



**RIVERTON CITY  
REGULAR CITY COUNCIL MEETING  
AGENDA**

**September 22, 2015**

Notice is hereby given that the Riverton City Council will hold a **Regular City Council Meeting** beginning at **6:30 p.m.** on **September 22, 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 – 6:30 p.m. – or as soon after as practicable**

1. **Public Hearing** – Reconsideration of a rezone of 8.8 acres located at the northwest corner of 1300 West 12600 South from R-4 (Residential 10,000 square foot lots) and C-G (Commercial Gateway ) to RM-14 (Residential Multi-Family 14 Units per acre)  
– Jason Lethbridge, Planning Manager
1. **Ordinance No. 15-11** – Rezoning 8.8 Acres located at approximately the north west corner of 1300 West 12600 South from R-4 and C-G to RM-14 and amend the Riverton City General Plan from Community Commercial to High Density Residential

**3. DISCUSSION/ACTION ITEMS**

1. Christmas Celebration - Sheril Garn, Parks & Public Services Director
2. Zoning Issues on 12600 South Corridor and Downtown Area – Council Member Trent Staggs

**4. CONSENT AGENDA**

1. **Minutes:** RCCM 06-02-15, RCCM 06-16-15, RCCM 07-21-15, RCCM 08-18-15, RCCM 09-01-15
2. **Bond Releases:**
  1. Sparkle Express Car Wash – 100% Warranty Release
3. **Resolution No. 15-65** – Approving the issue of a Change Order to Applied Geotechnical Engineers to add additional engineering services to the Lovers Lane Geotechnical Study – Craig Calvert, Purchasing Manager
4. Approve a Reasonable Accommodation Request for a disabled person, property located at 12712 South Diamond Back Drive, Bambi Sorenson, Applicant – Jason Lethbridge, Planning Manager

**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. October 06, 2015 - Regular City Council Meeting – 6:30 p.m.
2. October 20, 2015 - Regular City Council Meeting – 6:30 p.m.

## 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 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 17<sup>th</sup> day of September 2015

Virginia Loader, Recorder



## Issue Paper

Item No. 2.1

<b>Presenter/Submitted By:</b>	Jason Lethbridge, Planning Manager	
<b>Subject:</b>  <u>REZONE</u> , REZONING 8.8 ACRES LOCATED AT APPROXIMATELY THE NORTH WEST CORNER OF 1300 WEST 12600 SOUTH TO RM-14, CURRENTLY R-4 AND C-G ZONES, KEYSTONE CONSTRUCTION, APPLICANT	<b>Meeting Date:</b> September 22, 2015	
	<b>Fiscal Impact:</b> N/A	
	<b>Funding Source:</b> N/A	
<b>Background:</b>  Keystone Construction has submitted this application requesting that eight properties totaling 8.8 acres located at the north west corner of the intersection of 12600 South 1300 West be rezoned from its existing zoning of R-4 (Residential 10,000 square foot lots) and C-G (Commercial Gateway) to a new zoning designation of RM-14 (Residential multi-family 14 dwellings per acre). The property currently splits the R-4 and C-G zoning down the middle. Current uses of the properties are residential and limited agricultural. Properties to the north and west are zoned R-4 with a small parcel zoned C-PO (Commercial Professional Office) at the south west corner. Properties on the south side of 12600 South are zoned C-G. To the east property is zoned both R-4 and C-G. <b>The City Council voted to deny the application on August 18, 2015, and then, on September 1, 2015, voted to reconsider the application.</b>		
<b>Recommendation:</b>  On July 9, 2015, the Planning Commission voted to recommend DENIAL of this rezone application.		
<b>Planning Commission Recommended Motion:</b>  "I move the City Council DENY <u>Ordinance No. 15-11</u> - requesting a rezone of 8.8 acres located at approximately north west corner of 1300 West 12600 South from R-4 and C-G to RM-14 and amend the Riverton City General plan from Community Commercial to High Density Residential."		

**RIVERTON CITY  
MEMORANDUM**

**TO:** Honorable Mayor and City Council

**FROM:** Planning Department

**DATE:** September 22, 2015

**SUBJECT:** REZONE, REZONING 8.8 ACRES LOCATED AT APPROXIMATELY THE NORTH WEST CORNER OF 1300 WEST 12600 SOUTH TO RM-14, CURRENTLY R-4 AND C-G ZONES, KEYSTONE CONSTRUCTION, APPLICANT

**PL NO.:** 15-4004 – PARK VIEW REZONE

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**On August 18, 2015, the City Council voted to deny this rezone application. Subsequently, on September 1, 2015, the City Council voted to reconsider the application. The public hearing has been renoticed, and the application is before the City Council for reconsideration. The applicant has submitted additional information regarding proposed plans, and that information, along with the original staff report, is included below.**

**Original Staff Report**

**On July 9, 2015, the Planning Commission voted to recommend DENIAL of this rezone application. Minutes from that meeting are included below. The Planning Commission recommended the following motion:**

I move the City Council DENY Ordinance #15-11, requesting a rezone of 8.8 acres located at approximately north west corner of 1300 West 12600 South from R-4 and C-G to to RM-14 and amend the Riverton City General plan from Community Commercial to High Density Residential.

**BACKGROUND**

Keystone Construction has submitted this application requesting that eight properties totaling 8.8 acres located at the north west corner of the intersection of 12600 South 1300 West be rezoned from its existing zoning of R-4 (Residential 10,000 square foot lots) and C-G (Commercial Gateway) to a new zoning designation of RM-14 (Residential multi-family 14 dwellings per acre). The property currently splits the R-4 and C-G zoning down the middle. Current uses of the properties are residential and limited agricultural. Properties to the north and west are zoned R-4 with a small parcel zoned C-PO (Commercial Professional Office) at the south west corner. Properties on the south side of 12600 South are zoned C-G. To the east property is zoned both R-4 and C-G.

The property has been master planned for Community Commercial under Riverton City's General Plan for many years. The applicant is requesting that the property be rezoned to RM-14 in order to make way for a multi-family residential townhome development. A rezone to RM-14 would allow for construction of approximately 123 units within the subject parcel. However, this is a gross calculation based only upon lot size and density requirements. Building setbacks, roadways, open space and other issues have not been calculated and may reduce the overall number of units on the site.

One of the primary concerns with development in this area is traffic generation and management. The applicant will present traffic study information to the City Council as part of their comments.

If a zoning amendment is ratified the ordinance does have buffering requirements when non-compatible zones such as single-family against multi-family occur. Some of those buffering requirements are additional

building setbacks, additional landscaping and fencing. However, these buffering requirements are addressed during site plan rather than zoning amendment hearings.

The Planning Commission, in their review of this application, recommended DENIAL of the rezone. Minutes from that meeting are included below.

**ATTACHMENTS:**

The following items are attached for your review:

1. A copy of the Rezone application.
2. An 8.5" x 11" copy of the Current Zoning Map
3. An 8.5" x 11" copy of the Proposed Zoning Map

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2. An 8.5" x 11" copy of the Current Zoning Map
3. An 8.5" x 11" copy of the Proposed Zoning Map

PL No. 15-4004  
Date 4/20/2015

# Application Rezone

**A. Applicant's Name** Keystone Contruction  
Home Address 8679 South Sandy Pkwy  
City Sandy State Utah Zip 84070  
Telephone # 801-910-9838 Mobile # \_\_\_\_\_ Fax # \_\_\_\_\_

**B. Property Owner's Name (If Different From Applicant)** Raul Chavez  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone # \_\_\_\_\_ Mobile # \_\_\_\_\_ Fax # \_\_\_\_\_

**C. Project Information**

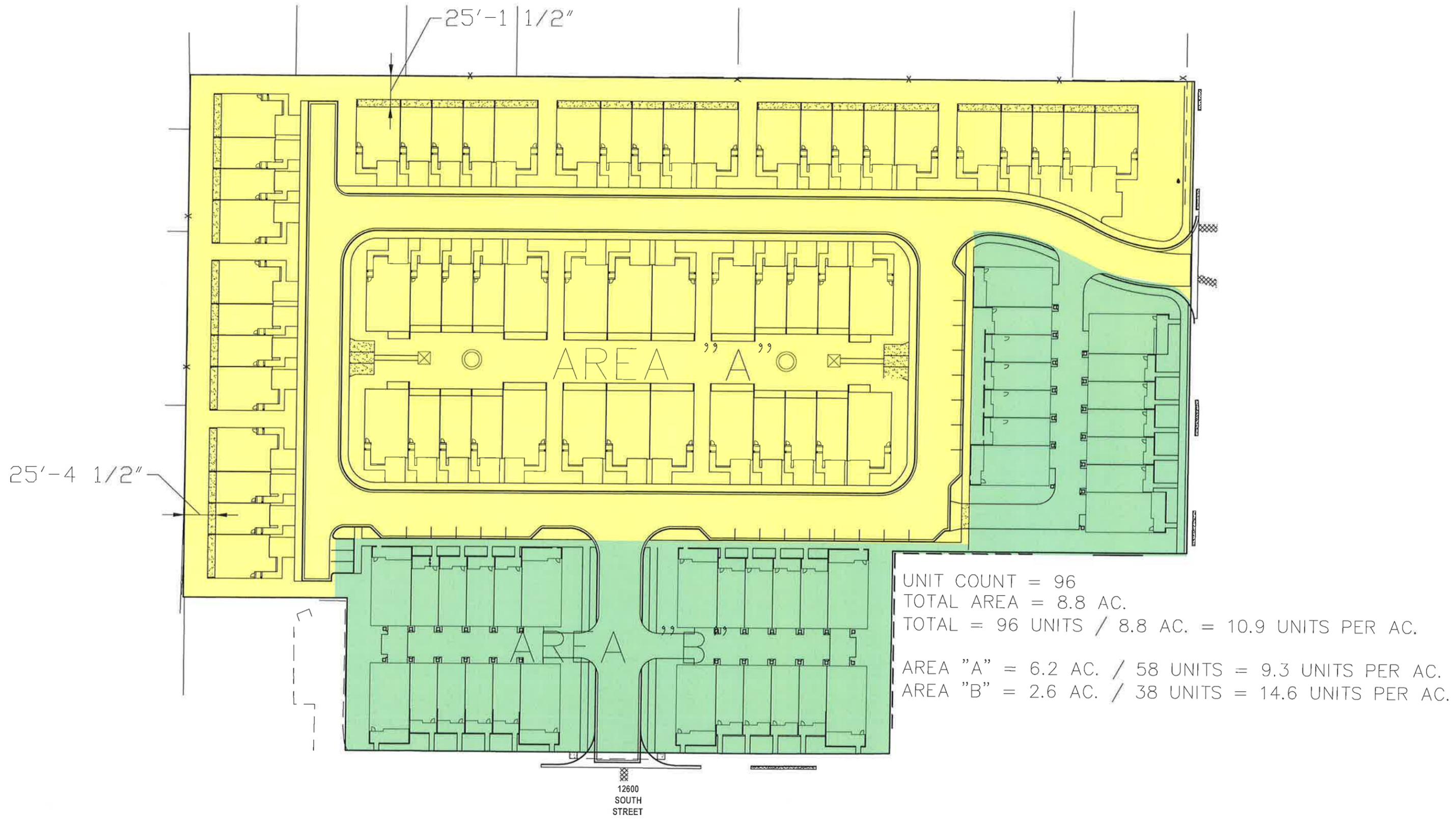
1. Address 12600 South 1300 ~~1137~~
2. Sidwell/Tax ID# (See Title Report) \_\_\_\_\_ Total Acreage of the Site 8.8
3. Current Zoning of the Proposed Site Community Commercial  
Zoning of Adjacent Parcels North R-4 South C-N East Mixed Use West R-4
4. Requested Zoning High Density 14 Units/Acre
5. Riverton City General Plan Designation Community Commercial
6. Description of the Proposed Zone/Use for the Property Multi-Family Dwellings

*This application is for a request for change of zoning only. Any concept plans, drawings, or other indication of proposed development are included for reference only and are NOT approved as part of this process. A checklist outlining required materials and fees is included below.*

