Mayor Applegarth’s proposal.

44  
45 **Council Member Brent Johnson – No Report.**

46  
47 **Council Member Trent Staggs** commended Public Works Director Trace Robinson and  
48 the Public Works team for recent work done.

1           **Council Member Sheldon Stewart** requested the motion regarding the Fencing  
2 Ordinance be reconsidered.

3  
4 Mayor Applegarth commented.

5  
6 Council Member Sheldon Stewart commented.

7  
8 Mayor Applegarth commented.

9  
10 Council Member Sheldon Stewart commented.

11  
12 Mayor Applegarth commented.

13  
14 Council Member Paul Wayman commented.

15  
16 Council Member Sheldon Stewart commented.

17  
18 Mayor Applegarth called for a motion to reconsider the fencing ordinance.

19  
20 **10:53:32 PM** Council Member Sheldon Stewart **MOVED to reopen discussion on the fence**  
21 **ordinance.** Council Member Trent Staggs **SECONDED** the motion. Mayor Applegarth called  
22 for discussion on the motion; Council Member Trent Staggs commented. Mayor Applegarth then  
23 called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes,  
24 Tingey-Yes, and Wayman-No. **The motion passed 4 to 1.**

25  
26 Council Member Sheldon Stewart **MOVED to approve Ordinance No. 15-02 - amending**  
27 **Sections 18.(20,25,30,35,40,45,50,43,57), Residential Development, 18.155, Fencing, 18.215,**  
28 **Site Plans, 18.135.070, General Provisions, Title 17, Subdivision sections 17.10.010.K,**  
29 **17.15.020.C, and 17.15.030.13, and 18.05.030, Definitions, as described herein, along with**  
30 **the language that allows for decorative precast, color textured block, brick, or other**  
31 **masonry fence with the language that still exists there that eliminates foam core and that**  
32 **Section 18.155.040 (1) be amended to read residential fencing, rear and/or side yard**  
33 **setback be amended to allow a maximum fence height of 8 feet. Fencing taller than 6 feet in**  
34 **height must be engineered before installation and meet Riverton City Engineering**  
35 **Department approval.** Public Works Director Trace Robinson commented. Council Member  
36 Trent Staggs **SECONDED** the motion. City Attorney Ryan Carter commented. The vote was as  
37 follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion**  
38 **passed unanimously.**

39  
40 Mayor Applegarth commented.

41  
42 **Council Member Tricia Tingey** – No report

43  
44 **Council Member Paul Wayman** spoke of Radon Awareness and said that it would be included  
45 in the Riverton Hospital Health Fair to be held November 19, 2015.

46  
47  
48

1 **7. UPCOMING MEETINGS**

2

3 Mayor Applegarth reviewed the following upcoming meetings:

4

1. April 21, 2015 – 6:30 p.m. – Regular City Council Meeting
2. April 28, 2015 – 6:30 p.m. – Regular City Council Meeting
3. May 5, 2015 – 6:30 p.m. – Regular City Council Meeting

5

6 **8. ADJOURN**

7

8 Council Member Council Member Paul Wayman **MOVED the City Council adjourn.** Council  
9 Member Sheldon Stewart **SECONDED** the motion. Mayor Applegarth called for discussion on  
10 the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-  
11 Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed**  
12 **unanimously and the Regular City Council Meeting adjourned at 11:00 p.m.**