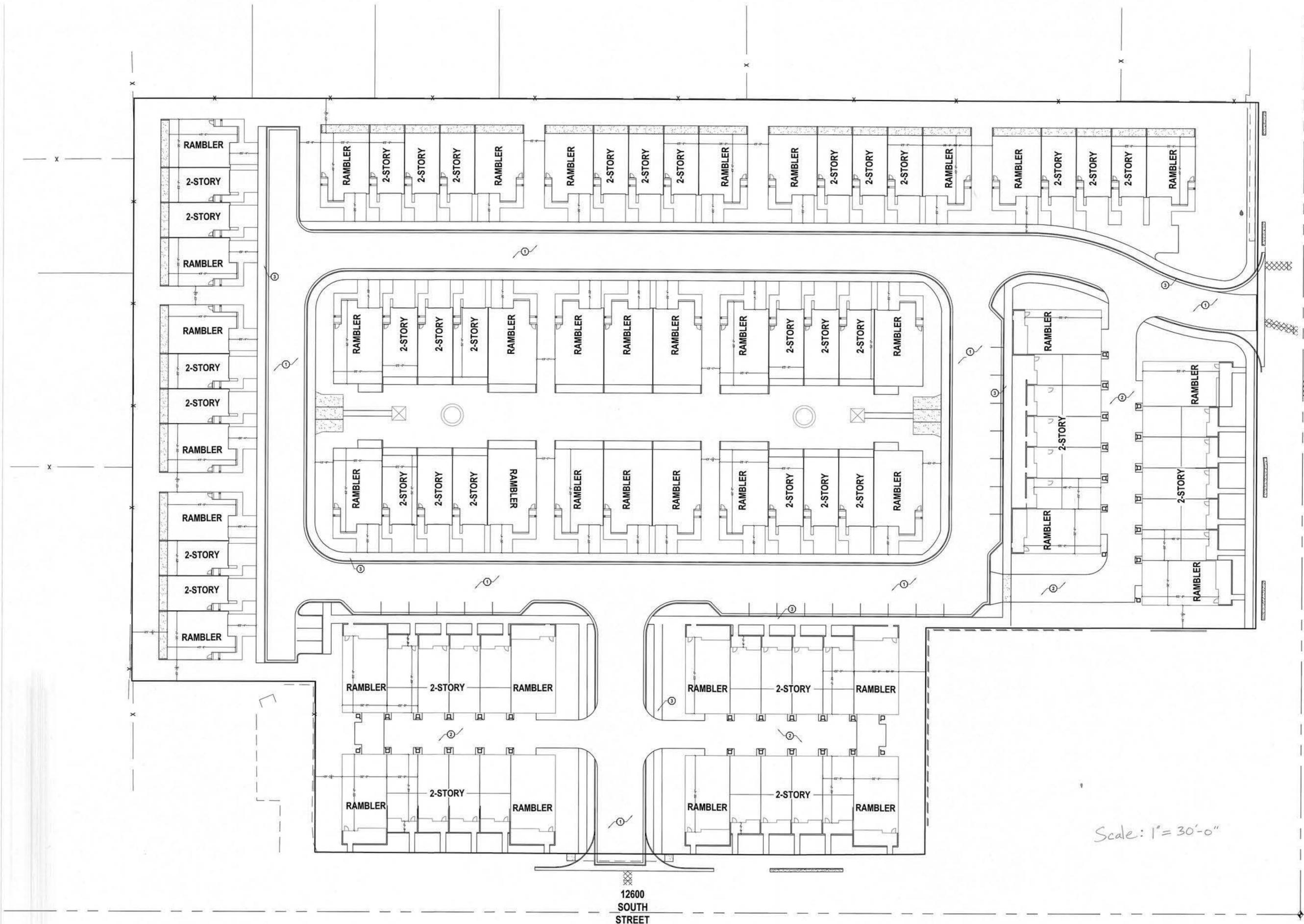
  
\_\_\_\_\_  
Applicant's Signature

4/8/15  
\_\_\_\_\_  
Date

**Updated Information  
Submitted by Applicant**



PARK VIEW CALCULATIONS



RAMBLER

2-STORY

2-STORY

RAMBLER

RAMBLER

2-STORY

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12600 SOUTH STREET

1300 WEST STREET

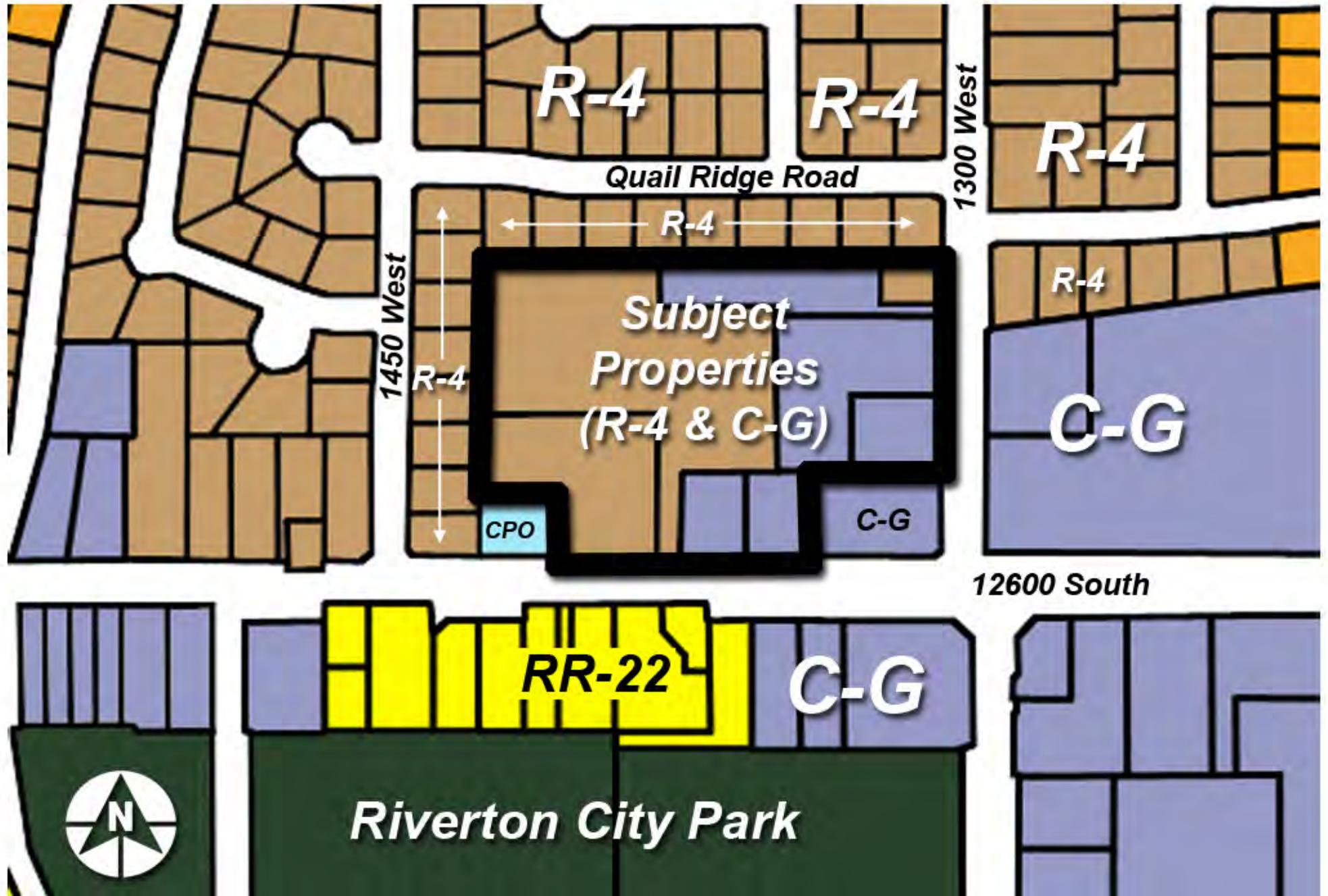
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# **PARK VIEW REZONE**



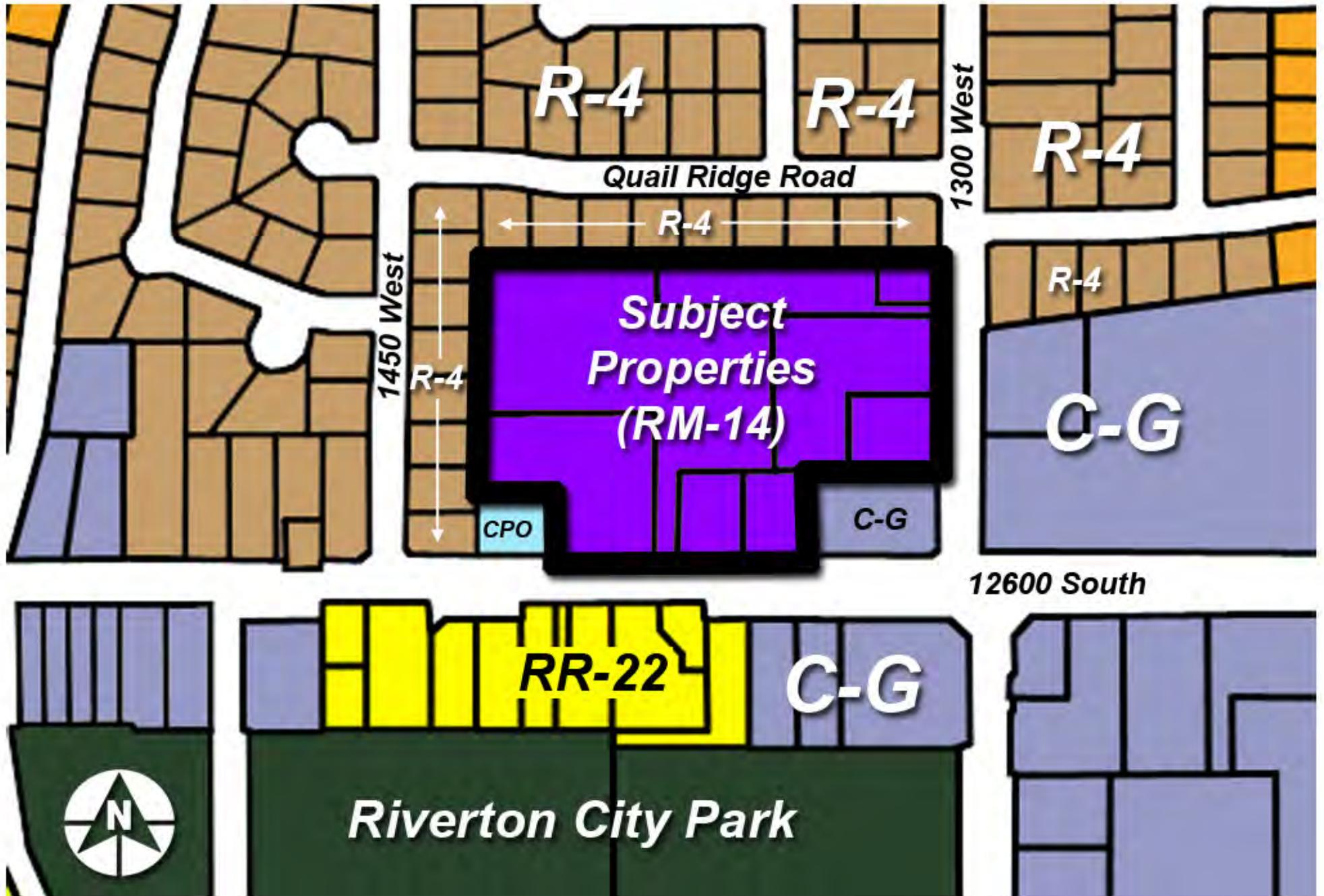
**AERIAL VIEW**

# PARK VIEW REZONE



**CURRENT ZONING**

# PARK VIEW REZONE



**PROPOSED ZONING**

# Minutes

1 **Commissioner Endrizzi seconded the motion. Vote on motion: Commissioner**  
2 **Hansen – Aye; Commissioner Hartley – Nay; Commissioner Bryant – Aye;**  
3 **Commissioner Kochevar – Aye; Chair Russell – Aye; and Commissioner Endrizzi –**  
4 **Aye. The motion passed 5-to-1.**  
5

6 **B. REZONE, REZONING 8.8 ACRES LOCATED AT APPROXIMATELY THE**  
7 **NORTHWEST CORNER OF 1300 WEST 12600 SOUTH FROM R-4 AND C-**  
8 **G TO RM-14, KEYSTONE CONSTRUCTION, APPLICANT.**  
9

10 City Planner, Andrew Aagard, presented the staff report and stated that this was the  
11 second time the Planning Commission has addressed this particular issue. He gave a brief  
12 background of the previous application, which was denied because the applicant had not  
13 obtained the necessary ownership affidavits from the property owners of the subject  
14 properties. Since then, the applicant had obtain those affidavits and submitted another  
15 application.  
16

17 The applicant was proposing a rezone of the subject property from R-4 (Single-Family  
18 Residential, 10,000 square foot lots) and C-G (Commercial Gateway) to RM-14. The  
19 subject property has been designated as Community Commercial in the Riverton City  
20 General Plan, but staff had not received a single application to rezone or amend the  
21 properties to any kind of commercial zoning. Mr. Aagard commented that the possibility of  
22 the entire area being commercially developed was slim. He explained that the applicant's  
23 intention with the rezone request was to make way for a multi-family residential townhome  
24 development. Mr. Aagard added that the RM-1 zone does not allow for apartment  
25 buildings, only townhome type units. The applicant has requested time to present their  
26 conceptual designs to the Planning Commission, which was being done at the discretion  
27 of the applicant only, and not staff.  
28

29 The applicant, Matt Lapire, remarked that they listened to feedback from the neighbors and  
30 the comments made by the Commission at the previous meeting and made adjustments  
31 to their plans. They intend to create a walkable community, where residents can utilize the  
32 City's amenities in the area, as well as some provided by the community. Mr. Lapire  
33 recognized the concerns of the adjacent neighbors and commented that they have chosen  
34 to have a lower density along those property lines with higher density toward 1300 West.  
35 The average density of the project would be 12.2 units per acre. Mr. Lapire presented  
36 slides with conceptual drawings and site plans and briefly described the four different  
37 product types they intent to build. In conclusion, he stated that they conducted a traffic  
38 study and the Traffic Engineer was present to answer questions.  
39

40 Daniel Join identified himself as a Traffic Engineer from House Engineering, and stated  
41 that he conducted a traffic study in the area and determined the three intersections that  
42 would be most affected by the development. He concluded that all of the intersections  
43 would still perform at an acceptable level with the addition of the traffic from the proposed  
44 project. Mr. Join confirmed that there would be less than a 5% increase in traffic flow,  
45 which is minimal. He also confirmed that they spoke with UDOT regarding their  
46 requirements.

1  
2 Chair Russell opened the public hearing.

3  
4 Vern Provost, a local business owner, expressed concern for the increased traffic. He also  
5 stated that it would be difficult to have two access points for the project in this area.

6  
7 Daniel Strange stated that he lives just north of the potential development and expressed  
8 concern regarding traffic. He also commented that the surrounding properties were all  
9 approximately one-quarter acre in size, and this development could decrease their property  
10 values.

11  
12 Robert Whitlock, a resident to the north of the subject property, asked the Planning  
13 Commission to consider a lower density for this area. He also addressed concerns  
14 regarding traffic and tree maintenance.

15  
16 Greg Hill liked the general low density of Riverton City, and feels that this would be  
17 inappropriate in this location because it does not accurately represent the City. Mr. Hill  
18 was also concerned that the plans and sketches presented by the applicant may not be  
19 what is actually developed.

20  
21 Celeste Whitlock addressed her concern regarding tree removal and maintenance and  
22 requested that the developer work with the residents to have those removed.

23  
24 Sharon Ready expressed concern regarding the traffic impact and stated that the  
25 intersections are already dangerous.

26  
27 Jeff Eastman voiced his concerns with the high density and the increase in traffic.

28  
29 There were no further public comments. Chair Russell closed the public hearing.

30  
31 Chair Russell clarified that if the rezone were approved, the applicant would have to return  
32 to the Planning Commission with their site plan and other details of the development for  
33 approval. He also stated that the Planning Commission has the option to request a lower  
34 density.

35  
36 There was discussion among the Commission and staff regarding the possibility of a lower  
37 density, such as RM-6 or RM-8. Commissioner Bryant commented that he would be in  
38 favor of this type of development, but at a later time. He stated that there are already three  
39 other high density projects in the downtown area being constructed, and he would like to  
40 see what impact they have on the City before approving another.

41  
42 **Commissioner Hartley moved that the Planning Commission recommend DENIAL of**  
43 **the rezone application, rezoning 8.8 acres located at approximately the northwest**  
44 **corner of 1300 West 12600 South from its current zoning of R-4 and C-G to RM-14**  
45 **and amend the Riverton City General Plan from Community Commercial to High**  
46 **Density Residential, with the recommendation that the applicant consider a lower**

1 **density. Commissioner Kochevar seconded the motion. Vote on motion:**  
2 **Commissioner Hansen – Nay; Commissioner Hartley – Aye; Commissioner Bryant –**  
3 **Aye; Commissioner Kochevar – Aye; Chair Russell – Aye; and Commissioner**  
4 **Endrizzi – Aye. The motion passed 5-to-1.**

5  
6 **C. SUBDIVISION, THE CREEK AT LOVERS LANE, THREE LOTS, 13270**  
7 **SOUTH LOVERS LANE, RR-22 ZONE, RIDGE AT LOVERS LANE LLC,**  
8 **APPLICANT.**

9  
10 Mr. Aagard presented the staff report regarding a three-lot subdivision at 13270 South  
11 Lovers Lane. The property is currently zoned RR-22, with the surrounding areas being  
12 similarly zoned. The applicant is proposing to subdivide one parcel totaling 4.6 acres into  
13 three smaller lots. Mr. Aagard explained that Lots 1 and 2 would be to the south, and  
14 Parcel A to the north would be preserved for future subdividing.

15  
16 Mr. Aagard added that there have been challenges in preparing the property for  
17 development. The challenges included the slope of the property, improvement  
18 requirements to Lovers Lane, and the wetlands located within the property itself. To  
19 combat those challenges, the applicant was required to submit grading plans showing  
20 where a home could be constructed on each lot, and add an additional seven to nine feet  
21 of asphalt on the western edge of the property to widen Lovers Lane to 33 feet. Mr. Aagard  
22 added that curb, gutter, and sidewalk would not be required to be consistent with the rest  
23 of Lovers Lane. The applicant was also required to approach the U.S. Army Corps of  
24 Engineers regarding the wetlands, and comply their requirements. Staff recommended  
25 approval with the conditions outlined in the staff report.

26  
27 Chair Russell asked staff if they had obtained everything they need from the applicant to  
28 this point. Mr. Aagard confirmed that they had not yet received a copy of the application  
29 submitted to the Army Corps.

30  
31 Chair Russell opened the public hearing.

32  
33 The applicant, Dan Lighten, was present representing Ridge at Lovers Lane, LLC. He  
34 clarified the wetland and flood plain issues and their approval from the Army Corps. He  
35 explained that they previously developed a subdivision further north on Lovers Lane and  
36 received many compliments on it.

37  
38 There were no further public comments. Chair Russell closed the public hearing.

39  
40 **Commissioner Kochevar moved that the Planning Commission recommend**  
41 **APPROVAL of Application #14-1001, The Creek at Lovers Lane Subdivision, located**  
42 **at 13270 South Lovers Lane, subject to the following conditions:**

- 43  
44 **1. Storm drainage systems and installation shall comply with Engineering**  
45 **Department requirements and standards.**  
46

**RIVERTON CITY, UTAH**  
**ORDINANCE NO. 15-11**

**AN ORDINANCE REZONING 8.8 ACRES LOCATED AT APPROXIMATELY THE NORTH WEST CORNER OF 1300 WEST 12600 SOUTH FROM R-4 AND C-G TO RM-14, (RESIDENTIAL MULTI-FAMILY WITH 14 UNITS PER ACRE MAXIMUM DENSITY), KEYSTONE CONSTRUCTION, APPLICANT**

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

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

**WHEREAS**, the Riverton City Council has determined that it is in the best interest of the public to amend the Riverton City Zoning Map by rezoning approximately 8.8 acres located at 12600 South 1300 West from Commercial Gateway and R-4 to RM-14 (Residential Multi-Family, 14 Units per Acre Maximum Density).

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

Section 1. The Riverton City Zoning Map shall be, and hereby is, amended to reflect the following changes as shown in Exhibit "A" attached hereto.

Section 2. This ordinance shall take effect upon passage.

**PASSED AND APPROVED** by the City Council of Riverton, Utah, on this 22<sup>nd</sup> day of September, 2015 by the following vote:

	YES	NO	ABSTAIN	ABSENT
Council Member Brent Johnson	___	___	___	___
Council Member Trent Staggs	___	___	___	___
Council Member Sheldon Stewart	___	___	___	___
Council Member Tricia Tingey	___	___	___	___
Council Member Paul Wayman	___	___	___	___

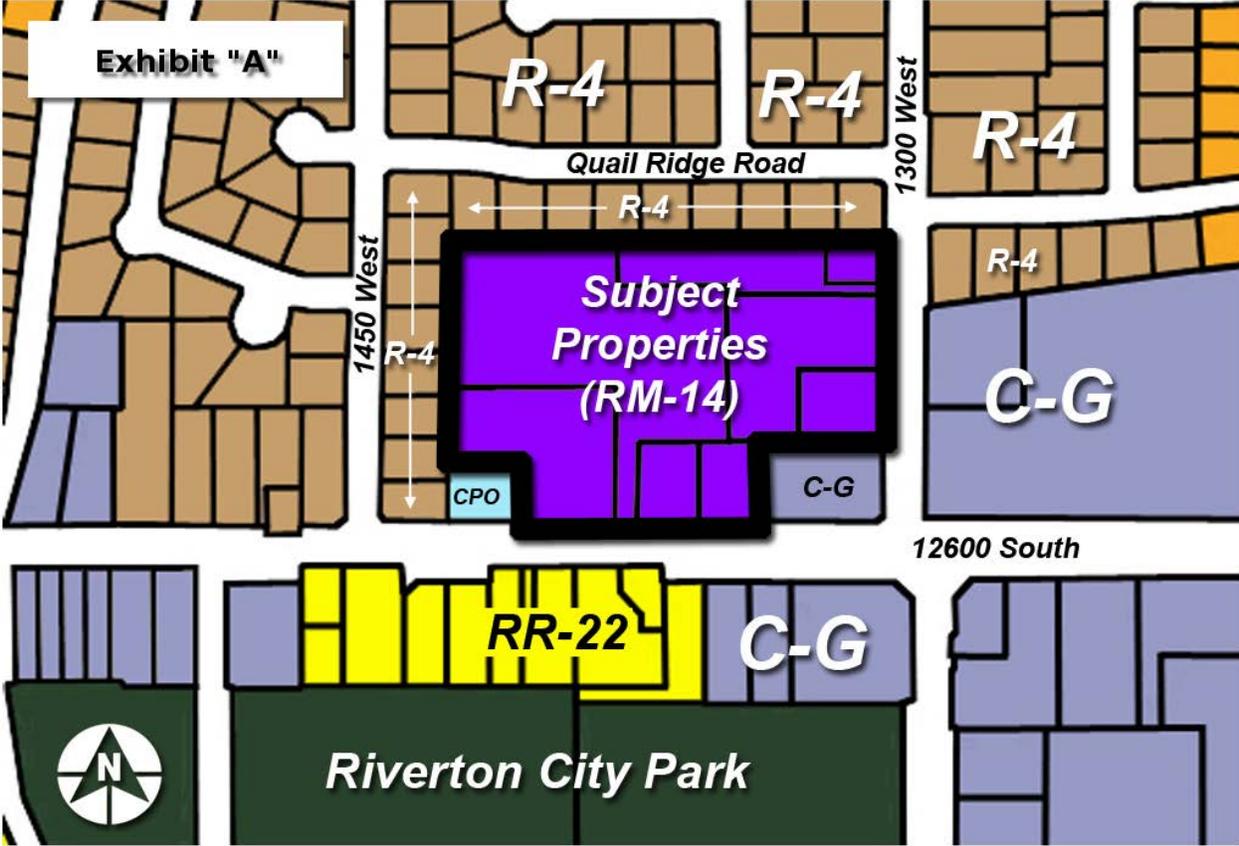
**RIVERTON CITY**

[SEAL]

**ATTEST:**

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

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



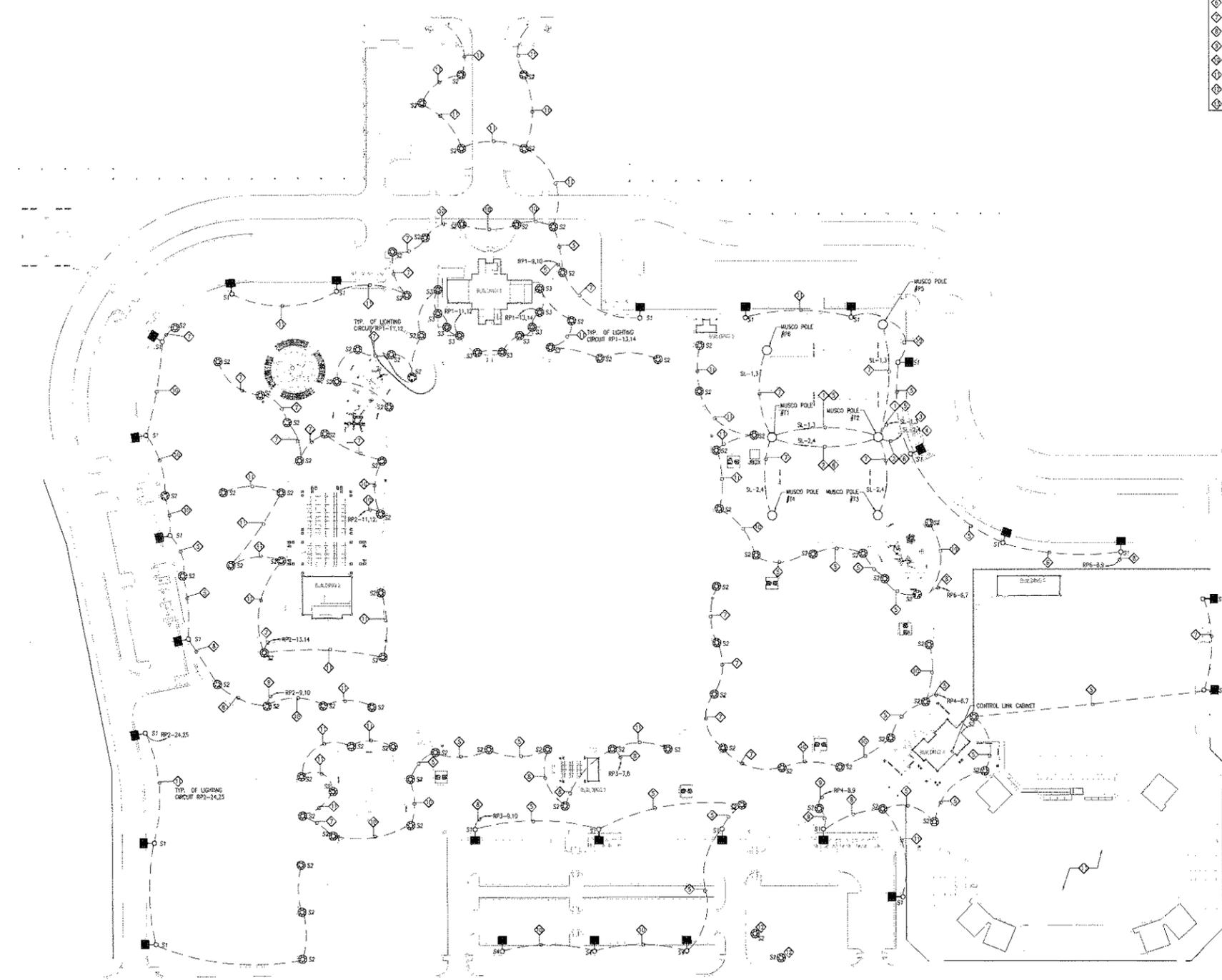


## Issue Paper

Item No. 3.1

<b>Presenter/Submitted By:</b>	Sheril Garn-Parks & Public Services Director	
<b>Subject:</b>  City Park Christmas Decorations	<b>Meeting Date:</b> September 22, 2015	
	<b>Fiscal Impact:</b> 20,000.00	
	<b>Funding Source:</b> 10-80-350	
<p><b>Background:</b></p> <p>As part of the 2015 Celebration, the city advertised in the calendar that was delivered to all City Residents indicating there would be a Christmas Celebration of lights at the City Park. Staff will select a company to construct a 13-16 piece set that will be set around the event lawn of city park. The theme will be the Night before Christmas, with the possibility of additional pieces incorporated as funding allows.</p>		
<p><b>Recommendation:</b></p> <p>Approve the purchase of the Night Before Christmas illuminated pieces for City Christmas Celebration</p>		
<p><b>Recommended Motion:</b></p> <p>“I move the City Council approve the purchase of Christmas Display pieces for the City Park.”</p>		

- ELECTRICAL KEYED NOTES:**
- ◇ CONNECT TO (1) SPORTS LIGHTS ARMED NORTH.
  - ◇ CONNECT TO (2) SPORTS LIGHTS ARMED SOUTH.
  - ◇ CONNECT VIA 60A CONTACTOR IN CONTROL LINK CABINET (BY MUSCO).
  - ◇ CONNECT VIA 30A CONTACTOR IN CONTROL LINK CABINET (BY MUSCO).
  - 1" CONDUIT WITH 2 #6, #8 GROUND.
  - 1" CONDUIT WITH 2 #10, #10 GROUND.
  - 1" CONDUIT WITH (2) #1, #4 GROUND.
  - 1" CONDUIT WITH (2) #1, #3 GROUND.
  - 1" CONDUIT WITH (2) #8, #8 GROUND.
  - 1" CONDUIT WITH (2) #12, #12 GROUND.
  - ◇ REPLACE EXISTING LIGHTING WITH NEW FIXTURES AS INDICATED.
  - ◇ SEE SHEET E0.104 FOR ROUSED GROUND ELECTRICAL PLAN.



**SITE LIGHTING PLAN**  
SCALE: 1" = 60'-0"



**THINK**  
**aswntjisa**  
ARCHITECTURE

Architecture  
Interior Design  
Landscape Architecture  
Land Planning  
Construction Management

3121 South 900 East, Suite 100  
South Jordan, UT 84092  
PH: 801.269.8055  
FAX: 801.269.7422  
www.aswntjisa.com

The design, plan, or specification herein is the property of THINK ASWNTJISA ARCHITECTURE. It is to be used only for the project and site specifically identified herein. It is not to be used for any other project, site, or purpose without the written consent of THINK ASWNTJISA ARCHITECTURE.

This drawing is a site plan. It is not to be used for any other purpose without the written consent of THINK ASWNTJISA ARCHITECTURE.



**Riverton City**  
**Main Park**

12600 South & 1450 West  
Riverton, Utah

PROJECT NO. 12061

DATE: August 1, 2013

REVISIONS:

△ CITY REVIEW 7.8.13

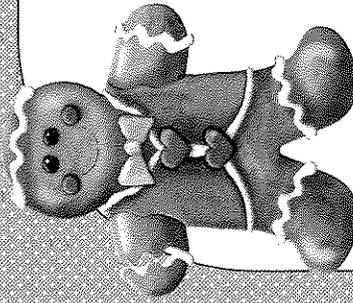
SHEET TITLE

SITE LIGHTING  
PLAN  
SHEET NUMBER

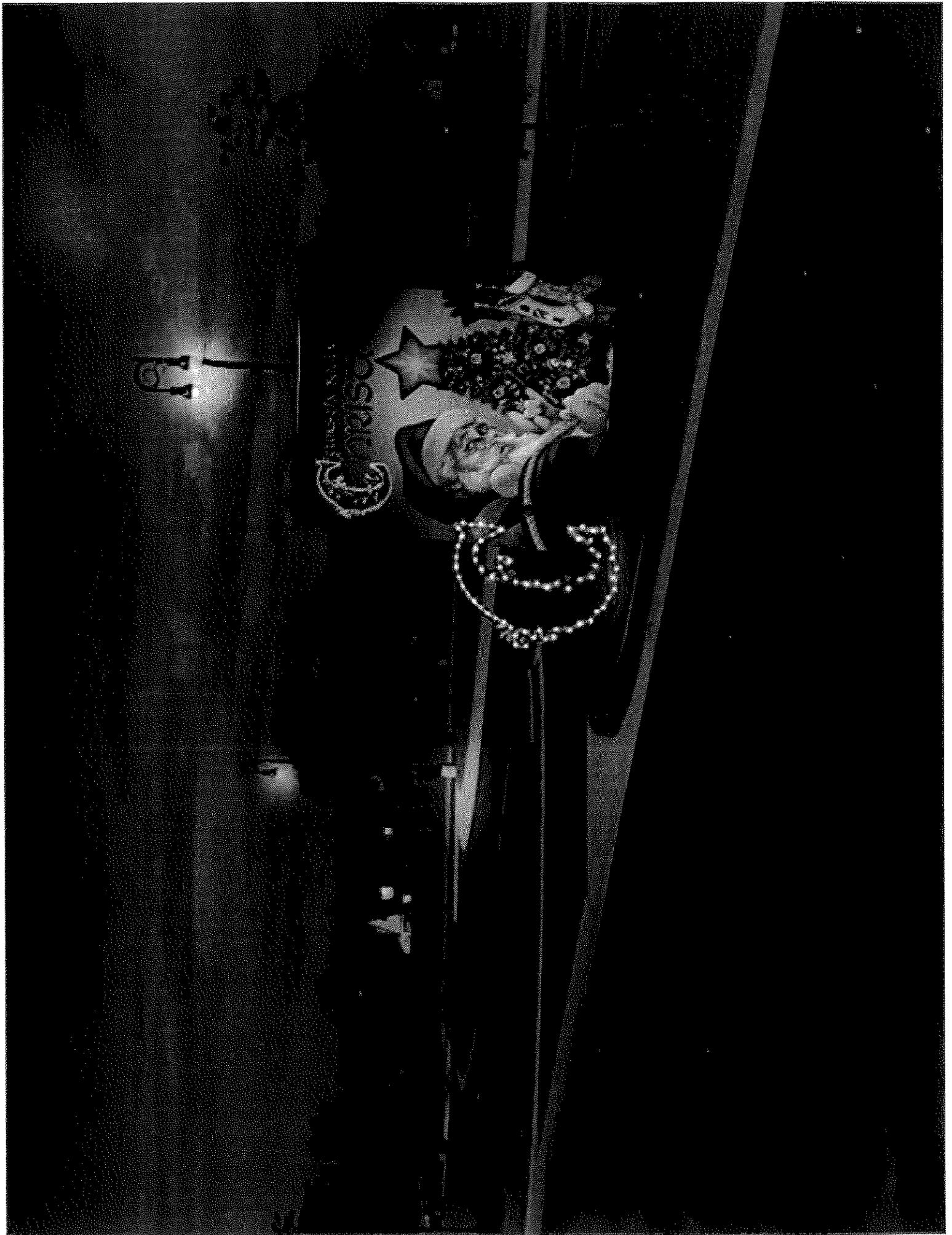
**E0.102**

**RE**  
**ROYAL ENGINEERING**

ELECTRICAL MECHANICAL  
2336 SOUTH ESTATE SUITE 100 PROVO, UTAH 84606  
PHONE: 801.785.2228 FAX: 801.785.2071  
COPYRIGHT © JOHN J. ROY 2013 DATE PLOTTED: 08/02/2013