13

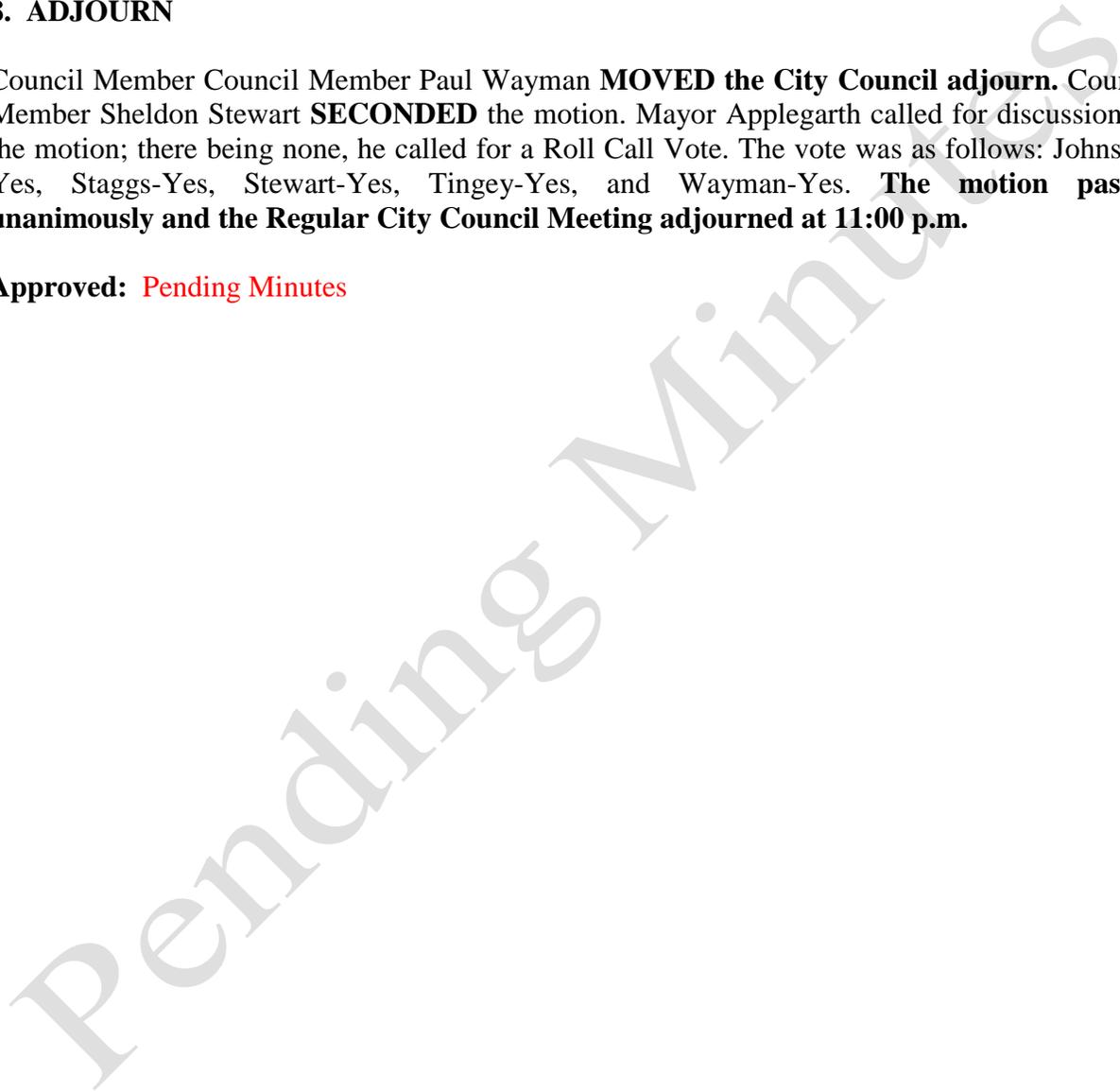
14 **Approved:** Pending Minutes

15

16

17

18





# Issue Paper

Item No. 4.3

|  |  |  |
|--|--|--|
| <b>Presenter/Submitted By:</b>   | Craig Calvert, Purchasing Manager      |  |
| <b>Subject:</b><br><br>Request approval to issue a PO contract to Applied Geotechnical Engineers to complete the Lover's Lane land stability and safety study.   | <b>Meeting Date:</b><br>April 21, 2015 |  |
|  | <b>Fiscal Impact:</b><br>\$29,500.00   |  |
|  | <b>Funding Source:</b><br>10-53-310    |  |
| <b>Background:</b><br><br><p>Historically, Lovers Lane has served as a single lane roadway that provided access to local agricultural properties. Pressure to develop these properties has been a cause of concern for the City. These concerns have been triggered by the presences of constant water seepages along the face of the east and west slope of the roadway. The South Jordan Canal sits at the top of the west slope and a South Valley Sewer District trunk line parallels Lovers Lane in said slope. The west slope is also dotted with corrugated drainage stand pipes connected to drain lines that discharge ground water to the east slope of Lovers Lane. Many of these pipes are plugged or collapsed. The east slope is heavily vegetated and saturated with discharges from drain lines and springs. There are also existing Culinary and Secondary water lines in Lovers Lane.</p> <p>Developers have proposed that Lovers Lane be widened to a two-lane facility with the construction of single-family residential homes on the downhill side of the roadway. The City is concerned with the stability of the canal, roadway side slopes, and the drainage of groundwater along Lovers Lane. Purchasing requested proposals to study and give recommendations for stabilizing, draining, and insuring the safety of the proposed developments to be located in this area. The award tabulation is attached. .</p> |  |  |
| <b>Recommendation:</b><br><br>Staff's recommendation is to issue a PO contract to Applied Geotechnical Engineers to complete the Lover's Lane land stability and safety study.   |  |  |
| <b>Recommended Motion:</b><br><br>"I make a motion to approve <u>Resolution No 15-36</u> - allowing the City to issue a PO Contract to Applied Geotechnical Engineers to complete the Lover's Lane Land Stability and Safety Study.  |  |  |

**RIVERTON CITY, UTAH**  
**RESOLUTION NO. 15-36**

**A RESOLUTION REQUESTING APPROVAL TO ISSUE A PO CONTRACT TO APPLIED GEOTECHNICAL ENGINEERS TO COMPLETE THE LOVER’S LANE LAND STABILITY AND SAFETY STUDY**

**WHEREAS**, Riverton City is required by ordinance to approve any contract that exceeds \$25,000 in a public meeting; and,

**WHEREAS**, the City Engineer requires a land stability and safety study done on Lover’s Lane.

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

1. Riverton City approves issuing a PO contract to Applied Geotechnical Engineers to complete the Lover’s Lane land stability and safety study.
2. This resolution shall become effective upon passing.

**PASSED AND ADOPTED** by the City Council of Riverton, Utah, this 21<sup>st</sup> day of April by the following vote:

|                                     | YES   | NO    | ABSTAIN | ABSENT |
|-------------------------------------|-------|-------|---------|--------|
| City Council Member Brent Johnson   | _____ | _____ | _____   | _____  |
| City Council Member Trent Staggs    | _____ | _____ | _____   | _____  |
| City Council Member Sheldon Stewart | _____ | _____ | _____   | _____  |
| City Council Member Tricia Tingey   | _____ | _____ | _____   | _____  |
| City Council Member Paul Wayman     | _____ | _____ | _____   | _____  |

**RIVERTON CITY**

[SEAL]

\_\_\_\_\_  
**Bill Applegarth, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Virginia Loader, MMC**  
**City Recorder**

## SCOPE OF SERVICES:

- Historical Research of Canal, Sewer line, Standpipes, Drains and Springs
- Geotechnical work: This will include all research, testing, and engineering necessary to determine the geological composition of the slopes and roadway.
- Determination of Canal stability
- Determination of Slope stability: Uphill and Downhill Slopes
- Determination of Road stability
- Determination of the Safety for development on the downhill side of Lovers Lane
- Engineering recommendations for Canal, Slopes, Roadway Section and Groundwater Drainage
- A detailed Cost estimate for recommended improvements. Costs are to include both direct costs and indirect costs
- Executive Summary
- Final Report

## **TAB 2**

### **BACKGROUND**

Based on the request for proposal and our knowledge of the area, we understand that:

1. The segment of Lovers Lane Road considered in this study is located at approximately 1100 West between 13500 South and 13800 South in Riverton City, Utah.
2. Historically, Lovers Lane has served as a single lane roadway that has provided access to local properties.
3. It has been reported that constant water seepages have been experienced along the face of the east and west slope of the roadway.
4. The South Jordan Canal sits at the top of the west slope and the South Valley Sewer District Trunk line parallels Lovers Lane in the slope.
5. The west slope is dotted with corrugated drainage stand pipes connected to drain lines that discharge groundwater to the east slope of Lovers Lane. Many of these pipes are plugged or collapsed.
6. The east slope is heavily vegetated and discharges water from drain lines and springs. There are also existing culinary and secondary water lines in Lovers Lane.
7. The elevation difference is approximately 70 feet from west to east.

### **PROPOSED IMPROVEMENTS**

We understand that developers are proposing to widen Lovers Lane into a two-lane roadway. They are also desirous of constructing single-family residences on the downhill (east) side of the roadway.

With these proposed improvements, the City is concerned about the stability of the canal, the roadway and slide slopes, the City is also concerned about how best to handle seepage water.

We also understand that the area of interest should be divided into two specific segments, the first being the area north of Ryanna Drive and the second area, typically known as the S-Turn Area, which is south of Ryanna Drive.

### **ANTICIPATED SUBSURFACE CONDITIONS**

Based on our experience in the area, we anticipate that the subsurface conditions will consist of lake sediments consisting of interlayered clay, sand and silt. We anticipate that the canal embankment is constructed of the natural on-site soil that has been excavated and placed as fill.

## SCOPE OF SERVICES

Based on the anticipated subsurface conditions and the information desired by the City, we propose the following work:

1. Field Investigation  
A representative of AGECE will visit the site and conduct a detailed inventory of conditions observed that relate to the stability and performance of the embankment slopes. From this observation and documentation effort, six specific locations will be identified where elevation cross sections will be measured.
2. History  
Research will be conducted in order to develop a history of the area which would include the timing of various improvements and construction of utilities. This part of the investigation will include review of public documents and also potentially visiting with current and past stake holders in the utilities and/or development in the area.
3. Subsurface Exploration  
Drill twelve borings along the area of interest. Ideally, a set of four borings would be drilled at three locations along the alignment. The borings will be drilled in order to determine the subsurface conditions up slope (west) of the canal within the east embankment of the canal, on Lovers Lane and at the bottom of the slope. We anticipate that these borings will be drilled to a depth of approximately 20 to 30 feet. Sampling will be obtained at intervals to provide an understanding of the subsurface conditions encountered and to obtain samples for laboratory testing and to measure the depth to groundwater. Slotted PVC pipe will be installed in the borings to facilitate future measurement of the water level. We plan on continuously sampling through the zone of fill material.
4. Laboratory Testing  
Conduct a laboratory testing program to determine the following characteristics of the subsurface soil.
  - Classification
  - Moisture Content
  - Dry Density
  - Strength (Direct Shear and Triaxial Shear)
  - California Bearing Ratio (CBR)
  - Moisture/Density Relationship (Proctor)

5. Engineering Analysis

Analyze the results of the field and laboratory investigations to determine the following items:

- Characterize the subsurface soils.
- Evaluate the stability of the slope with the existing water conditions under static and seismic conditions.
- Evaluate the alternatives that could be considered to help collect and appropriately discharge seepage water that is currently being experienced.
- Provide alternatives to widening the Lovers Lane right-of-way.
- Suitability of the on-site soil for use as fill.
- Recommendations for imported fill.
- Fill material compaction criteria.
- Provide pavement recommendations.
- Estimate quantities and cost estimates for each of the improvement alternatives presented.

6. Report

Prepare a report that summarizes the information obtained from the study and presents our conclusions and recommendations. The study will be conducted under the supervision of a registered professional engineer.

7. Schedule

Based on the scope of work presented above, we estimate that the time necessary for conducting each phase of this study would be as indicated below:

|   |         |
|---|---------|
| Historic Review / Site Visit                  | 2 weeks |
| Subsurface Exploration and Laboratory Testing | 3 weeks |
| Analysis and Report Preparation               | 3 weeks |

# ***ATTACHMENT 2***

## **Proposal Response Price Sheet**

**RFP No. 176-15**

Proposal for Engineering Services

---

### **I. GENERAL**

- A. Prices stated include all costs associated in the complete Stability and Safety Study for Lovers Lane and "S" Turn Roadway Sections located in Riverton City, including printing, equipment, materials, supervision, labor, insurance, transportation, delivery, fuel or other surcharges, and all related costs. No other charges shall be allowed. All prices and fees are stated in U.S. dollars.
- B. Fee's stated shall be firm for the term of this project.

### **II. FEE**

For all services provided by the Engineering firm pursuant to this Agreement for providing services as specified in proposals scope of work, including all addendums issued, firm shall be paid a lump sum of

\$ 29,500.

### **III. INVOICING AND PAYMENT**

The firm shall submit a written invoice, in duplicate, for services rendered and the City shall pay the invoiced fee within thirty (30) days after receipt of the invoice by the City.

Invoices shall be submitted to: Riverton City Corporation  
12830 South 1700 West  
Riverton, Utah 84065

## **STANDARD CONTRACT TERMS AND CONDITIONS**

### **TERMS OF AGREEMENT**

In the event of any conflict between these standard terms and conditions and any other terms and condition included in this agreement, these standard contract terms and conditions, Attachment "A," will govern.

### **NON-AVAILABILITY OF FUNDS**

It is understood that if the department fails to receive sufficient appropriation of funds or authorization for the expenditure of sufficient funds to provide for the continuation of the contract or the lawful order issued in or for any fiscal year during the term of this contract, the contract and all lawful order's issued shall terminate on the date said funds are no longer available without any termination charges or liability incurring to the City. The City shall certify and warrant in writing that sufficient funds have not been appropriated or authorized to continue this amendment. Non-Availability of Funds or failure to receive authorization for the expenditure of sufficient funds as used herein means a level of funding that results in less funding than that which was allocated to department in the immediately preceding fiscal year.

### **LIABILITY**

Any damages occurring from the execution of the contract, incidental or otherwise, to City or private properties must be repaired, at the contractor's expense, to the owner's satisfaction.

### **INDEMNIFICATION**

The consultant agrees to defend, indemnify and hold Riverton City, the City Council, the Mayor, and all employees (collectively the "Indemnities") free and harmless from and against all losses, claims, liens, demands, lawsuits, judgments or liability including but not limited to general liability, automobile, and professional errors and omissions liability, arising out of the negligent acts, errors and omissions of the consultant in performing the services described including the amount of judgment, penalties, interest, court costs and legal fees incurred by the Indemnities or any of them in defense of the same, arising in favor of any party, including governmental agencies or bodies, on account of, but not limited to, taxes, claims, liens, debts, personal injuries, death or damages to property (including property of Indemnities). The Consultant further agrees to; investigate, handle, respond to, provide defense for and defend any such claim, demand or cause of action at its sole expense, and agrees to bear all other costs and expenses related thereto, and, release, indemnify and hold the City, its officers, agents and employees harmless from liability of any kind or nature, including the consultant use of any copyrighted or uncopyrighted composition, secret process, patented or unpatented invention, article or appliance furnished or used in the performance of this contract. Riverton City is a governmental entity under the Governmental Immunity Act and waives no defenses, limits of liability or other rights.

## **OWNERSHIP OF DOCUMENTS**

Riverton owns and may use in any way the City deems necessary all plans, drawings, specifications, reports, notes, data, calculations, documents, electronic media, CADD documents and all other instruments of Architect, Engineer or Surveyor's professional service, regardless of medium or content, prepared by or on behalf of Architect, Engineer or Surveyor, et al.

## **DAMAGES**

**Project must be completed and delivered to the City according to the dates indicated in the proposal.**

Timing is of the essence for this project. Consultant agrees that the City will suffer damages if required documents are not received within 60 calendar days after receipt of the notice to proceed. The Consultant will compensate the City in the amount of five hundred dollars and no cents (\$500.00) for each day or part thereof that expires after the set completion date, for damages, penalties, extra fees or losses that the City may incur due to a late delivery of the required documents. The City shall be entitled to deduct and retain liquidated damages out of any money which may be due or become due to the Consultant. To the extent that the liquidated damages exceed any amounts that would otherwise be due the Consultant, the Consultant shall be liable for such amounts and shall return such excess to the City.

## **INSURANCE**

Riverton City requires the insurance provider to be rated an A- or better or a financial category of VII (7) or Higher as rated by AM Best Ratings.

Workers Compensation insurance, sufficient to cover all employees in the employ during the term of the contract including any renewal thereof must be maintained. Coverage amount should be as required by Utah Workmen's Compensation Laws. All subcontractors are required to also carry workers compensation insurance as specified above. The City will require employees from companies who choose to not carry workers compensation insurance, (three or less employees) to obtain a Workers Compensation Waiver Form from the State of Utah.

Workers Compensation insurance, sufficient to cover all employees in the employ during the term of the contract including any renewal thereof must be maintained. Coverage amount should be as required by Utah Workmen's Compensation Laws.

Professional Liability insurance in the amount of \$1,000,000.00 must be maintained during the term of the contract.

Commercial General Liability insurance in the amount of \$1,000,000.00 per occurrence with an aggregate of \$2,000,000.00.

Commercial Auto insurance in the amount of \$1,000,000.00 per occurrence with an aggregate of \$2,000,000.00. The insurance must apply to hired, not owned and owned vehicles.

Insurance needs to include Project Name with the location and description of the project, and the Project Number and Bid Number (if known). Insurance must name as the certificate holder; Riverton City, its elected officials, appointed officials, officers, employees and volunteers. Coverage is for all operation performed by or on behalf of the named insured.

Riverton City will assume no liabilities for the contractor including any of the contractor's representatives, employees or properties. The contractor agrees to, at all times, protect,

indemnify, defend and hold harmless the City and city employees from any and all claims. Contractor shall, at all times, keep the work area in a neat, clean, safe and secure condition to avoid the risk of loss, theft, vandalism or sabotage. Insurance provided is required to be primary and non-contributory. Proof of coverage must be provided before work can begin, and agrees to provide proof of insurance upon demand by the City throughout the terms of the contract. The insurance must have a 30 day written cancelation notice. If any of the required insurance coverage is cancelled or lapse, the City may at the City's discretion, obtain substitute coverage at reasonable rates. The City may deduct the cost of such coverage, plus 10% for administrative charges, from any monies that are owing to contractor.

### **INDEPENDENT CONTRACT**

It is understood and agreed by the parties that the consultant is to act in the capacity of an independent contractor and as such will have no authorization, express or implied to bind Riverton City to any agreements. Consultant's officers and employees shall not be considered as employees or officers of the City and shall not be entitled to any employee benefits as City employees as a result of the execution of this agreement.