- **SUGARPLUM SHINDIG** - Come and see our first annual "Sugarplum Shindig"! Christmas lights, Night Before Christmas display, food and craft vendors. This will quickly become a Christmas tradition for your family! Shindig begins November 30 with the Arrival of Santa and will be open with vendors Fridays, Saturdays & Mondays through December 12, 6-9 pm.
- **150TH BIRTHDAY CELEBRATION CLOSING CEREMONIES** - Join us as we bring our year-long celebration to a close with a short program and fireworks display! December 14, 6:00 pm at Riverton City Park.
- **RIVERTON FAMILIES TREE DISPLAY** - Come out and see some great tree decorating. Participating families will be given a basic tree. Together, they will decorate their tree in their own unique way for two days. These will be on display for the community to see. Come check out the these beautiful pieces of art and vote on them. Display will be available to view December 2 - 30.
- **START SMART BASKETBALL** - Children will learn the basic skills needed to start playing and help make their first sports experience a positive one. No equipment necessary. *Parents are required to attend and will work one on one with their children.* Registration begins Dec 1. Hurry, space is limited. Deadline is January 6 or until full. Class begins on January 20, 2016.
- **CANDY CANE CORNER** - Get in the holiday spirit by giving to the Candy Cane Corner, a place where families in need can "shop" free for their families for Christmas. The store is set-up and administered by The Road Home and YWCA. Donations will be accepted through December 10th at the Riverton Parks and Recreation Office, 12830 S Redwood Rd.  
All items must be new and unwrapped. Please visit [www.candycanecornerslc.org](http://www.candycanecornerslc.org) for a complete list of needs.
- **MISSION SLIM POSSIBLE** - "Slim" is possible in 2016! Do you need that extra accountability of a weekly weigh-in? Not to mention the cash prize incentive for the biggest losers! Join us for this 12 week mission to lose weight and make it a great year! Starts January 20. Register now online at [www.rivertoncity.com](http://www.rivertoncity.com) or in person at Riverton Recreation.
- **RIVERTON 1/2 MARATHON EARLY REGISTRATION** - Race date: Saturday, March 19. Early registration through January 31. Register online at [www.runnercard.com](http://www.runnercard.com) or in person at Riverton Recreation. \*\*\*NO RACE DAY REGISTRATION\*\*\*





## Issue Paper

Item No. 3.2

<b>Presenter/Submitted By:</b>	Jason Lethbridge, Planning Manager	
<b>Subject:</b>  DISCUSSION: ZONING ISSUES ON 12600 SOUTH CORRIDOR AND DOWNTOWN AREA	<b>Meeting Date:</b> September 22, 2015	
	<b>Fiscal Impact:</b> N/A	
	<b>Funding Source:</b> N/A	
<b>Background:</b>  Councilmember Staggs will lead a discussion regarding zoning and land use issues along the 12600 South corridor between the Downtown Area and east boundary of Riverton City.		
<b>Recommendation:</b>  This item is for discussion only.		

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**Riverton City**  
**REGULAR CITY COUNCIL MEETING**  
**Minutes**  
**June 2, 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 Erik Sandstrom, UFA  
31 Angela Trammel, Communications Manager

32  
33  
34 **Citizens:** Michael Johnson, Wyoma Darlington, Riverton Summerhill Young Women Group, Angela  
35 Jenkins, Coleman Family, Kent Bishop-Tithing Hill Condos, Matthew Young, Pam I., Hugh Parker,  
36 Kody Pierce

37  
38 **1. GENERAL BUSINESS**

39  
40 **1. Call to Order and Roll Call.**

41  
42 [6:31:00 PM](#) Mayor Applegarth called the Riverton City Council Meeting to order at 6:30 p.m.  
43 and conducted a Roll Call.

44  
45 **2. Pledge of Allegiance - [6:32:01 PM](#) Erik Sandstrom**

46  
47 **3. Presentations/Reports**

**4. Recognition of Boy Scout Troops – N/A**

**5. Riverton Choice Awards for Excellence in Education – Rose Creek Middle School**

[6:32:53 PM](#) Council Member Brent Johnson presented the Riverton City Choice Awards for  
Excellence in Education to the following individuals selected from Rose Creek Middle School:

1 Halle Taylor, Jon Coleman, and Ms. Angie Jenkins.

2  
3 **6. Introduction of Nicole Plenert, Principal of JATC South Campus.**

4  
5 [6:41:27 PM](#) Mike Anderson, Jordan School District Board Member, introduced Nicole Plenert,  
6 Principal of the Jordan Academy for Technology and Careers, (JATC). He said the facility  
7 formerly served as the Garden Lodge and was being converted to an educational and community  
8 facility. Ms. Plenert commented on the school and the various programs it offered. She said an  
9 Open House would be held in August 2015 with a dedication in September 2015.

10  
11 Council Member Tricia Tingey commented that three of her four children had gone through the  
12 program and she expressed her support for the program.

13  
14 [6:47:23 PM](#) The Riverton Arts Council cast of the play Footloose performed a musical number.  
15 Members of the Riverton Arts Council expressed their appreciation to the City for its support of  
16 the Arts Council over the past 31 years. It was reported that many of the Arts Council alumni  
17 have gone on to successful careers in the performing arts and many have received college  
18 scholarships.

19  
20 **7. Public Comments.**

21  
22 [6:57:11 PM](#) Mayor Applegarth invited public comment.

23  
24 [6:58:08 PM](#) Karol Haney, 20-year resident, spoke about the Landscaping Ordinance. She said  
25 she began working with Councilman Trent Staggs when the home next to her changed  
26 ownership, which went from a beautifully landscaped, well-maintained property to one that was  
27 full of weeds. She spoke with Ordinance Enforcement Officer Bill Salmon and he told her that  
28 the ordinance was somewhat vague and if property owners were cited but mowed their yards  
29 they would be in compliance. She said she felt changes were needed to the landscaping  
30 ordinance.

31  
32 Ms. Haney presented photos of continually unkempt homes in her neighborhood and said that  
33 when neighborhoods were rundown they became a target for crime. Ms. Haney said she collected  
34 and compared ordinances from other cities and she preferred Herriman City's ordinance; she  
35 then read excerpts from it. Ms. Haney encouraged the Council to give serious consideration to  
36 changing the current landscaping ordinance. She expressed appreciation to Council Member  
37 Staggs for taking her comments seriously and for his efforts.

38  
39 There being no further public comments, Mayor Applegarth closed the public comment period.

40  
41 **2. PUBLIC HEARINGS**

- 42  
43 **1. Public Hearing - Ordinance Amendment, Amending Section 18-55, RM-12,  
44 to RM-14 A Multi-Family Residential Zone allowing a maximum 14 Units  
45 Per Acre for the Riverton City Downtown Area, amendments proposed by  
46 Riverton City.**  
47

1           **2.     Public Hearing - Rezone, Rezoning Approximately 12 Acres located at  
2           approximately 13600 South Hamilton View Road from C-R (Commercial  
3           Regional) to RM-14 (Residential Multi-Family 14 Dwellings per Acre),  
4           Rosecreek Crossing LLC, Applicant.  
5**

6           7:05:12 PM Planning Manager Jason Lethbridge explained proposed amendments to the  
7           Riverton City ordinance that would create and RM-14 Zone, which was a multi-family zoning  
8           designation with a maximum of 14 units per acre. He said there was currently a 14 units per acre  
9           zone that was tied specifically to the downtown area, which was very similar to that ordinance.  
10          The proposed amendment would establish a density of 14 dwelling units per acre. Mr.  
11          Lethbridge said the Planning Commission forwarded the matter to the Council with a  
12          recommendation for approval. He said the matter was triggered by Item No. 2.2 listed above,  
13          which was continued to the next meeting. As a result, staff recommended the ordinance  
14          amendment also be continued to the June 16, 2015, meeting to allow further notification to those  
15          affected by the proposed ordinance amendment.  
16

17          Council Member Sheldon Stewart requested that native vegetation be defined at that meeting and  
18          **MOVED to continue Items 2.1 and 2.2 to the June 16<sup>th</sup> City Council Meeting.** Council  
19          Member Tricia Tingey **SECONDED** the motion. Mayor Applegarth called for discussion on the  
20          motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Yes,  
21          Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**  
22

23           **3.     Public Hearing - Amending Sections 18.190.080.2, 18.190.090.11, 18.190.110  
24           and 18.190.120 Home Occupations, Addressing Allowed Homes Business  
25           Types/Activities, Amendments proposed by Riverton City.  
26**

27           7:10:24 PM Planning Manager Jason Lethbridge explained that Riverton City currently had an  
28           ordinance addressing home occupations found in Section 18.190 of the Land Use Code. He said  
29           the ordinance listed, among other standards, types of home-based businesses designated as  
30           permitted, conditional, or prohibited. One of the sections proposed to be added to the ordinance  
31           pertained to a conditional use permit that had been revoked. The language specified that there  
32           would be a period of one year before an application would be accepted for reconsideration after  
33           revocation. As part of the reapplication a cash bond would be required to address the cost of  
34           enforcement and processing. At the previous City Council Meeting concerns were raised about  
35           how the bond would be structured and whether there would be an allowance for reapplication  
36           after a permit was revoked.  
37

38           7:12:24 PM City Attorney Ryan Carter explained that when the language was originally  
39           proposed to the Council, the thought was that an applicant who had a permit revoked should go  
40           at least one year before reapplying. He conducted research and stated that was an obscure area of  
41           land use law and he found that some liability could be attached to the City for permanent  
42           debarment. He then referenced specific case law. Mr. Carter said that once an applicant had  
43           received a revocation for a Conditional Use Permit, they could not reapply for a period of one  
44           year rather than a permanent debarment. If they reapplied, they would be required to submit a  
45           \$1,000 cash bond to cover the City's costs. The bond would be held indefinitely by the City as a  
46           guarantee against further problems associated with the use. Mr. Carter recommended the bond  
47           and said he considered it a good preventative measure against future problems.  
48

1 Council Member Sheldon Stewart asked about a bond versus a fee to absorb the costs.  
2 Mr. Carter stated that, as a general rule, the business licensing fees were attached to an expense;  
3 and, if a person who had gone through revocation reapplied, the bond was to cover costs  
4 associated with future violations.

5  
6 [7:18:39 PM](#) Council Member Paul Wayman asked about the level at which revocation would  
7 occur.

8  
9 [7:19:09 PM](#) Mr. Carter explained that the Planning Commission would impose conditions of  
10 approval on conditional use permits that were reasonably calculated to protect the health, safety,  
11 and welfare of the surrounding community. If the Planning Commission had reason to believe  
12 that an applicant had violated the terms of the conditions imposed, the applicant would be  
13 brought back before the Planning Commission for a hearing, at which time a determination  
14 would be made about whether to revoke the conditional use permit. He said staff's role was to  
15 ensure compliance with the conditions of the conditional use permit. Revocation only comes  
16 after staff has worked with the applicant/violator on additional occasions in an effort to bring  
17 them into compliance. If an applicant was not in compliance by the time the matter goes before  
18 the Planning Commission, revocation should then be a viable option. He said if the applicant  
19 disagreed with the decision, they could take the matter to the District Court, who could  
20 determine whether the action taken was lawful. The process of revocation would be documented  
21 and the applicant would be aware that they were out of compliance and of the resulting  
22 consequences.

23  
24 [7:27:10 PM](#) Concern was expressed by Council Member Sheldon Stewart in regards to  
25 increasing the fee. Mr. Carter stated that the fee resolution could establish a fee. He gave a  
26 specific example and stated that costs were incurred to the City in the process. He recommended  
27 a fee be imposed at the time of reapplication and abandonment of the bond.

28  
29 [7:30:05 PM](#) In response to a question raised by Council Member Tricia Tingey about how the  
30 bond would be held, Finance Director Lisa Dudley explained that the City held several cash  
31 bonds that were kept in a liability account. The intention was for the bonds to be released once  
32 all stipulations were met. In the case of a revocation, the bond would be held as long as the  
33 business remained open, at which time it would be refunded.

34  
35 [7:31:14 PM](#) Council Member Paul Wayman spoke in favor of having the fee included in the fee  
36 schedule and collected in the event the City goes through the process of a successful revocation;  
37 however, if the revocation was unsuccessful, the fee would not be collected.

38  
39 [7:32:50 PM](#) On May 5, 2015, the City Council continued the Public Hearing to June 2, 2015;  
40 therefore, Mayor Applegarth opened the Public Hearing and called for public comments. There  
41 being none, Mayor Applegarth closed the Public Hearing.

42  
43 **4. Ordinance No. 15-07 – Amending Sections 18.190.080.2, 18.190.090.11,**  
44 **18.190.110 and 18.190.120 Home Occupations, Addressing Allowed Homes**  
45 **Business Types/Activities**  
46

1 [7:34:02 PM](#) Council Member Sheldon Stewart **MOVED to adopt Ordinance No. 15-07 -**  
2 **amending Sections 18.190.080.2, 18.190.090.11, 18.190.110, and 18.190.120 to read as**  
3 **described in Exhibit “A”, with the following amendments:**

- 4
- 5 **1. A separate standard shall be set for the permits that have been denied to allow time**  
6 **for reformulating the application for resubmittal to the Commission.**
- 7 **2. In place of the proposed bond, a fee shall be assessed for successful revocation of a**  
8 **Conditional Use Permit.**
- 9

10 Council Member Trent Staggs **SECONDED** the motion. Mayor Applegarth called for discussion  
11 on the motion. [7:34:50 PM](#) Mr. Carter clarified a concern raised by the Planning Commission in  
12 the instance where a conditional use permit was denied and the ordinance required them to wait  
13 one year before reapplying. He said concern was expressed that there may be a circumstance  
14 where someone was denied but could relatively quickly address potential concerns. Council  
15 Member Trent Staggs’ said his understanding was that an applicant could correct the situation  
16 and then ask to be reinstated at the next meeting after paying the necessary costs. Mr. Lethbridge  
17 said that was reasonable, that someone might submit a new application that had been modified  
18 that made it easier to comply with. However, if an applicant got feedback from staff and the  
19 public and there was a chance of denial, they could pull the application before it went through  
20 the formal process, make modifications, and resubmit something they were more confident  
21 would go through the process. Mayor Applegarth then called for a Roll Call Vote. The vote was  
22 as follows: Council Members Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and  
23 Wayman-Yes. **The motion passed unanimously.**

- 24
- 25 **5. Public Hearing - Proposed Compensation for Elective and Statutory Officers**  
26 **and all other Municipal Officers for Fiscal Year 2015-2016.**
- 27

28 [7:38:34 PM](#) Mayor Applegarth explained that, in accordance with Utah Code 10-3-818 - Salaries  
29 in Municipalities, a Public Hearing was required when changes were proposed to the  
30 Compensation Schedule for Elective and Statutory Officers and all other Municipal Employees.  
31 He said that the proposed Compensation Schedule addressed a minimal increase to the City  
32 Council’s Salary to meet Utah Retirement requirements.