### **ASSIGNMENT**

The consultant shall not assign this agreement or assign, pledge transfer or otherwise dispose of its interest or this agreement, without the specific consent of the City, and that no such assignment, pledge, mortgage, transfer, or other disposition shall relieve the consultant of its obligations hereunder, nor shall such an assignment of other disposition terminate any such claim or defense which the City may have. Riverton City may assert any claim or defense it may have against the consultant and against any such assignee.

### **LICENSE**

The consultant is properly licensed for the service(s) provided, including a business license. consultant will provide all licenses before work can begin.

### **WORKFORCE**

The consultant agrees to register and participate in a status verification system such as E-Verify, to verify the work eligibility status of the consultant new employees that are employed in the state. The consultant further agrees to have each contractor or subcontractor who works for or under main consultant, certify by affidavit that the contractor or subcontractor has verified through a status verification system the employment status of each new employee of the respective contractor or subcontractor.

### **STANDARD OF CARE**

Consultant services shall be performed in accordance with the skill and care ordinarily exercised by members of the same profession performing the same or similar services at the time consultant's services are performed. Consultant shall, at consultant's sole expense, re-perform any services not meeting this standard.

**TAXATION**

It is understood and agreed that the contractor shall pay and discharge all license fees, assessments, sales, use, property and other tax or taxes lawfully imposed, as indicated in U.C.A. 1953 Section 59-12-104.

**NOTICES**

All notices to be given under this agreement shall be made in writing and mailed to the other party at its address as set forth herein or at such other address as the party may provide in writing from time to time. Such notice shall be mailed, return receipt requested, to the parties as follows:

Consultant

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NO OFFICER OR EMPLOYEE INTEREST**

It is understood and agreed that no officer or employee of Riverton City has or shall have any pecuniary interest, direct or indirect, in this agreement or the proceeds thereof. No officer or employee of the consultant or any member of their families shall serve on any City board or committee or hold any such position which either by rule, practice, or action nominates, recommends, or supervises consultant's operations, or authorizes funding of payments to the consultant.

**AFFIDAVITS**

At the time of, or prior to, commencing work, the consultant shall submit a sworn affidavit from each officer, employee or agent of the consultant who has been in contact or communicated with any officer, agent, or employee of the City during the past calendar year concerning the provision of these goods and services. The affidavit shall contain the following statement:

"I do solemnly swear that neither I, nor to the best of my knowledge, any member of my firm or company, has either directly or indirectly restrained free and competitive bidding by entering into any agreement, participating in any collusion, or otherwise taken any action unauthorized by the governing body of the City, or in violation of applicable law to secure favorable treatment with respect to being awarded this contract."

**NON-DISCRIMINATION/AFFIRMATIVE ACTION**

The Respondent agrees to abide by the provisions of the Utah Antidiscrimination Act, Title 34 Chapter 35, U.C.A. 1953, as amended, and Title VI and Title VII of the Civil Rights Act of 1964 (USC 2000e), which prohibit discrimination against any employee or applicant for employment, or any applicant or recipient of services, on the basis of race, religion, color, or national origin; and further agrees to abide by Executive Order No. 11246, as amended, which prohibits discrimination on the basis of sex; 45 CFR 90 which prohibits discrimination on the basis of age, and Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of handicap. This agreement may be canceled if the contractor fails to comply with the provisions of these laws and regulations. ***The consultant must include this provision in every subcontract or***

***purchase order relating to purchases by Riverton City to insure that subcontractors and vendors are bound by this provision.***

## **LAW**

This contract shall be governed and constituted in accordance with the laws of the State of Utah.

## **DEFAULT**

If either party fails to perform its obligations, the other party may give written notice specifying the nature of the failure, and requesting the defaulting party to remedy it. If the default is not corrected within thirty (30) days of the notice date, the non-defaulting party may pursue the remedy provided herein, and without waiving that remedy, it may terminate this agreement. If the failure reasonably justifies faster action, the notice may require correction within less than thirty (30) days, and the non-defaulting party may take reasonable action to protect its interest. If the failure is one that reasonably requires more than thirty (30) days to correct, the correction period shall be extended beyond thirty (30) days, so long as the defaulting party promptly commences to correct the default and diligently pursues it to completion.

In the event either party needs to enforce the terms of this agreement by suit or otherwise, the party at fault shall pay the costs and expenses incident thereto, including a reasonable attorney's fee.

## **ENTIRE AGREEMENT**

This Agreement, together with the attachments hereto, contains the entire Agreement between the parties, and supersedes all prior agreements, and oral or written representations with respect to the subject matter hereto, and no statements, promises, or inducements made by either party or agents for either party, that are not contained in this written Agreement, shall be binding or valid. This Agreement may not be enlarged, modified, or altered except in writing, signed and dated by the parties.



**Riverton City  
Purchasing Department**  
12830 South 1700 West  
Riverton, UT 84065  
801-208-3175  
Fax: 801-208-3176

March 6, 2015

**RFP 176-15**

Company Name: **Applied Geotek - AGEK**

| Criteria   | Weight | Average score<br>of Ratings by<br>Committee<br>Members | Weighted Number of<br>points |
|--|--------|--|------------------------------|
|  | A      | B  | 100(A x B)                   |
| Qualifications                                       | 35%    | 4.66   | 163.10                       |
| Previous experience on similar projects / References | 35%    | 4.88   | 170.80                       |
| References   | 15%    | 4.33   | 64.95                        |
| Price  | 15%    | 4.37   | 65.55                        |

Cost ratings are scored as follows:  
Maximum points available (5) x [2-(bid amount/low bid amount)]

|           |
|-----------|
| Fee       |
| 29,500.00 |

**464.40**  
Total Final Weighted Score  
(500 points max. possible)



**Riverton City**  
**Purchasing Department**  
 12830 South 1700 West  
 Riverton, UT 84065  
 801-208-3175  
 Fax: 801-208-3176

March 6, 2015

**RFP 176-15**

Company Name: **GeoStrata**

| Criteria   | Weight | Average score<br>of Ratings by<br>Committee<br>Members | Weighted Number of<br>points |
|--|--------|--|------------------------------|
|  | A      | B  | 100(A x B)                   |
| Qualifications                                       | 35%    | 3.66   | 128.10                       |
| Previous experience on similar projects / References | 35%    | 4.00   | 140.00                       |
| References   | 15%    | 4.33   | 64.95                        |
| Price  | 15%    | 5.00   | 75.00                        |

Cost ratings are scored as follows:  
 Maximum points available (5) x [2-(bid amount/low bid amount)]

|           |
|-----------|
| Fee       |
| 26,200.00 |

|  |
|--|
| <b>408.05</b>  |
| Total Final Weighted Score<br>(500 points max. possible) |



**Riverton City**  
**Purchasing Department**  
 12830 South 1700 West  
 Riverton, UT 84065  
 801-208-3175  
 Fax: 801-208-3176

March 6, 2015

**RFP 176-15**

Company Name: Epic

| Criteria   | Weight | Average score<br>of Ratings by<br>Committee<br>Members | Weighted Number of<br>points |
|--|--------|--|------------------------------|
|  | A      | B  | 100(A x B)                   |
| Qualifications                                       | 35%    | 4.00   | 140.00                       |
| Previous experience on similar projects / References | 35%    | 3.00   | 105.00                       |
| References   | 15%    | 2.66   | 39.90                        |
| Price  | 15%    | 0.00   | 0.00                         |

Cost ratings are scored as follows:  
 Maximum points available (5) x [2-(bid amount/low bid amount)]

|           |
|-----------|
| Fee       |
| 68,840.00 |

**284.90**  
 Total Final Weighted Score  
 (500 points max. possible)



**Riverton City  
Purchasing Department**  
12830 South 1700 West  
Riverton, UT 84065  
801-208-3175  
Fax: 801-208-3176

March 6, 2015

**RFP 176-15**

Company Name: **Meridian Engineering**

| Criteria   | Weight | Average score<br>of Ratings by<br>Committee<br>Members | Weighted Number of<br>points |
|--|--------|--|------------------------------|
|  | A      | B  | 100(A x B)                   |
| Qualifications                                       | 35%    | 2.66   | 93.10                        |
| Previous experience on similar projects / References | 35%    | 2.50   | 87.50                        |
| References   | 15%    | 2.00   | 30.00                        |
| Price  | 15%    | 0.55   | 8.30                         |

Cost ratings are scored as follows:  
Maximum points available (5) x [2-(bid amount/low bid amount)]

|           |
|-----------|
| Fee       |
| 49,500.00 |

**218.90**  
Total Final Weighted Score  
(500 points max. possible)

# Tabulation

Proposal Number: RFP 176-15

Due Date: February 17, 2015

Item: Lover's Lane Stability Study

| Firm:                  | Proposed Fee |
|------------------------|--------------|
| Epic                   | 68,840.00    |
| Meridian Engineering   | 49,500.00    |
| Applied Geoteck - AGEC | 29,500.00    |
| GeoStrata              | 26,200.00    |



# Issue Paper

Item No. 4.4

|   |                                    |  |
|---|------------------------------------|--|
| <b>Presenter/Submitted By:</b>  | Ryan Carter, City Attorney         |  |
| <b>Subject:</b><br><br>Approval of modifications to the Riverton City Employee Policies and Procedures Manual   | <b>Meeting Date:</b><br>04/21/2015 |  |
|   | <b>Fiscal Impact:</b>              |  |
|   | <b>Funding Source:</b>             |  |
| <b>Background:</b><br><br>In the year 2011, the Riverton City Council approved a newly rewritten version of the Riverton City Employees Policies and Procedures Manual. Since this time, City Administration has identified a number of minor changes which need to be made to the Manual to correct grammar problems or bring the Manual into conformance with existing City practices, or otherwise clarify existing policies. To this end, Administrative Staff has made sundry changes to the Manual for the Council to consider and approve. |                                    |  |
| <b>Recommendation:</b><br><br>Staff recommends Council adopt Resolution No. 15-32 - approving sundry changes to the Riverton City Policies and Procedures Manual as provided by Staff.  |                                    |  |
| <b>Recommended Motion:</b><br><br>"I move the City Council adopt <u>Resolution No. 15-32</u> - approving sundry changes to the Riverton City Policies and Procedures Manual as provided by Staff."  |                                    |  |

**RIVERTON CITY, UTAH**  
**RESOLUTION NO. 15-32**

**A RESOLUTION ADOPTING A REVISED PERSONNEL POLICIES AND PROCEDURES MANUAL**

**WHEREAS**, the Riverton City Personnel Policies and Procedures Manual (the “Manual”) is used to establish reasonable rules of employment conduct and to ensure compliance with these rules through a program consistent with the best interests of Riverton City and its employees; and

**WHEREAS**, there is a need to modify the Manual to include policy changes that have occurred since the Manual was adopted; and

**WHEREAS**, the revised Manual has been prepared which will replace any Resolution, policy, or action previously approved or undertaken by the Riverton City Council which is inconsistent with this Resolution; and

**WHEREAS**, the City Council of Riverton City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of Riverton City and City employees to adopt the revised Manual.

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

1. The attached Riverton City Personnel Policies and Procedures Manual attached to this Resolution is hereby approved. The Mayor is hereby directed to ensure that the revised Manual is made available to all City employees within a reasonable time from adoption of this Resolution.
2. This Resolution shall take effect immediately.

**PASSED AND ADOPTED** by the City Council of Riverton, Utah, on this 21<sup>st</sup> day of April, 2015 by the following vote:

|                                     | YES   | NO    | ABSTAIN | ABSENT |
|-------------------------------------|-------|-------|---------|--------|
| City Council Member Brent Johnson   | _____ | _____ | _____   | _____  |
| City Council Member Trent Staggs    | _____ | _____ | _____   | _____  |
| City Council Member Sheldon Stewart | _____ | _____ | _____   | _____  |
| City Council Member Tricia Tingey   | _____ | _____ | _____   | _____  |
| City Council Member Paul Wayman     | _____ | _____ | _____   | _____  |

**RIVERTON CITY**

[SEAL]

**ATTEST:**

\_\_\_\_\_  
**Bill Applegarth, Mayor**

\_\_\_\_\_  
**Virginia Loader, MMC**  
**Recorder**



# Issue Paper

Item No. 4.5

|   |                                       |  |
|---|---------------------------------------|--|
| <b>Presenter/Submitted By:</b>  | Trace Robinson, Public Works Director |  |
| <b>Subject:</b><br><br><u>Interlocal Cooperation Agreement</u><br>Between<br><u>SALT LAKE COUNTY</u><br>And<br>RIVERTON CITY<br>for the joint purchase of High-Resolution Google Imagery Data.  | <b>Meeting Date:</b><br>4/21/2015     |  |
|   | <b>Fiscal Impact:</b><br>\$5000.00    |  |
|   | <b>Funding Source:</b><br>65.60.310   |  |
| <b>Background:</b><br><br><p>Salt Lake County has ask Riverton City to participate in the purchase of a commercial aerial photography license of high-resolution Google Imagery data which will include the entire area of County of Salt Lake. The agreement will begin this year and will expire December 31, 2017. It is anticipated that we will have the opportunity to renew the agreement at the end of each contract cycle.</p> <p>Total project cost includes the initial Google Imagery data purchase and two years maintenance costs. Pricing per city will be based on a sixteenth of the total project cost which is not to exceed \$5000.00. Riverton City agrees to pay its portion of the first year's purchase cost of \$3750.00 to Salt Lake County. Additional data and enhancements and maintenance may be added to bring the costs to the not to exceed amount of \$5,000.00. The purchase of this data is in the current Stormwater Utility Budget.</p> |                                       |  |
| <b>Recommendation:</b><br><br>Approve proposed resolution.  |                                       |  |
| <b>Recommended Motion:</b><br><br>"I move the City Council adopt <u>Resolution No. 15-35</u> - which is an Interlocal Cooperation Agreement between Salt Lake County and Riverton City for the purchase of High-Resolution Google Imagery Data."  |                                       |  |

**RIVERTON CITY, UTAH**  
**RESOLUTION NO. 15-35**

**A RESOLUTION AUTHORIZING THE CITY TO ENTER AN INTERLOCAL  
COOPERATION AGREEMENT WITH SALT LAKE COUNTY FOR THE  
PURCHASE OF HIGH-RESOLUTION GOOGLE IMAGERY DATA**

**WHEREAS**, the City has been invited by Salt Lake County to participate in the purchase of high-resolution Google imagery data; and,

**WHEREAS**, the Public Works Department frequently contracts with the County to obtain aerial photography and images; and

**WHEREAS**, the City will be able to use this data for the development, engineering, and flood control; and,

**WHEREAS**, Salt Lake County has provided an Interlocal Cooperative agreement to memorialize the transaction; and,

**WHEREAS**, the City Council of Riverton City, Utah does hereby determine that it is in the best interests of the City of Riverton City to approve said Interlocal Cooperation Agreement and its terms.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of Riverton City, Utah as follows: Hereby approves the terms of the Interlocal Cooperation Agreement and that the Mayor is authorized to execute said Agreement