33

34 [7:44:27 PM](#) Mayor Applegarth opened the Public Hearing and called for public comments;  
35 there being none, he closed the Public Hearing. He reported that Council action regarding the  
36 Compensation Schedule would be taken on June 16, 2015.

- 37
- 38 **6. Public Hearing - City Council’s Tentative Budget for Fiscal Year 2015-2016.**
- 39

40 [7:45:09 PM](#) Mayor Applegarth briefly explained the budget process, which began with the City  
41 Council’s Strategic Plan. He said the City Council was presented with the Mayor’s Budget on  
42 May 5, 2015 and during the month of May the Council met to discuss and make changes to the  
43 budget.

44

45 Mayor Applegarth explained that June 2 was the first of two Public Hearings scheduled to  
46 receive comments regarding the FY 2015-2016 Tentative Budget and that the second and final  
47 Public Hearing would be held on June 16. The Mayor’s Tentative Budget had been available to  
48 the public on the City’s website, the Council’s Budget was available on the City’s website and it

1 had been available in hard copy form in the Finance Department and in the Recorder's Office.  
2 He said that no action would be taken on the FY 2015-2016 Budget until after the second Public  
3 Hearing on June 16.

4  
5 [7:47:42 PM](#) Mayor Applegarth opened the Public Hearing and called for public comments.

6  
7 [7:48:20 PM](#) Kent Bishop, immediate past president of the Farms at Tithing Hill HOA, stated that  
8 ROI Hardy Park and Tithing Hill Park were developed previously and contributed to the City by  
9 their HOA, but they were currently maintained by the City. He referred to a memo to the Mayor  
10 and City Council from Andrew Aagard dated October 23, 2012, regarding the condition of trees  
11 in ROI Hardy & Tithing Hill Mini Park. Mr. Bishop said that there were 75 trees in their area  
12 and only 35 trees had survived. He inquired about a budget for tree replacement and said that last  
13 year \$23,000 was allocated for tree maintenance with only \$10,000 allocated for 2015-2016.

14  
15 Mayor Applegarth explained that the \$10,000 remaining in the Tree budget was meant to be for  
16 large common areas that were not part of an individual Council District. Monies from other parts  
17 of the budget were put into a Capital Facilities Fund for each Council Member and the amount  
18 currently set aside was \$25,000 for each Council District. He said that the districts had varying  
19 needs and it would be the responsibility of the Council Member from that district, along with  
20 citizens from the district, to determine how to spend that money. He also said that funds were  
21 proposed in the budget to hire an Urban Forester whose sole responsibility would be to plant,  
22 maintain, and care for trees within the City. It was noted that there were in excess of 3,300 trees  
23 in Riverton.

24  
25 Mr. Bishop then commented on their need for a watering system and stated that there had been  
26 confusion among the arborists as to the type of system needed.

27  
28 [7:52:04 PM](#) There being no further comments, Mayor Applegarth closed the Public Hearing.

29  
30 [7:58:57 PM](#) Council Member Tingey stressed the importance of keeping the Urban Forester in  
31 the budget. She proposed the following budget changes that would allow for the hiring of an  
32 Urban Forester and eliminate the need for an increase in the sanitation fees:

- 33 1. A funds transfer for a pedestrian walkway was removed from the budget in the amount of  
34 \$53,560.
- 35 2. Line Item 10-40-700 - Council Directed Projects - reduced from \$125,000 to \$75,000,  
36 adding an additional \$50,000 to the budget.
- 37 3. Line Item 10-45-310 - Prof & Tech Audit – reduced from \$20,000 to \$18,000, adding an  
38 additional \$2,000 to the budget.
- 39 4. Line Item 10-47-240 – Office Supplies – reduced from \$11,000 to \$9,000, adding an  
40 additional \$2,000 to the budget.
- 41 5. Line Item 10-48-485 - Gasoline – reduced from \$80,000 to \$70,000, adding an additional  
42 \$10,000 to the budget.
- 43 6. Line Item 10-59-512 – Vehicles – reduced from \$25,000 to \$22,000, adding an additional  
44 \$3,000 to the budget.

45  
46 Council Member Tingey stated that the above items totaled \$120,560, which covered the cost of  
47 the fee needed for trash collection.

48

1 [8:02:39 PM](#) Mayor Applegarth said that throughout the City, with the exception of areas with  
2 private trash collection, the cost of the first tote was \$1 and the second was \$5, and the remainder  
3 was funded out of the General Fund. He said the Mayor's Budget proposed to increase the cost  
4 of the first tote by \$2 for a total of \$3, and Council's Budget kept the first tote at \$1 and  
5 increased the second tote from \$5 to \$8.

6  
7 Council Member Tingey said the revenue stream would total \$120,000 per year. By keeping the  
8 sanitation fees as they were, she said the suggested budget cuts would keep the remaining budget  
9 unchanged.

10  
11 [8:04:18 PM](#) Council Member Sheldon Stewart commented on gasoline costs and brief discussion  
12 was held regarding Council Member Tingey's budget proposals.

13  
14 [8:07:23 PM](#) Council Member Staggs said he was encouraged that they identified ways to transfer  
15 more from General Fund revenues to offset or eliminate the need for an increase in sanitation  
16 fees. He explained that he voted against the Council directed projects in order to balance the  
17 sanitation budget and that he also voted against the Urban Forester position. He said that now  
18 Riverton City was part of the Jordan River Commission (JRC), they had access to their  
19 resources. He also recommended the formation of a Tree Board that could assist with the duties  
20 of the Urban Forester position.

21  
22 [8:14:54 PM](#) Following further discussion, Mayor Applegarth asked for a consensus of the  
23 Council to remove from the budget any fee increase in the Sanitation Fund. All of the Council  
24 Members agreed.

25  
26 [8:16:25 PM](#) Mayor Applegarth asked for a consensus of the Council Members regarding the  
27 proposed budget reductions presented by Council Member Tingey, which would eliminate the  
28 need to raise Sanitation Fees. All of the Council Members agreed.

29  
30 [8:16:59 PM](#) Council Member Wayman expressed concern regarding Fund 45-69-126 - Vehicle  
31 Replacement Plan and discussion was held. He then recommended putting \$40,000 back into  
32 Council-directed projects and retain the vehicles for at least three years to maximize the return.

33  
34 [8:25:07 PM](#) Mayor Applegarth said that the funds were in the General Fund and could not be  
35 moved elsewhere in the General Fund budget. Ms. Dudley explained that was a general  
36 governmental function and the purchase of vehicles was not in the General Fund but they were in  
37 the Capital Improvements Fund and it would not be possible to put money back into the Council-  
38 directed project funds because that transfer was eliminated.

39  
40 [8:26:29 PM](#) Discussion continued and Mayor Applegarth said that vehicle replacement was more  
41 of a philosophical decision than a financial decision and they should be looking at the vehicle  
42 policy regarding resale.

43  
44 [8:34:15 PM](#) Public Works Director Trace Robinson said there had already been discussion of a  
45 three-year option and the policy was changed at that time. He said once three years passed, the  
46 warranty would expire and they would have to hire a mechanic.

47

1 [8:36:30 PM](#) Council Member Johnson **MOVED to keep Fund 45-69-126 as it is.** Council  
2 Member Staggs **SECONDED** the motion. Mayor Applegarth called for discussion on the  
3 motion. [8:36:54 PM](#) Council Member Wayman commented on vehicle replacements and brief  
4 discussion continued. Mayor Applegarth then called for a Roll Call Vote. The vote was as  
5 follows: Council Members Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-  
6 No. **The motion passed 4-to-1.** Council Member Wayman asked for a detailed analysis.

### 7 8 **3. DISCUSSION/ACTION ITEMS**

#### 9 10 **1. Multi-Family Site Plan, The Meadows on Park Avenue, 2053 West 12600** 11 **South, South, RM-14-D Zone, 121 Units, 8.65 Acres, Brad Reynolds** 12 **Construction, Applicant**

13  
14 [8:43:17 PM](#) Planning Manager Jason Lethbridge explained that Brad Reynolds Construction  
15 submitted an application requesting approval of a multi-family residential site plan proposed to  
16 be located at 2053 West 12600 South. He said the property was zoned RM-14-D (Residential  
17 multi-family 14 units per acre Downtown) and the property to the north was zoned C-D  
18 (Commercial Downtown) and was currently occupied by various commercial activities. He said  
19 to the east property was zoned C-D, which was utilized as a technical school facility operated by  
20 the Jordan School District. The property to the south was zoned C-D and C-D EHOV  
21 (Commercial Downtown with Elderly Housing Overlay) and the property to the west was zoned  
22 R-4 (Residential 10,000 square foot lots).

23  
24 Mr. Lethbridge explained that the applicant proposed to construct 121 residential units on  
25 approximately 8.65 acres with an access onto Park Avenue to the east. He said the access would  
26 be shared with the existing United States Post Office located immediately to the south. The  
27 applicant proposed 102 garden-style units composed of six 12-unit buildings and five six-unit  
28 buildings and with 19 townhouse style units located near Park Avenue. He said a clubhouse and  
29 swimming pool would also be constructed as part of the proposed development. The one-acre  
30 parcel located to the north east was remaining commercial and would not be developed as part of  
31 the development.

32  
33 Mr. Lethbridge reported that on May 14, 2015, the Planning Commission voted to recommend  
34 approval of the application subject to following conditions:

- 35  
36 1. Storm drainage systems and accommodation comply with Riverton City standards  
37 and ordinances, and with the recommendations of the Riverton City Engineering  
38 Division.  
39 2. An interim storm drainage and erosion control plan and an access management plan  
40 be approved by the City prior to any construction or grading on the site.  
41 3. The site and structures comply with any and all applicable Riverton City standards  
42 and ordinances, including the International Building and Fire Codes.  
43 4. Eight foot solid core concrete masonry fencing installed along the west, south and  
44 south east property lines. Six foot solid core concrete masonry fencing installed  
45 along the northern property line adjacent to 12600 South.  
46 5. A total of 25% of all building exterior surface shall be contained in brick or stone.  
47 6. Submitting an acceptable SMP and covenant to maintain.  
48 7. Applicant signature on the irrigation master plan.

- 1 8. Recording an easement for the irrigation pipeline on the west side of the property.
- 2 9. Submitting 4 sets of drawings for construction.

3  
4 [8:49:17 PM](#) In response to Council Member Wayman’s question regarding fencing heights,  
5 Mayor Applegarth explained that an eight-foot fence was desired by the residents. He said that  
6 normally a six-foot fence was required along a streetscape. It was noted that ultimately there  
7 would be eight-foot solid masonry fencing everywhere except 12600 South.

8  
9 [8:51:29 PM](#) The developer commented on the elevation difference between 12600 South and the  
10 project and he said their project would sit up higher by a couple of feet on the 12600 South and  
11 Park Avenue sides.

12  
13 [8:54:30 PM](#) Council Member Wayman **MOVED that the City Council approve The Meadows**  
14 **on Park Avenue Multi-family Site Plan located at 2053 West 12600 South, Application**  
15 **#PL-15-8004, with the conditions set forth in the Staff Report.** Council Member Tingey  
16 **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; [8:55:06 PM](#)  
17 Council Member Staggs expressed appreciation to the applicant for building a good project and  
18 then explained that he voted against the rezone because he felt it was the last best hope for the  
19 City in creating a walkable downtown, which has since been moved to the area in front of the  
20 park. Mayor Applegarth called for a Roll Call Vote. The vote was as follows: Council Members  
21 Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, Wayman-Yes. **The motion passed**  
22 **unanimously.**

- 23  
24 2. **Multi-Family Site Plan, Amended Multi-Family Site Plan, Riverton Peaks**  
25 **Phase 1, 12700 South Redwood Road, RM-14-D Zone, 70 Units, 6.4 Acres**  
26 **(Approx.), Newman Construction, Applicant.**

27  
28 [8:56:06 PM](#) Planning Manager Jason Lethbridge explained an application for Amended Site Plan  
29 approval for the Riverton Peaks Multi-Family Project. He said the project originally consisted of  
30 88 units on approximately 6.4 acres located at 12700 South Redwood Road. He said the property  
31 was zoned RM-14-D, a multi-family zone with a maximum density of fourteen (14) units per  
32 acre. The surrounding property to the north was Commercial Downtown and the property to the  
33 south was zoned RM-14-D, but currently occupied by the Riverton Hardware Store. He said the  
34 properties to the west across Redwood Road included a mix of RM-8-D and Commercial  
35 Downtown and the property to the east across 1630 West was zoned RR-22. The only property  
36 line shared directly with an incompatible use was the south line adjacent to the Riverton  
37 Hardware property.

38  
39 Mr. Lethbridge stated that the original design included a mix of detached units, traditional  
40 townhome style units, and a clustered attached design that created a courtyard surrounded by  
41 units. Following the original approval, the applicant proposed amending the layout and unit mix,  
42 eliminating the courtyard-oriented units and switching the majority of the site to a more  
43 traditional townhome style unit. He said the detached single-family units on 1630 West had been  
44 modified to duplex units, but with the garage access interior to the site rather than accessing  
45 directly from 1630 West. Mr. Lethbridge indicated that the proposed amendments resulted in a  
46 reduction in units from 88 to 70, which would reduce the traffic flows on 1630 West. The  
47 architectural styles were similar to those originally approved, but he said they were more  
48 traditional in terms of design and materials.

1 Mr. Lethbridge reported that on May 28, 2015, the Planning Commission voted to recommend  
2 approval of the amended Site Plan Application subject to the following conditions:

- 3
- 4 1. The amended application shall comply with all applicable conditions, including  
5 fencing requirements, from the original site plan approval, with original conditions as  
6 follows:
    - 7 a. Solid masonry fencing shall be installed along the south property lines at a  
8 minimum eight (8) feet in height.
    - 9 b. Building architecture shall comply with approved architectural drawings as  
10 well as the architectural requirements found in the RM -14 -D zoning  
11 ordinance, including the requirement for twenty-five (25) percent of the  
12 exterior to be brick or stone.
    - 13 c. Road and right-of-way improvements to Redwood Road shall comply with the  
14 standards and requirements of the Utah Department of Transportation and all  
15 UDOT permits required for that road shall be secured prior to construction.
    - 16 d. Landscaping within the project boundaries shall comply with the approved  
17 landscaping plan, and be wholly maintained by the Home Owners Association  
18 or property owners.
    - 19 e. The site and associated infrastructure shall comply with the requirements and  
20 standards of the Riverton City Engineering Department, and no construction  
21 shall commence until final technical approval has been granted based on  
22 required submittals.
    - 23 f. The site and structures shall comply with any and all applicable Riverton City  
24 standards and ordinances, including the International Building and Fire Codes.
  - 25 2. The area outside of Phase 1 shall be maintained in compliance with Riverton City's  
26 standards and ordinances, including weed abatement.
  - 27 3. A separate application shall be made for Phase 2 of the development conforming to  
28 the amended layout.
- 29

30 [9:02:03 PM](#) Council Member Tingey **MOVED** that the City Council approve the Amended  
31 **Riverton Peaks Phase 1 Development, a Multi-Family Site Plan, to be located at 12700**  
32 **South Redwood Road subject to the conditions outlined in the Staff Report.** Council  
33 Member Stewart **SECONDED** the motion. Mayor Applegarth called for discussion on the  
34 motion. Mayor Applegarth then called for a Roll Call Vote. The vote was as follows: Council  
35 Members Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion**  
36 **passed unanimously.**

37

- 38 **3. Final Commercial Site Plan, American Curb Cut Studio, 12472 South 3670**  
39 **West, C-R Zone, Kody Pierce, Applicant.**
- 40

41 [9:03:45 PM](#) Planning Manager Jason Lethbridge explained that Kody Pierce submitted an  
42 application requesting final commercial site plan approval for property located in the Spring  
43 Creek Commercial Development at 12472 South 3670 West. He said the property was currently  
44 zoned C-R (Commercial Regional) as were all of the surrounding properties. To the north of the  
45 proposed site was the Utah Sports Lodge complex and to the south was the Delton Lanes  
46 Entertainment Center. He said the properties to the east and the west were vacant.