1. This resolution shall become effective upon passage.

**PASSED AND APPROVED** by the City Council of Riverton, Utah, this 21<sup>st</sup> day of April, 2015 by the following vote:

|                                     | YES   | NO    | ABSTAIN | ABSENT |
|-------------------------------------|-------|-------|---------|--------|
| City Council Member Brent Johnson   | _____ | _____ | _____   | _____  |
| City Council Member Trent Staggs    | _____ | _____ | _____   | _____  |
| City Council Member Sheldon Stewart | _____ | _____ | _____   | _____  |
| City Council Member Tricia Tingey   | _____ | _____ | _____   | _____  |
| City Council Member Paul Wayman     | _____ | _____ | _____   | _____  |

**RIVERTON CITY**

[SEAL]

**ATTEST:**

\_\_\_\_\_  
**Bill Applegarth, Mayor**

\_\_\_\_\_  
**Virginia Loader, MMC**  
**Recorder**

County Contract No. \_\_\_\_\_  
District Attorney No. 15-02705  
City Contract No. \_\_\_\_\_

**INTERLOCAL COOPERATION AGREEMENT**  
**Between**  
**SALT LAKE COUNTY**  
**And**  
**RIVERTON CITY**

THIS INTERLOCAL COOPERATION AGREEMENT ("Agreement") is made and entered into this 31 day of March, 2015, by the between SALT LAKE COUNTY, a body corporate and politic of the State of Utah ("County") for its County Surveyor's Office, and the RIVERTON CITY, a municipal corporation of the State of Utah ("City"). County and City are sometimes referred to as the "Parties".

**RECITALS**

WHEREAS, County and City are governmental entities and authorized pursuant to the Utah Interlocal Cooperation Act, Utah Code Ann. §11-13-101, et seq. to enter into agreements for the joint cooperation of the Parties;

WHEREAS, County has entered into an agreement with the Utah Department of Technology Services, Automated Geographic Reference Center for use of a commercial license with Google for use of high-resolution digital orthophotography (aerial photography) with options to purchase updated aerial photography content; and

WHEREAS, the County deserves to make available and the City desires to acquire Google imagery data;

NOW, THEREFORE, the County and City enter into the following agreement:

1. PROJECT

- a. The City agrees to purchase high-resolution Google Imagery data for the entire area defined in this Agreement. The data will be acquired each year beginning in 2015 and continuing for three consecutive years. City agrees that delays in acquiring the Google Imagery data that are through no fault of the County will not be a basis for termination of this Agreement or damages.
- b. As part of purchase agreement, the City agrees to fill out the electronic Organizational Usage Agreement located on the AGRC Aerial Photography page at <http://gis.utah.gov/data/aerial-photography>, a sample of which is attached hereto and incorporated herein as Exhibit A.

2. COMPENSATION Total project cost includes the initial Google imagery data purchase and two years maintenance costs. Pricing per city will be based on a sixteenth of the total project cost which is not to exceed \$5000.00. The City agrees to pay its portion of the first year's purchase cost in the amount of \$3750.00 to the County. Payment will be made upon completion and delivery of the work described in paragraph 1 above. City agrees to tender payment in full no later than 30 days after delivery. The City's portion of the maintenance cost will be billed annually in subsequent years.

3. DURATION AND TERMINATION

- a. This Agreement shall take effect upon the execution of this Agreement by a duly authorized official of each Party and recordation with their respective keeper of records pursuant to the Interlocal Agreement Act and shall terminate on December 31, 2017 unless renewed. This Agreement may be renewed for 2 additional three-year periods.
- b. This Agreement may be voluntarily terminated in whole or in part by either Party on not less than thirty (30) days notice in advance of the contemplated termination given in writing.

4. OWNERSHIP County and the City will jointly own the Google Imagery data. The City and the County may use the Google Imagery data without restriction. The City will also have access to Google Imagery data at no additional cost to those areas that border their City. The Parties understand that the State of Utah may use the Google Imagery data without restriction.

5. DELIVERABLES

- a. The Google Imagery data will be available as a GIS WMA service and as a downloadable product. The County will coordinate all deliverables and QA/QC with the Utah Automated Geographic Reference Center (AGRC). The anticipated initial delivery is March 2015. Provides purchase options, in subsequent years, for the State, if current on the annual maintenance costs, to acquire future aerial photography updates, as flown by the product provider, at the initial per unit acquisition cost, for a period of 3 years from purchase, with: a minimum purchase limit not exceeding 5,000 km, and an expected update of the settled area of the Wasatch Front annually.
- b. Provides a content use license that may restrict or prohibit bulk redistribution of the raw aerial photography data outside the allowable user/usage specifications, but, otherwise includes staff and web application uses for conducting the official business of Utah's state government, regional and local political subdivisions, public safety communication centers, K-12 and higher education entities. The entities above, as provided by private sector or non-profit parties using map technology to deliver services to these organizations as specifically directed per

statutory requirement, per contract, or per other formalized, time-limited agreement. The entirety of Salt Lake County is expected to be included in the initial purchase with acquisitions from 2013 and 2014. AGRC will obtain a statewide download of the imagery, per the on-premise rights associated with the commercial aerial photography service and will make the downloaded files available to partnering agencies and other qualifying organizations.

6. SEPARATE LEGAL ENTITY This Agreement does not create a separate legal entity.
7. LIABILITY AND INDEMNIFICATION Both parties are governmental entities under the Utah Governmental Immunity Act, Title 63, Chapter 30, Utah Code Ann., 1953, as amended. Consistent with the terms of this Act, it is mutually agreed that each party is responsible and liable for its own wrongful or negligent acts which it commits or which are committed by its agents, officials, or employees. Neither party waives any defenses otherwise available under the Governmental Immunity Act.
8. NOTICE Any notice required or permitted to be given hereunder shall be deemed sufficient if given by a communication in writing and shall be deemed to have been received (a) upon personal delivery or actual receipt thereof, or (b) within two days after such notice is deposited in the United States Mail, postage prepaid, and certified and addressed to the Parties as set forth below:

County: Salt Lake County Mayor  
2001 South State Street, N2100  
PO Box 144575  
Salt Lake City, Utah 84114-4575

Salt Lake County Surveyor  
2001 State Street, N1500  
PO Box 144575  
Salt Lake City, Utah 84114-4575

City: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. INTERLOCAL COOPERATION ACT REQUIREMENTS In satisfaction of the requirements of the Interlocal Cooperation Act, and in connection with this Agreement, the Parties agree as follows:
  - a. This Agreement shall be approved by each Party pursuant to Section 11-13-202.5 of the Interlocal Act;
  - b. This Agreement shall be reviewed as to proper form and compliance with applicable law by a duly authorized attorney on behalf of each Party, pursuant to Section 11-13-202.5 of the Interlocal Act;

- c. A duly executed original counterpart of this Agreement shall be filed with keeper of records of each Party, pursuant to Section 11-13-209 of the Interlocal Act;
- d. Except as otherwise specifically provided herein, each Party shall be responsible for its own costs of any action taken pursuant to this Agreement, and for any financing of such costs;
- e. No real or personal property will be acquired, held, or disposed of in this cooperative undertaking. To the extent that a Party acquires, holds, or disposes of any real or personal property for use in the joint or cooperative undertaking contemplated by this Agreement, such Party shall do so in the same manner that it deals with other property of such Party.