47

1 Mr. Lethbridge reported that the applicant proposed to construct a multi-use building that would  
2 include a 3,500 square-foot dance studio and a 15,000 square-foot warehouse space that would  
3 be used for pole vaulting and other track and field-related training exercises. He said a total of  
4 41 parking spaces would be provided with eight stalls for the warehouse portion of the building  
5 and 33 stalls for the dance studio.

6  
7 Mr. Lethbridge reported that on May 14, 2015, the Planning Commission voted to recommend  
8 approval of the Site Plan Application subject to the following conditions:

- 9  
10 1. Storm drainage systems and accommodations shall comply with Riverton City  
11 standards and ordinances, and with the recommendation of the Riverton City  
12 Engineering Division.  
13 2. An interim Storm Drainage and Erosion Control Plan and an Access Management  
14 Plan shall be approved by the City prior to any construction or grading on the site.  
15 3. The site and structures shall comply with any and all applicable Riverton City  
16 standards and ordinances, including the International Building and Fire Codes.  
17 4. Lighting, both on the building and in the site shall be designed and installed to  
18 minimize impacts to the surrounding properties.  
19 5. Any and all rooftop mechanical equipment shall be fully screened from view from the  
20 road way and surrounding properties.  
21 6. Complete an acceptable O & M plan for post-construction storm water controls.  
22 7. Submit three additional sets of drawings for distribution.  
23 8. The southeast access point shall be moved from the corner.  
24

25 [9:08:12 PM](#) Council Member Johnson concurred with the Planning Commission on the location  
26 of the ingress/egress.  
27

28 Questions were raised with respect to the amount of parking and it was suggested that possible  
29 solutions be sought. Mr. Lethbridge stated that staff had worked with the developer to maximize  
30 the amount of parking available on the site.  
31

32 [9:14:40 PM](#) Mr. Pierce stated that the issue was addressed with several members of staff and said  
33 that the V-triangle was not as serious of an issue as it appeared. He said his preference was to  
34 keep the design as-is rather than go to the expense of redesigning it. He said he was frustrated  
35 with the amount of time it had taken for his project.  
36

37 [9:21:36 PM](#) Mr. Robinson commented on safety issues and stated that, at the present speed, a  
38 sight distance of 125 feet was required, but as long as the vegetation on the corner was kept  
39 below three feet the concern would be addressed.  
40

41 [9:22:32 PM](#) Following further discussion, Council Member Stewart **MOVED that the City**  
42 **Council approve the American Curb Cut Final Commercial Site Plan, Application #PL-15-**  
43 **8003, located at 12472 South 3670 West, with the conditions set forth in the Staff Report,**  
44 **striking Number 8, specifying that within the site triangle no plantings shall be higher than**  
45 **ground level, and no parking shall be allowed.** Council Member Staggs **SECONDED** the  
46 motion. Mayor Applegarth called for discussion on the motion; [9:23:12 PM](#) Council Member  
47 Wayman commented that he thought the proposal would work better than originally proposed.  
48 Mayor Applegarth called for a Roll Call Vote. The vote was as follows: Council Members

1 Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed**  
2 **unanimously.**

3  
4 **4. Discussion of Landscape and Sign Enforcement Ordinances.**

5  
6 [9:23:40 PM](#) Assistant City Manager Jeff Hawker explained that in a previous City Council  
7 Meeting Council Members Wayman and Staggs requested discussion of the City's landscape and  
8 sign enforcement ordinances; however, Council Member Wayman requested that discussion of  
9 the Sign Enforcement Ordinance be deferred to a future meeting so it could be addressed in more  
10 detail.

11  
12 [9:24:40 PM](#) Mr. Hawker explained that staff desired to execute the wishes of the City Council  
13 and asked for direction from the Council regarding the landscaping ordinance.

14  
15 [9:25:18 PM](#) Council Member Stewart reported that there was a similar issue in his area of the  
16 City and in that instance, the landscaping ordinance inhibited them because of other concerns  
17 that arose. He agreed that the Council should review ordinances from other cities and determine  
18 how they could be crafted to be enforceable and still beautify the area.

19  
20 [9:26:19 PM](#) Mr. Hawker suggested that, as the landscaping ordinance was discussed, the City  
21 Council be mindful of language the City could use that would be successful in court,  
22 enforcement issues and other options. He said that once an issue went to court the City would  
23 have no control over the pace of a case.

24  
25 [9:31:57 PM](#) Mr. Lethbridge stated that concerns were raised with respect to verbiage where the  
26 ordinance may not address situations staff had encountered. He said the basic standard was to  
27 allow vegetation to be six inches above the ground with property being kept clean. Reference  
28 was made to vegetation growing in an uncultivated state and Herriman City's and South Jordan  
29 City's standards were referenced. He said Riverton's ordinance seemed to be consistent with the  
30 other cities but additional language could be considered to add more specificity.

31  
32 [9:34:14 PM](#) Council Member Staggs requested additional language that mirrored more closely  
33 the Herriman and South Jordan ordinances and that would require properties be mowed,  
34 groomed, trimmed, pruned, and virtually free of weeds and other volunteer plants. Fee issues  
35 were discussed and he suggested the fees be identified as first, second, and third offenses.

36  
37 [9:36:07 PM](#) Mr. Carter addressed enforcement and said that one option would be to criminalize  
38 violations, with the advantage being a quicker response and the disadvantage being that people  
39 could be ill equipped to maintain their properties. He then described civil enforcement and  
40 recommended that standards be very specific.

41  
42 [9:44:18 PM](#) Mayor Applegarth said that any standard could be imposed by the elected officials  
43 that they desire; however, he said enforcement was key.

44  
45 [9:48:33 PM](#) Mr. Carter agreed to prepare a draft ordinance based on Herriman City's ordinance  
46 for the City Council's consideration and present it to the Planning Commission for their  
47 recommendation.

48

1 [9:48:49 PM](#) Council Member Wayman spoke of snow removal and said he was aware of people  
2 who received notice for not removing snow but others nearby did not. He said those who  
3 received notices were very unhappy because it was classified as a criminal offense. He said that  
4 in contrast there were times when the City did not have sidewalks cleared for joggers by  
5 9:00 a.m. He thought the community should work together and address the problems that exist.  
6

7 [9:50:32 PM](#) Mayor Applegarth replied to the statement about snow removal in the City and  
8 stated that City crews sometimes begin work at midnight. Complaints about sidewalks not being  
9 cleared involve an interior park sidewalk, which the Mayor said was the last priority. Sidewalks  
10 and roads for schools are cleared first, along with major thoroughfares. The Mayor suggested  
11 that the ordinance and enforcement be separated. He said the Council's responsibility was to  
12 define the level they desire and then enforce to that level.  
13

14 [9:52:38 PM](#) Council Member Johnson agreed that everyone wanted the City to look nice. He  
15 considered well maintained yards a return on investment and those who maintain their properties  
16 should not be negatively impacted by those who do not.  
17

18 [9:53:46 PM](#) Mayor Applegarth said that much of the preparation could be done by staff who  
19 would review landscape ordinances from other cities and determine how Riverton City could  
20 craft them to be enforceable, which would then be presented in July.  
21

#### 22 **4. CONSENT AGENDA**

23  
24 [9:54:53 PM](#) Mayor Applegarth presented the following Consent Agenda:

1. **Minutes:** RCCM 05-12-15
2. **Bond Releases:**
  1. Beck Estates – 100% Warranty
  2. Taylor Court – 90% Performance
  3. Master Muffler – 90% Performance
3. **Resolution No. 15-45** - Authorizing the Mayor to execute an agreement with Bart J. and Iretta J.W. Thaxton for the acquisition of a 24-SF Easement located at 11864 South 1900 West
4. **Resolution No. 15-46** – Ratifying the PO Contract issued to Legacy Landscape for the Landscaping of the 12600 South Redwood Road Northeast Corner Lot Project

25  
26 [9:54:59 PM](#) Council Member Tingey **MOVED** that the City Council approve Consent  
27 **Agenda** Council Member Stewart **SECONDED** the motion. Mayor Applegarth called for  
28 discussion on the motion. There being none, he called for a Roll Call Vote. The vote was as  
29 follows: Council Members Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-  
30 Yes. **The motion passed unanimously.**  
31

#### 32 **5. STAFF REPORTS**

33  
34 [9:55:39 PM](#) Mr. Hawker reported that Council Member Staggs recently attended UFA's Fire  
35 School. An insert that appeared in *The Salt Lake Tribune* and *The Deseret News* promoting the  
36 Osmond Concert was distributed.

## 6. ELECTED OFFICIAL REPORTS

**Mayor Bill Applegarth** thanked the Council for participating in the upcoming Western Commercial Development by attending the International Shopping Center Convention in Las Vegas where they met with potential tenants for the development. He said he was overwhelmed by the reception of the potential development and things were moving forward rapidly. He stressed the importance of positive communication with citizens about the proposed development. He then reported that, at the July 21 City Council Meeting, the developer and his staff would be meeting with City Officials regarding the Western Commercial Development and they would also be attending the City Council Meeting that evening. Also, on August 13, 14, and 15, arrangements were being made for Riverton residents to visit the Station Park Development in Farmington to get a feel for the proposed development in Riverton.

[10:05:16 PM](#) **Council Member Johnson** reported that he was very impressed by what he saw at the National Retailer Show. He also commented on Memorial Day and how beautiful the cemetery looked and thanked staff for their efforts. He asked all to reflect on those who have given their lives. He said he loved seeing the interaction of families and commented that the cemetery had never looked better.

[10:07:52 PM](#) **Council Member Staggs** asked about the damaged tennis courts at Peggy Green Park. [10:08:08 PM](#) Parks & Recreation Director Sheril Garn reported that the first option was \$10,000 to repair it; the other option was to remove and replace it at a cost of \$99,000. She said that the repair option would only be a band aid. [10:09:01 PM](#) Mr. Trace Robinson said he did not think it was repairable. It was the consensus of the City Council to leave \$10,000 in the budget and explore the cost of removing the tennis courts and planting grass in the Peggy Green Park.

[10:10:25 PM](#) Council Member Staggs reported on a recent UPD Board Meeting wherein the budget was discussed, which had an approximate 3.2% increase. He reported that he participated in the recent Fire School and the UPD Citizens Academy. He said both provided him with valuable experience on the daily life of police officers and firefighters. He then asked that additional statistics be provided on a monthly basis as part of the monthly police reports. He reported that he and Council Member Stewart had been involved in the website bid process and said a vendor had been selected.

[10:15:09 PM](#) **Council Member Stewart** reported that three accidents occurred over the weekend, one which was a fatality. Several residents expressed concern about the area and the associated speeds and he suggested the situation be examined.

[10:17:03 PM](#) Chief Norton commented on the accidents and the factors that may have been involved. He reported that a directive had been given to traffic and patrol officers to spend more time on the Mountain View Corridor over the next several weeks and to include 13400 South toward 5000 West, where complaints had also been received.

Council Member Stewart reported on a cleanup project where sections of a trail had become overgrown.

Council Member Stewart reminded Mr. Robinson of the entrances near Western Spring where chain link fences were installed and suggested that, if they were to become permanent, they

1 needed to be improved. He said he also wanted to speak to residents to see if there were concerns  
2 with removing the fencing. Mr. Robinson said that funds had been obtained to construct bike  
3 lanes on 12600 South to Mountain View Corridor.

4  
5 [10:20:54 PM](#) **Council Member Tingey** thanked Sheril Garn for a great job at the cemetery. She  
6 recognized the upcoming busy time of year for staff and she volunteered her services to the Parks  
7 and Recreation Department. She expressed her appreciation to staff for their efforts.

8  
9 [10:22:01 PM](#) **Council Member Wayman** said that mosquitos were out and the situation would  
10 only get worse. He then inquired about 12600 South and 2700 West and said he understood that  
11 UDOT was going to repave it. Trace Robinson explained that UDOT had approached the City  
12 but one of the issues involved Rocky Mountain Power and their line. UDOT had asked if they  
13 would be willing to take the project on and they would pay for it. He said that option was  
14 currently being explored.

## 15 16 **7. UPCOMING MEETINGS**

17  
18 [10:24:06 PM](#) Mayor Applegarth reviewed the following upcoming meetings:

- 19
1. June 16, 2015 – Redevelopment Agency Meeting - 6:20 p.m.
  2. June 16, 2015 – Regular City Council Meeting – 6:30 p.m.

## 20 21 **8. ADJOURN**

22  
23 [10:24:46 PM](#) Council Member Stewart **MOVED that the City Council adjourn.** Council  
24 Member Johnson **SECONDED** the motion. Mayor Applegarth called for discussion on the  
25 motion. There being none, he called for a vote. The vote was as follows: Council Members  
26 Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed**  
27 **unanimously.** The Regular City Council Meeting adjourned at 10:25 p.m.

28  
29 **Approved:** Pending Minutes

1  
2  
3  
4  
5  
6  
7  
8  
9

**Riverton City**  
**REGULAR CITY COUNCIL MEETING**  
**Minutes**  
**June 16, 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  
22  
23 **City Staff:**

Jeff Hawker, Asst. City Manager  
Virginia Loader, Recorder  
Ryan Carter, City Attorney  
Jason Lethbridge, Planning Manager  
Trace Robinson, Public Works Director  
Sheril Garn, Parks & Public Services Director  
Lisa Dudley, Finance Director  
Angela Trammel, Communications Manager

24 **Citizens:** Michael Johnson, Wyoma Darlington, Norma Bench, Nathaniel Rather, Rhett Tingey

25  
26 **1. GENERAL BUSINESS**

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

29  
30 [6:29:03 PM](#) Mayor Applegarth called the Riverton City Council Meeting to order at 6:30 p.m.  
31 and conducted a roll call. Council Members Johnson, Staggs, Stewart, Tingey, and Wayman  
32 were present.

33  
34 **2. Pledge of Allegiance – Norma Bench**

35  
36 **3. Presentations/Reports.**

37  
38 **1. Recognition of Boy Scout Troops.**

39  
40 **2. Recognition of Fay Stone Stradley.**

41  
42 [6:37:02 PM](#) Mayor Applegarth introduced Fay Stone Stradley who was born on March 14, 1920.  
43 At the time of her birth she was the youngest member of the Riverton LDS 1<sup>st</sup> Ward. At the age  
44 of 95, she remains the eldest resident of the same Riverton 1<sup>st</sup> Ward. The Mayor shared a book,  
45 read a short history, and a poem written by Ms. Stradley. Ms. Stradley then shared some of her  
46 memories and thoughts about Riverton City.  
47

### 3. UTA Project Update.

1  
2  
3 [6:47:36 PM](#) Assistant City Manager Jeff Hawker introduced UTA Representatives Hal Johnson  
4 and Brianne Emery who presented information regarding the Southwest Salt Lake County  
5 Transit Study.

6  
7 [6:48:22 PM](#) Ms. Emery reported that to date they had completed a market study of the entire  
8 study area, which examined the roads in the area including South Jordan, Riverton, Herriman,  
9 and Draper. They conducted focus groups to get a feel for how people perceive transit in the  
10 area. They also coordinated with the Federal Transit Administration to refine the alignments. An  
11 overview of the project was given in its entirety. The Council was asked to formally adopt the  
12 alignment and incorporate it into the City plans to help preserve the area as a transit corridor.  
13 She said doing so would help UTA move forward with the Federal Transit Administration in  
14 terms of entering the environmental process, studying the alignment in further detail, and  
15 determining what, if any, environmental impacts there were with the alignment. They could then  
16 move forward and seek federal funds to construct the project. She presented the following steps  
17 to be taken next:

- 18 • Conduct an Public Open House
- 19 • The City Council should adopt the LPA
- 20 • Continue coordination on the 13200 South overpass
- 21 • Refine the South Jordan Alignment
- 22 • Enter environmental documentation

23  
24 [6:53:17 PM](#) Mayor Applegarth called for questions from the Council.

25  
26 [6:53:21 PM](#) Council Member Johnson stated that he received a letter of concern from the Early  
27 Light Academy about how the transit line would exit past the school.

28  
29 [6:54:13 PM](#) Ms. Emery indicated that a few months ago all of the cities in the study area  
30 received a letter. Since then they have been coordinating with them very closely and have met  
31 numerous times with their board and attorney who discussed the alignment and discussed ways  
32 to mitigate potential impacts. Further traffic studies were also being conducted.

33  
34 [6:54:44 PM](#) Mr. Johnson said that they were only asking for the Riverton portion.

35  
36 [6:55:07 PM](#) Mayor Applegarth indicated that it had been a topic of discussion among the mayors  
37 of Draper, Riverton, Herriman, and South Jordan and he acknowledged that a lot of work had  
38 gone into it.

39  
40 [6:55:49 PM](#) Council Member Staggs commented on the turn onto 12600 South from Bangerter;  
41 if it could seamlessly combine with the existing traffic.

42  
43 [6:56:49 PM](#) Mr. Johnson stated that many different alternatives were considered and this was the  
44 one that came through the process with the least impact, the most ridership, and served the  
45 community the best.

46

1 [6:57:41 PM](#) Council Member Tingey commented that the proposed option was the best for the  
2 Western Commercial District as well.

3  
4 [6:57:46 PM](#) Mr. Johnson stated that a multi-media approach had been taken in terms of public  
5 involvement. He said additional input would be gathered at the upcoming Open House after  
6 which a recommendation would be presented to the Council.

7  
8 [6:58:22 PM](#) Council Member Wayman declared a conflict of interest because he lives on 12600  
9 South. He spoke against the proposed route on 12600 South and proposed an alternate route  
10 going up to Bangerter Highway to accommodate the potential ridership that would be associated  
11 with the proposed Salt Lake Community College satellite campus in Herriman. He also  
12 suggested the phases be outlined in the public process. Mr. Johnson said they have not yet done  
13 any phasing but if the project could not be done all at once it would be done in phases.

14  
15 [7:00:09 PM](#) Mr. Johnson requested Council's permission to take the proposal to the public for  
16 consideration and there were no objections from the Council. Council Member Wayman asked  
17 Mr. Johnson to add the alternate route to Bangerter Highway past the community college;  
18 however, it was stated that should have happened long ago if that route were to be added.

19  
20 [7:00:33 PM](#) Mayor Applegarth explained that the intent was for the matter to be taken to the  
21 public for comment on what they would like to be considered. Potential options were discussed  
22 along with procedural issues. The Council Members agreed to move the matter forward, with the  
23 exception of Council Member Wayman.

24  
25 [7:04:15 PM](#) Council Member Wayman again recommended UTA consider other options such as  
26 Bangerter Highway and Herriman.

27  
28 [7:04:36 PM](#) Council Member Tingey said that UTA was years beyond that and doing what Mr.  
29 Wayman suggested would require UTA to go backwards. It was her understanding that if they  
30 did not move forward they had the potential to lose federal funding.

31  
32 [7:04:55 PM](#) Mr. Johnson stated that multiple studies had been conducted and the one suggested  
33 by Council Member Wayman would involve a different kind of project that would serve different  
34 markets.

35  
36 [7:06:07 PM](#) Mr. Johnson stated that an open house would be held in each city.

37  
38 [7:06:30 PM](#) Mayor Applegarth reported that the City's UTA contact would continue to be Jeff  
39 Hawker.

40  
41 [7:07:07 PM](#) Council Member Johnson asked that the City make their public facilities available  
42 for the open houses. The Mayor confirmed they were welcome to use City facilities and efforts  
43 would be made by the City to get the word out so that as many people as possible could be  
44 present.

45  
46 [7:07:35 PM](#) Council Member Tingey recommended that details of the other open houses also be  
47 published to ensure awareness of each of the open houses conducted.

48

#### 4. Public Comments.

[7:08:10 PM](#) Mayor Applegarth called for public comments.

[7:09:00 PM](#) Stacy Conolog, Lampton View Drive, submitted a petition to reinstate the speed bumps that were removed on their street. She contacted the owners of 20 homes who combined have 32 children under the age of 10, with 16 teenage drivers, which makes the speed bumps particularly important.

[7:09:43 PM](#) Public Works Director Trace Robinson said that one of the speed bumps was on the hill and was very dangerous. He explained that speed bumps were something the City had gotten away from because of emergency equipment. He said there were other ways to control speeds.

[7:12:03 PM](#) Mayor Applegarth accepted the petition and asked staff to study the matter and report back to Council Member Staggs.

[7:13:58 PM](#) Ann Wrens, Lampton View Drive, said that her husband had spent an inordinate amount of time with his radar gun trying to call attention to people, many of whom were neighbors, who speed through their neighborhood.

[7:14:42 PM](#) Mayor Applegarth asked Mr. Hawker to contact UPD to place a speed trailer on Lampton View Drive to help with enforcement.

[7:15:42 PM](#) There were no further public comments and Mayor Applegarth closed the public comment period.

## 2. PUBLIC HEARINGS

### 1. Public Hearing - Ordinance Amendment, Amending Section 18-55, RM-12, to RM-14 A Multi-Family Residential Zone allowing a maximum 14 Units Per Acre for the Riverton City Downtown Area, amendments proposed by Riverton City.

[7:15:49 PM](#) Planning Manager, Jason Lethbridge, explained that the ordinance amendment proposes the creation of a new multi-family zoning designation for Riverton City. He said the proposed zone was RM-14, which would allow for a maximum density of 14 units per acre. The proposed action would amend the existing RM-12 section of the ordinance, which is a twelve (12) unit per acre zoning designation, which had not been utilized in the City. He said the fourteen (14) unit per acre designation was similar to and consistent with the RM-14-D zone, which was tied specifically to the Downtown area. The purpose of the zoning was to allow multi-family development in such a way as to create diversity in housing types in areas outside of the downtown, which were determined to be appropriate for multi-family development at that density. With the maximum density of 14 units per acre, the proposed zone would typically accommodate townhome/condo style units.

Mr. Lethbridge addressed setback issues and stated that as building heights increased, the distance from the property line also increased. He said the maximum height of structures in the zone was 35 feet or 2 ½ stories. With regard to native vegetation being used along trails and

1 bicycle paths, language was added to specify that those areas must be irrigated and included in  
2 the landscaping maintained by the owner or the homeowners' association.

3  
4 Mr. Lethbridge said that on April 23, 2015, the Planning Commission voted to recommend  
5 approval of the proposed ordinance amendment.

6  
7 [7:19:53 PM](#) Mayor Applegarth opened the public hearing; there being no further comments, he  
8 closed the public comment period.

9  
10 **Ordinance No. 15-09 – Amending Section 18.55, RM-12, to RM-14 a Multi-**  
11 **Family Residential Zone allowing a maximum 14 Units Per Acre,**  
12 **amendments proposed by Riverton City.**

13  
14 [7:20:15 PM](#) Council Member Tingey **MOVED** that the City Council adopt **Ordinance No. 15-**  
15 **09, amending Section 18-55, RM-12, to create the RM-14 Zone, a multi-family residential**  
16 **zone allowing a maximum 14 units per acre, as described in Exhibit “A”.** Council Member  
17 Stewart **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. There  
18 being none, he called for a roll call vote on the motion. The vote was as follows: Johnson-Yes,  
19 Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**

20  
21 **2. Public Hearing - Rezone, Rezoning Approximately 12 Acres located at**  
22 **approximately 13600 South Hamilton View Road from C-R (Commercial**  
23 **Regional) to RM-14 (Residential Multi-Family 14 Dwellings per Acre),**  
24 **Rosecreek Crossing LLC, Applicant.**

25  
26 [7:21:15 PM](#) Mr. Lethbridge explained that Rosecreek Crossing, LLC submitted an application  
27 requesting that property located at approximately 13600 South 3600 West (Hamilton View  
28 Road) be rezoned from C-R (Commercial Regional) to RM-14 (Residential 14 Dwelling Units  
29 Per Acre). He said the properties were currently vacant ground. The properties were bounded on  
30 the northeast, east, and southeast by property zoned R-4 SD (Residential 10,000 Square Foot  
31 Lots Specific Development). Properties to the northwest and west were zoned C-R and utilized  
32 as commercial.

33  
34 Mr. Lethbridge said the property had been zoned Commercial Downtown for many years since  
35 the construction of the Walmart store. During that time there had not been any interest in  
36 developing the properties commercially. The Biolife Plasma Center had taken the last remaining  
37 commercial properties with visibility from 13400 South and left them isolated with poor  
38 visibility and access, and thus not highly desirable as commercial properties. He said the  
39 applicant proposed to rezone the property to RM-14 in order to construct a medium high to high  
40 density residential townhome development. Given its proximity to Bangerter Highway and the  
41 fact that it was sandwiched between single-family dwellings and high impact commercial uses  
42 such as the Walmart, the proposed development would act as an appropriate buffer between the  
43 commercial and single-family residential uses.

44  
45 Mr. Lethbridge reported that on April 23, 2015, the Planning Commission voted to recommend  
46 approval of the proposed ordinance amendment.

47

1 [7:24:37 PM](#) Council Member Stewart said that in the past they required public right-of-way in  
2 the streets and asked if that had been included. The Mayor explained that they were not all public  
3 streets and some were private. Mr. Lethbridge stated that the ordinance left the discretion to the  
4 Council.

5  
6 [7:26:30 PM](#) The developer Doug Young reported that they would be presenting the site plan in  
7 the near future. The Mayor informed Mr. Young that a public road could not be gated off. Mr.  
8 Young understood that and stated that they plan on gating it.

9  
10 [7:27:18 PM](#) Council Member Stewart said there were several private roads in his area and there  
11 were now issues with the HOAs.

12  
13 The Mayor asked Mr. Lethbridge to describe the changes to the requirements for private  
14 roadways in HOAs. Mr. Lethbridge explained that the construction standards were based on  
15 standards similar to the public rights-of-way in terms of asphalt depth and construction methods.  
16 With the RDA project the alley-loaded garage concept was challenging. It involved a very  
17 narrow right-of-way and differed in functionality from a public street. That was one of the  
18 reasons they moved to private there so that it would function as an alley. Ultimately it would be  
19 at the discretion of the Council to make the determination.

20  
21 [7:29:05 PM](#) Council Member Staggs asked if there had been any discussion with the property  
22 owners in the R-4 designation about buffering. Mr. Young responded that there was some  
23 discussion about the height of the pads and the fencing. He said they plan to tie in to the grade  
24 level of Biolife so that they would be buffering against a residence, which he said was the  
25 biggest issue. He said the feeling was that a high end residential development would be a better  
26 alternative.

27  
28 [7:30:59 PM](#) Mayor Applegarth opened the public hearing;

29  
30 [7:31:07 PM](#) Kevin Mabey, Rosecreek Crossing HOA President, commented that Biolife was  
31 difficult to accept but in the process they reached out to Mr. Young. For legal reasons those  
32 conversations were limited and after a Settlement Agreement was reached Mr. Young reached  
33 out to them. He reported that there were 259 units in the Rosecreek Crossing Homeowners'  
34 Association. Of those, 96 were townhomes and the rest were single-family homes. Mr. Young  
35 indicated that he discussed the type of use they would like to see developed on the remaining  
36 parcels. Mr. Mabey said that Mr. Young was quick to address concerns that arose. He was aware  
37 of no one in the Rosecreek Crossing HOA who would oppose the proposed rezone.

38  
39 There were no further comments. Mayor Applegarth closed the public hearing.

40  
41 **Ordinance No. 15-08 – Rezoning Approximately 12 Acres located at**  
42 **approximately 13600 South Hamilton View Road from C-R (Commercial**  
43 **Regional) to RM-14 (Residential Multi-Family 14 Dwellings Per Acre),**  
44 **Rosecreek Crossing LLC, Applicant.**

45  
46 [7:35:28 PM](#) Council Member Wayman said he was impressed by the efforts made by Mr. Young  
47 and the HOA and their ability to work together and said that the park should be a huge selling  
48 point.

1 [7:36:33 PM](#) Council Member Johnson agreed with Council Member Wayman and said he knew  
2 the Rosecreek Crossing HOA had been involved in many issues and he appreciated their efforts.

3  
4 [7:37:34 PM](#) Council Member Wayman **MOVED** that the City Council adopt **Ordinance No.**  
5 **15-08, rezoning 12.55 acres located at approximately 13600 South Hamilton View Road**  
6 **(3600 West) from C-R to RM-14 and amend the Riverton City General Plan from Regional**  
7 **Commercial to High Density Residential.** Council Member Stewart **SECONDED** the motion.  
8 Mayor Applegarth called for discussion on the motion. There being none, he called for a roll call  
9 vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and  
10 Wayman-Yes. **The motion passed unanimously.**

11  
12 **3. Public Hearing - Final Amended Budget for Fiscal Year 2014-2015.**

13  
14 [7:38:57 PM](#) Mayor Applegarth explained that the City Council adopted a Final Budget for Fiscal  
15 Year 2014-2015 on June 17, 2014. During the course of the year amendments to the budget were  
16 necessary, as well as a final amendment at the end of Fiscal Year 2014-2015. Proper notice was  
17 published for a public hearing regarding the final amended budget for the 2014-2015 Fiscal  
18 Year.

19  
20 [7:39:33 PM](#) Mayor Applegarth opened the public hearing; there were no public comments and he  
21 closed the public hearing.

22  
23 **Resolution No. 15-47 – Adopting a Final Amended Budget for Fiscal Year**  
24 **2014-2015.**

25  
26 [7:39:54 PM](#) Council Member Staggs **MOVED** that the City Council adopt **Resolution No. 15-**  
27 **47 - Adopting Final Amended Budgets for the 2014-2015 Fiscal Year.** Council Member  
28 Tingey **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. There  
29 being none; Mayor Applegarth called for a roll call vote. The vote was as follows: Johnson-Yes,  
30 Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**

31  
32 **4. Public Hearing - Proposed Municipal Fee Schedule for Fiscal Year 2015-**  
33 **2016.**

34  
35 [7:40:31 PM](#) Mayor Applegarth explained that the City imposes fees for various services rendered  
36 to the public. He explained that each year, as part of the budgeting process, the City Council  
37 adopts a fee schedule for the ensuing fiscal year and the proposed fees were incorporated into the  
38 revenue lines of the FY 2015-2016 Budget. He said the format of the fee schedule showed the  
39 current fee, proposed changes to existing fees, as well as any proposed new fees.

40  
41 [7:40:56 PM](#) Council Member Staggs asked about the culinary water section of the fee schedule  
42 and said that a breaker rate should be based on a per 1,000 gallon rate. The Mayor stated that the  
43 Council had the discretion to set the fees.

44  
45 [7:42:13 PM](#) Finance Director Lisa Dudley described the rate and how it was determined. She  
46 explained that the City takes an objective approach to qualifying residents for the senior circuit  
47 breaker rate; and, in order to qualify, they must first go to the County and show that they are on  
48 the County's Circuit Breaker Rate Tax Relief Program for property tax. She assured the Council

1 that no one on staff was determining which residents to select. Ms. Dudley said that the fee did  
2 not change with the Jordan Valley conversion and it had been in place for a long time. She  
3 indicated that there was also a circuit breaker rate for secondary water regardless of lot size.