10. MISCELLANEOUS PROVISIONS It is mutually agreed and understood by and between said Parties that:

- a. Agents, employees, or representatives of each party shall not be deemed to be the agents, employees or representatives of the other;
- b. This Agreement contains the entire agreement between the parties, with respect to the subject matter hereof, and no statements, promises, or inducements made by either party or agents for either party that are not contained in this written Agreement shall be binding or valid; and this Agreement may not be enlarged, modified, or altered except in writing, and signed by the parties.
- c. The County designates Mark Miller as representative to assist in the management of this Agreement. The City designates \_\_\_\_\_ as representative to assist in the management of this Agreement. The representatives shall have no control over the means, methods, techniques or procedures employed in the services of this Agreement.
- d. This Agreement may be executed in counterparts by the City and the County.
- e. Amendments may be proposed at any time during the period of performance by either Party and shall become effective upon signing by both Parties. No change to this Agreement shall be binding unless and until reduced to writing and signed by duly authorized officials of both Parties.
- f. If any provision hereof shall be held or deemed to be or shall, in fact, be inoperative or unenforceable as applied in any particular case in any jurisdiction or in all jurisdictions, or in all cases because it conflicts with any other provision or provisions hereof or any constitution or statute or rule or public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provision or provisions hereof invalid, inoperative, or unenforceable to any extent whatever. The invalidity of any one or

more phrases, sentences, clauses, or paragraphs herein contained shall not affect the remaining portions hereof, or any part thereof.

- g. Nothing in this agreement creates any enforceable rights in third parties.
- h. Each Party agrees to follow the records retention schedule required by law.

IN WITNESS WHEREOF, the parties have subscribed their names and seals the day and year first above written.

SALT LAKE COUNTY

By \_\_\_\_\_  
Mayor Ben McAdams or Designee

APPROVED AND AGREED TO:  
SALT LAKE COUNTY SURVEYOR

By \_\_\_\_\_  
Reid J. Demman PLS, County Surveyor

Approved as to Form and Legality:

By Melanie F. Mitchell  
Melanie F. Mitchell, Unit Chief

Date 30 March 2015

RIVERTON CITY

By \_\_\_\_\_

Title \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Recorder

Approved as to Form and Legality:

[Signature]  
Attorney for RIVERTON CITY  
Date 4/15/15

EXHIBIT A

EXHIBIT A

\* Required



## Organizational Usage Agreement, Google Imagery License

For the State of Utah's Google High Resolution Aerial Photography License (DTS#0152):

The following agreement is required for all qualifying organizations to use the Utah license to Google's high resolution imagery.

Organizations (state departments or divisions, counties, cities, contractors, etc) need only complete the agreement once, and it is suggested this be done by a designated primary contact (GIS manager, CAD lead, mapping apps project manager, etc).

Email contact information collected will only be used to provide updates regarding the imagery terms of service, changes to imagery content, or notices regarding the imagery web services.

### PART 1: Organization and Primary Contact (Required)

Organization: \*

Primary Contact First and Last Name: \*

Primary Contact Email \*

Primary Contact Phone: \*

## PART 1b: Additional Information for Contractors and Partner Organizations (Required if Applicable)

If not state, regional, local or tribal government, public safety communications center, K-12, or higher ed, then please provide:

Name of project or relevant partnership for which imagery will be used:

Working on behalf of, or partnering with:

Provide the state, regional, local or tribal government, public safety, K-12, or higher ed entity for which you are performing work under the project or formal partnership

Contact email at qualifying organization with which you are formally partnering or performing contracted work:

Anticipated project end date:

mm/dd/yyyy

Is the anticipated end date likely to be extended?

- No  
 Possible  
 Probable

## PART 2: Informational Items and Terms of Service (Required)

Check each box to indicate acknowledgement and agreement to the informational items and terms of service

\*

Imagery web services are provided as a 'best effort' level service; there is no implied or explicit high availability service-level agreement for the imagery web services.

\*

The organization-specific web service URL or other credentials for accessing the imagery as a service may not to be distributed outside of your organization. Usage statistics will be kept to inform the acquisition of future aerial photography updates and to support sustained funding for the license.

\*

## Exhibit A

license requires attribution on any published hard copy or digital maps, including web maps. Attribution should at a minimum read "Google" and must be legible to the average viewer. Attribution graphic files will be available at: [gis.utah.gov/data/googleimagery](http://gis.utah.gov/data/googleimagery).

\*

Inclusion of the imagery in non-commercial printed materials (5000 copies or less) is permitted for public sector organizations without prior approval. Approval from Google must be obtained through AGRC for larger quantities of non-commercial materials, or for any printed or digital materials provided to end users for a fee.

\*

Horizontal positional accuracy of the imagery is expected to achieve or exceed one meter (CE90) in most areas without significant vertical relief.

\*

License information, known issues, frequently asked questions, and other resources related to the Google imagery license are available at [gis.utah.gov/data/googleimagery](http://gis.utah.gov/data/googleimagery).

\*

A datum transformation may be required to achieve the highest level of positional accuracy, especially when reprojecting imagery between NAD27, NAD83, and WGS84-based datums. More information is available on this topic at: [gis.utah.gov/data/googleimagery](http://gis.utah.gov/data/googleimagery).

\*

Contractors or formal partners performing work on behalf of a licensee must apply separately for access to the imagery service if it is to be used outside the licensee's physical facilities or network.

\*

Imagery files may not be resold, leased, rented or redistributed outside of your immediate organization or used for projects not identified to and approved by AGRC. Providing mass downloads of any imagery files or derivative works containing the imagery is not permitted.

### 1. PART 3: On Premise Imagery Files Request (Optional)

Image files may be requested through AGRC for those organizations with legitimate use requirements that cannot be met using the aerial photography via web services.

\*\*\* Important Note: The imagery .jpg files are not yet ready, but you can still place your request in the queue for future attention.

The streaming aerial photography web service is not anticipated to meet my organization's needs, My organization is requesting access to the imagery files for the following project and reason:

Project or Application Description (if applicable):

Exhibit A

Why web service access doesn't fulfill requirements (if applicable):

Description of Geographic Area Required:

## PART 4. Acknowledgement (Required)

On behalf of my organization, I have checked the appropriate boxes to indicate acknowledgement and agreement to the informational items and terms of service, as listed above, pertaining to usage of the State of Utah's license to the Google High Resolution Aerial Photography products and services. Furthermore, by signing this document, my organization commits to communicating the content of this agreement to all of its end users of the aerial photography and related services.

Signature of Primary Contact \*

Adding your name below will constitute an electronic signature.

An email will be sent out to the primary contact indicated, confirming submission of this license agreement. Please notify us if you fail to receive a confirmation email.

Never submit passwords through Google Forms.

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# Issue Paper

Item No. 4.6

|   |                                       |  |
|---|---------------------------------------|--|
| <b>Presenter/Submitted By:</b>  | Trace Robinson, Public Works Director |  |
| <b>Subject:</b><br><br><u><b>ORDINANCE NO. 15-05</b></u><br><br><b>AN ORDINANCE AMENDING TITLE 11, CHAPTER 5, OF THE RIVERTON CITY CODE [PARK PROPERTY]</b>   | <b>Meeting Date:</b><br>4/21/2015     |  |
|   | <b>Fiscal Impact:</b>                 |  |
|   | <b>Funding Source:</b>                |  |
| <b>Background:</b><br><br><p>In order to protect the health and safety for persons who visit Riverton City parks, Riverton City has adopted Title 11, Chapter 5 of the Riverton City Code. Riverton City staff has reviewed current safety-related regulations found in Title 11, chapter 5 and determined that it should be updated.</p> <p>Riverton City staff has also reviewed regulations applicable to all park spaces and determined that additional regulations should be adopted but applied solely to the Riverton Main Park.</p> |                                       |  |
| <b>Recommendation:</b><br><br><p>Approve proposed resolution.</p>   |                                       |  |
| <b>Recommended Motion:</b><br><br><p>“I Move the City Council adopt <u>Ordinance No. 15-05</u> - Amending Title 11, Chapter 5, of the Riverton City Code [Park Property].”</p>  |                                       |  |

**RIVERTON CITY, UTAH**  
**ORDINANCE NO. 15-05**

**AN ORDINANCE AMENDING TITLE 11, CHAPTER 5, OF THE RIVERTON CITY  
CODE [PARK PROPERTY]**

**WHEREAS**, the City finds that Riverton City park spaces are considered important areas to meet the recreational needs of all residents in Riverton City and should be maintained and treated with respect and decorum; and

**WHEREAS**, to protect the health and safety for persons who visit Riverton City parks, Riverton City has adopted Title 11, chapter 5 of the Riverton City Code to govern the use of the same; and

**WHEREAS**, Riverton City staff has reviewed current safety-related regulations found in Title 11, chapter 5 and determined that it should be updated; and

**WHEREAS**, Riverton City staff has also reviewed said regulations applicable to all park spaces and determined that additional regulations should be adopted but applied solely to the Riverton Main Park located at the address of 12600 South 1400 West, Riverton, Utah; and

**WHEREAS**, the Riverton City Council finds and determines that adoption of this ordinance will better protect the health and safety of persons who visit parks located within Riverton City and further aid in the operation, maintenance and appearance of City parks.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Riverton City, Utah that Riverton City Municipal Code Title 11, Chapter 5 is hereby amended as follows:

**Section 1.**

**MUNICIPAL PROPERTY**

**Chapter 11.05**

**GENERAL PROVISIONS<sup>1</sup>**

Sections:

[11.05.010](#) Unlawful use.

[11.05.020](#) Repair or restoration.

[11.05.030](#) Franchise.

[11.05.040](#) Abuse or mutilation of public trees.

[11.05.050](#) Hours of public use for city parks and mini parks.

[11.05.060](#) Acts exempted.

[11.05.070](#) Alcoholic beverages prohibited.

[11.05.080](#) Regulations applicable to the Riverton City Main Park.

#### **11.05.010 Unlawful use.**

Unless authorized by permit or other written authorization issued by the city or unless authority is granted by provisions of this code or other ordinance of the city now or hereafter enacted, it shall be a class B misdemeanor for any person to:

- (1) Construct, lay, excavate, erect, operate or maintain over, under, across, in or through any property owned or controlled by this city.
- (2) Enter upon any property of this city contrary to posting or marking restricting or prohibiting use of the area.
- (3) Intentionally use or perform acts upon property of the municipality which materially impairs, alters, or damages the property.
- (4) Operate any motor vehicle on any portion of property owned or controlled by the City which is not a roadway or parking lot.
- (5) Transport glass containers out of vehicles and onto park property.
- (6) Permit the walking or riding of horses on park property unless located in a designated rodeo arena.
- (7) Ignite fires on park property unless located in a designated fire pit or grill.
- (8) Conduct any golfing related activities.

#### **11.05.020 Repair or restoration.**

The city council, in addition to any other penalty which may be imposed, may order any person who has damaged, altered or changed any property of this city to repair or restore the property to its original condition prior to the damage, alteration or change.

#### **11.05.030 Franchise.**

- (1) The city council may grant any person a franchise or easement on such terms and conditions as it deems reasonable, for the purpose of entering upon, constructing, building, operating and maintaining any business or for other use of the property of this city, and the provisions of RCC [11.05.010](#) and [11.05.020](#) shall not apply to the extent such provisions are waived, qualified or made inapplicable to the rights or privileges granted in the franchise ordinance or easement.
- (2) Any franchise or easement granted by this city shall be in writing and any franchise or easement not in writing shall be void.

#### **11.05.040 Abuse or mutilation of public trees.**

- (1) Unless specifically authorized by the city, no person shall intentionally damage, cut, carve, transplant, or remove any tree owned by the city; attach any rope, wire, nail, advertising posters, or other contrivance to any tree owned by the city; allow any gaseous, liquid, or solid substance which is harmful to such trees to come in contact with them; or set fire or permit any fire to burn when such fire or the heat thereof will injure any portion of any tree owned by the city.
- (2) Violation and Penalty. Any person, firm, or corporation violating or failing to comply with any other provisions of this section shall be guilty of a class B misdemeanor.

(3) Legality of Section or Parts Hereof. Should any clause or provision of this section be declared by the courts to be invalid, the same shall not affect the validity of the section as a whole, or parts thereof, other than the part so declared to be invalid.

#### **11.05.050 Hours of public use for city parks and mini parks.**

Hours of public use for city parks and mini parks are established as follows:

(1) Riverton City parks shall be available to the use and enjoyment of the general public at all hours after 7:00 a.m. in the morning for the mini parks and 6:30 a.m. for the main city park, and before 10:00 p.m. each evening for both main and mini parks.

(2) The hours of operation may be extended only for special events with the prior approval of the Riverton City council.

(3) Use of the park beyond closing time of 10:00 p.m. and before the opening time of 6:30 a.m. for the main park and 7:00 a.m. for the mini park shall be a class C misdemeanor.

#### **11.05.060 Acts exempted.**

It shall not be a violation of this chapter where any person uses the public property of this city in the manner or for the purpose or purposes for which such property has been made available for public use.

#### **11.05.070 Alcoholic beverages prohibited.**

It shall be unlawful to possess or use any alcoholic beverage, as defined by Section [32A-1-105\(2\)\(3\)\(25\)](#), Utah Code Annotated 1953, including beer, in or on any city park, ballfield, play field, building, community center, cemetery, or any city-owned properties.

A violation of this section shall be a class B misdemeanor punishable by both fine and imprisonment as provided for by Utah state law. [Ord. 1-24-06-1 § 1.]

#### **11.05.080 Regulations applicable to the Riverton City Main Park**

In addition to the regulations found in this chapter, it shall be unlawful for any person, while present in the Riverton City Main Park located at the address of \_\_\_\_\_ to:

(1) Swim, wade, or place any object in decorative fountains;

(2) Conduct organized or league-affiliated team sports games or practice exercises for the following sports:

(a) soccer,

(b) baseball,

(c) football,

(d) rugby,

(e) lacrosse, or

(f) ultimate Frisbee.

**Section 2.** This ordinance shall take effect upon date of Posting.

**PASSED AND ADOPTED** by the City Council of Riverton, Utah, and this 21<sup>st</sup> day of April, 2015 by the following vote:

|                                     | YES   | NO    | ABSTAIN | ABSENT |
|-------------------------------------|-------|-------|---------|--------|
| City Council Member Brent Johnson   | _____ | _____ | _____   | _____  |
| City Council Member Trent Staggs    | _____ | _____ | _____   | _____  |
| City Council Member Sheldon Stewart | _____ | _____ | _____   | _____  |
| City Council Member Tricia Tingey   | _____ | _____ | _____   | _____  |
| City Council Member Paul Wayman     | _____ | _____ | _____   | _____  |

**RIVERTON CITY**

[SEAL]

**ATTEST:**

\_\_\_\_\_  
**Bill Applegarth, Mayor**

\_\_\_\_\_  
**Virginia Loader, MMC  
Recorder**

CLEAN COPY

**MUNICIPAL PROPERTY**

**Chapter 11.05**  
**GENERAL PROVISIONS<sup>1</sup>**

Sections:

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- [11.05.020](#) Repair or restoration.
- [11.05.030](#) Franchise.
- [11.05.040](#) Abuse or mutilation of public trees.
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