4  
5 [7:43:18 PM](#) Council Member Staggs said he was aware of several senior citizens and people  
6 with small households who would save enormously with the new rate schedule.

7  
8 [7:44:50 PM](#) Council Member Wayman said that at the proposed rate the cost would be lower  
9 than the City's cost. Ms. Dudley reported that only a few people were on that rate and it included  
10 only those people who approached the County previously and took the time to provide the  
11 documentation to the City.

12  
13 [7:45:30 PM](#) Mayor Applegarth opened the public hearing; there were no public comments and he  
14 closed the public hearing.

15  
16 [7:45:58 PM](#) Council Member Staggs suggested the possibility of reducing 0 to 10,000 gallons to  
17 3,000 gallons and make 3,000 and above the higher rate. He said, however, that it may not be  
18 worth the effort from a financial perspective. Ms. Dudley reiterated that it was a very small  
19 number that participated.

20  
21 [7:46:38 PM](#) Council Member Staggs **MOVED that the City Council adopt Resolution No. 15-**  
22 **48 – Adopting the Municipal Fee Schedule for the 2015-2016 Fiscal Year.** Council Member  
23 Wayman **SECONDED** the motion. Mayor Applegarth called for discussion on the motion.  
24 There being none, Mayor Applegarth called for a roll call vote. The vote was as follows:  
25 Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed**  
26 **unanimously.**

27  
28 **5. Public Hearing - City Council's Tentative Budget for Fiscal Year 2015-2016.**

29  
30 [7:47:14 PM](#) Mayor Applegarth explained that the City Council was presented with the Mayor's  
31 Budget on May 5, 2015, and during the month of May the Council met to discuss and make  
32 changes to the budget. The Mayor explained that the public hearing would be the second of two  
33 public hearings to receive comments regarding the FY 2015-2016 Tentative Budgets. The  
34 Mayor's Tentative Budget and the Council's Budget were both available on the City website and  
35 had been available in hard copy form in the Finance Department and the Recorder's Office.

36  
37 [7:47:55 PM](#) Council Member Staggs asked if the budget could still be modified and the Mayor  
38 explained that, if changes were made, Ms. Dudley could make those changes and present the  
39 modified document later in the evening. He said if there were too many changes, another  
40 meeting would need to be scheduled but the budget must be passed on or before June 22.

41  
42 [7:49:22 PM](#) Mayor Applegarth opened the public hearing; there were no public comments and he  
43 closed the public hearing.

44  
45 [7:50:08 PM](#) Mayor Applegarth recommended that if there were any proposed changes that they  
46 be dealt with individually to ensure Council approval before a vote was taken on the entire  
47 budget.

48

1 [7:50:32 PM](#) Council Member Staggs commended staff and the Council for their efforts,  
2 negotiations, and deliberations in putting together a \$36 million budget to run the operations of  
3 the City. He commended Council Member Tingey on her changes that negated the need for fee  
4 increases in sanitation. He recommended that \$1,000 be moved from Line 10-43-245 for website  
5 maintenance and be moved to Line 10-95-110 for a historical society to be approved by the  
6 Council, which has been duly incorporated with the State with accreditation needed with state  
7 historical societies and open to Council audit. The Council agreed with the recommendation.  
8

9 [7:53:33 PM](#) Following discussion, the Mayor asked City Attorney Ryan Carter to determine how  
10 to accomplish the above recommendation. Mr. Carter commented on the process of being  
11 recognized by the State Historical Society.  
12

### 13 **Resolution No. 15-50 - Adopting a Final Budget for Fiscal Year 2015-2016.**

14

15 [7:55:25 PM](#) Council Member Stewart **MOVED** that the City Council adopt **Resolution No.**  
16 **15-50** – **Adopting the Final Budgets for the 2015-2016 Fiscal Year with the adjustment**  
17 **noted by Council Member Staggs.** Council Member Tingey **SECONDED** the motion. Mayor  
18 Applegarth called for discussion on the motion. There being none, Mayor Applegarth called for  
19 a roll call vote. Vote on motion: Johnson-Aye, Staggs-Aye, Stewart-Aye, Tingey-Aye, and  
20 Wayman-Aye. **The motion passed unanimously.**  
21

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

23

#### 24 **1. Resolution No. 15-51 - Adopting a Tax Rate of .000000 for the 2015 Tax** 25 **Year.**

26

27 [7:56:34 PM](#) Ms. Dudley reported that one of the last items necessary to finalize the budget for  
28 the ensuing budget year was the property tax packet, which was prepared by the County  
29 Auditor's office. She said the City resolved not to assess residents a property tax for the 2015  
30 Year, therefore, the following applied:

- 31 • Taxable values are calculated by the State Tax Commission and the County Assessor.  
32 The certified tax rate is then calculated and distributed by the SL County Auditor's  
33 Office.
- 34 • Riverton City's 2015 certified tax rate is set at .000000.
- 35 • The 2015 property tax revenue associated with the certified tax rate is \$0.  
36

37 [7:57:48 PM](#) Council Member Tingey **MOVED** that the City Council adopt **Resolution No. 15-**  
38 **51 - Adopting a Tax Rate for the 2015 Tax Year.** Council Member Stewart **SECONDED** the  
39 motion. Mayor Applegarth called for discussion on the motion. There being none, Mayor  
40 Applegarth called for a roll call vote. The vote was as follows: Johnson-Yes, Staggs-Yes,  
41 Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**  
42

#### 43 **2. Minor Subdivision, Mike Smart Minor Subdivision, 1154 West 13200 South,** 44 **RR-22 Zone, Michael Smart, Applicant**

45

46 [7:58:27 PM](#) Planning Manager Jason Lethbridge explained a proposal for a minor subdivision  
47 located at 1154 West 13200 South. He said the property was zoned RR-22 (Rural Residential ½

1 acre lots) as were all of the surrounding properties except one small non-conforming parcel to the southwest that was currently zoned R-1 (Residential 1 acre lots). Mr. Lethbridge reported that the applicant proposed to subdivide one parcel totaling 1.91 acres into two lots. Lot 1 had the existing home on it and would be .75 acres in size with the new lot being 1.05 acres. Each lot exceeded the required minimum lot size for the RR-22 Zone.

Mr. Lethbridge said that on June 11, 2015, the Planning Commission voted to recommend approval of the Minor Subdivision Application with the following conditions:

1. The private lane shall be paved with either concrete or asphalt to a minimum of twenty (20) feet in width.
2. Storm drainage systems and installation shall comply with Engineering Department requirements and standards.
3. Any and all irrigation ditches associated with the property shall be addressed, with disposition of the irrigation systems approved by Riverton City and the proper irrigation company or users.
4. The subdivision shall comply with any and all applicable Riverton City standards and ordinances, including the International Building and Fire Codes.

[8:00:37 PM](#) Council Member Johnson verified that the access would prevent access from Lovers Lane up and he recommended care be taken to ensure that the home was safe.

[8:01:28 PM](#) Council Member Wayman asked what was planned to the north of Lot 2. Mr. Lethbridge said there was a separate property owner who was not connected in any other way with the one referred to.

[8:02:01 PM](#) Council Member Stewart asked about a remnant parcel attached to the same Property Tax ID of the home. Staff was working to resolve the situation.

[8:02:34 PM](#) Council Member Johnson **MOVED that the City Council approve Application #15-1002, Mike Smart Minor Subdivision accessed by a private lane, located at 1154 West 13200 South with the conditions outlined in the staff report.** Council Member Wayman **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. There being none, the Mayor called for a roll call vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**

**3. Commercial Site Plan, South Hills Dental Center, 4013 West 13400 South, C-PO Zone, 1.14 Acres Tony Skanchy, Applicant**

[8:03:23 PM](#) Mr. Lethbridge explained an application for a commercial site plan located at 4013 West 13400 South. He said the property was zoned Commercial Professional Office and a small portion of the property along the west boundary was zoned Commercial Regional. He said the surrounding properties to the east, south, and west were zoned Commercial Regional, although the property to the east and west were rights-of-way. To the north, across 13400 South, the property was zoned Planned Commercial Center. He said the proposed dental office was compliant with both the Commercial Professional Office and Commercial Regional Zones.

1 Mr. Lethbridge indicated that the applicant proposed demolition of the existing residential  
2 structure for development of the property as a dental office. He said the property would have  
3 access from both 13400 South and 4050 West, which had been reviewed by the Riverton City  
4 Engineering Department and found to be compliant with the City's access management  
5 standards. The building would be approximately 8,000 square feet in size and the parking as  
6 shown was determined to be sufficient for a medical/dental office of that size. Exterior building  
7 materials consisted of primarily stone and stucco in proportions that were consistent with both  
8 the requirements of the ordinance and the expectations of the City.

9  
10 Mr. Lethbridge said that on May 28, 2015, the Planning Commission voted to recommend  
11 approval of the Site Plan application with the following conditions:

- 12
- 13 1. Road and right-of-way improvements to 13400 South shall comply with Riverton City's  
14 standards and requirements, including the Riverton City Public Works Department  
15 requirements.
- 16 2. Building architecture shall comply with the submitted documents as approved by the  
17 Planning Commission and City Council.
- 18 3. The proposed garage area shall be utilized in compliance with the Commercial Regional  
19 Zone, and the International Building and Fire Codes.
- 20 4. The site and structures comply with any and all applicable Riverton City  
21 standards and ordinances, including the International Building and Fire Codes.
- 22 5. All mechanical equipment shall be screened from view.

23  
24 Fencing and access issues were discussed.

25  
26 [8:13:51 PM](#) Architect Nathaniel Rather was present on behalf of the owner and said he believed  
27 there was an agreement that allowed them to retain the existing drive on 13400 South. He said  
28 the owner was very interested in retaining that drive.

29  
30 [8:14:34 PM](#) Mayor Applegarth stated that the Council could choose to table the matter but said  
31 that the next meeting where it could be addressed would be the first Tuesday in August.

32  
33 Council Member Tingey asked if there were any associated safety issues. Mr. Trace Robinson  
34 stated that there would only be a small amount of traffic coming out there. He did, however,  
35 acknowledge that it would be better to be on 4000 West. He felt that that the majority of the  
36 traffic would be going out onto the new 4150 West. Council Member Stewart's concern was with  
37 morning traffic.

38  
39 [8:15:53 PM](#) Mayor Applegarth commented that if that was the desire it should be determined if  
40 there was a legal agreement in place. Procedural issues were then discussed.

41  
42 [8:16:25 PM](#) Council Member Wayman recommended leaving the determination up to staff.  
43 Mr. Carter advised against that type of action.

44  
45 [8:17:10 PM](#) Council Member Stewart **MOVED to table the item to August 4, 2015. The**  
46 **motion died for lack of a second.**

47

1 [8:17:50 PM](#) Council Member Johnson said it was awkward for the matter to be presented to the  
2 Council and not have the answers regarding the right-of-way.

3  
4 [8:18:59 PM](#) Mayor Applegarth stated that a meeting could be held on July 7<sup>th</sup> where all legal  
5 answers could be made available.

6  
7 [8:19:46 PM](#) City Manager Lance Blackwood explained that one of the reasons it came to the  
8 Council was to show the access. He said that staff never had concerns with it and for that reason  
9 research was not conducted about whether they had the right-of-way.

10  
11 [8:20:09 PM](#) Council Member Tingey said she was not concerned if there were no safety issues.

12  
13 [8:20:25 PM](#) Council Member Johnson **MOVED that the City Council approve the South Hills**  
14 **Dental Center, to be located at 4013 West 13400 South, with the conditions outlined in the**  
15 **staff report.** Council Member Wayman **SECONDED** the motion. Mayor Applegarth called for  
16 discussion on the motion. There being none, Mayor Applegarth called for a roll call vote. The  
17 vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes.  
18 **The motion passed unanimously.**

- 19  
20 4. **Resolution No. 15-49 - Allocating funds not to exceed \$25,000 and authorize**  
21 **the Public Works Department to solicit bids and construct a gate at the north**  
22 **end of Reeves Lane.**

23  
24 [8:21:17 PM](#) Public Works Director Trace Robinson explained that in 2013, Riverton City  
25 adopted Ordinance 17.20.010.3 which allowed the City to control public access through the  
26 installation of security gates. The Council also approved the installation of such a gate at the  
27 north end of Reeves Lane, which would be constructed to eliminate through traffic from the  
28 newly constructed subdivision in South Jordan that tied into the north end of Reeves Lane.  
29 However, the gate would allow emergency operators to open it using a Knox Lock and pass  
30 through when necessary. It was estimated that the cost of the project, including signage, would  
31 not exceed \$25,000. The span of the double gate would be 42 to 44 feet.

32  
33 [8:22:41 PM](#) Mr. Carter commented that the Council went back and forth with the public and an  
34 understanding was reached that the gate would go in. There was not, however, a formal  
35 agreement reached. The meetings were attended by many residents and it was a politically  
36 charged environment. Mr. Carter reported that the problem with Reeves Lane had always been  
37 that it was far too long to end in a cul-de-sac. The original idea was to close off the northern  
38 most section of Reeves Lane, which would have sealed off any access out of the property on the  
39 South Jordan side of the border. Mr. Carter stated that would have been a violation of Riverton  
40 City's Municipal Code, which required cul-de-sacs be no longer than 400 to 450 feet in length,  
41 and this was much longer. When it was originally built and approved, the Council did so with the  
42 understanding that a development was on the heels of this one in South Jordan that would  
43 connect it to 11400 South or other arterial streets; however, that did not occur for decades.

44  
45 Mr. Carter recommended that an ordinance be drafted with specific criteria allowing for a gate  
46 that still allowed through traffic but could be opened only by emergency response groups. The  
47 City Council directed staff to come back with an ordinance that would enable a safety gate to be  
48 installed at the end of Reeves Lane. Staff drafted the ordinance and the City Council approved it.

1 He said that meant that if the Council took the additional action of putting in a gate, it would not  
2 be illegal. No further action was taken. He clarified that the City Council never bound itself to  
3 put in a gate but created a legal pathway to do so.

4  
5 [8:25:18 PM](#) Mayor Applegarth stressed that the issue pertained to the funding of a gate.

6  
7 [8:25:33 PM](#) Council Member Staggs said his understanding was that the north end of Reeves  
8 Lane was always intended to ultimately connect. Mr. Carter confirmed that was the case. Mayor  
9 Applegarth said that he spoke to previous Council Members about that and confirmed that was  
10 the intent. Council Member Staggs said that must have been something the residents had  
11 understood.

12  
13 [8:26:10 PM](#) Mr. Carter said, that the issue had come up a few times and he wondered what  
14 residents expected when they moved into a neighborhood with a stub street; however, they got  
15 used to the lifestyle of living on a cul-de-sac.

16  
17 [8:26:55 PM](#) Council Member Staggs said there had been contact by residents with the Council  
18 who had opposing views, but he had not heard a convincing argument. He felt that from a  
19 funding perspective he could not ask those who want the access to end up ultimately paying for a  
20 gate.

21  
22 [8:29:36 PM](#) Council Member Johnson **MOVED that the City Council deny Resolution No.**  
23 **15-49 allocating funds not to exceed \$25,000 and authorizing the Public Works Department**  
24 **to solicit bids and construct a security gate at the end of Reeves Lane.** Council Member  
25 Wayman **SECONDED** the motion. Mayor Applegarth called for discussion on the motion.  
26 There being none, he called for a roll call vote. The vote was as follows: Johnson-Yes, Staggs-  
27 Abstained, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed with one**  
28 **abstention.**

29  
30 [8:30:30 PM](#) Council Member Stewart recommended the matter come back for further discussion  
31 at the August 4<sup>th</sup> Council Meeting. Mayor Applegarth asked Mr. Robinson to keep the residents  
32 informed.

#### 33 34 **4. CONSENT AGENDA**

35  
36 Mayor Applegarth presented the following Consent Agenda:

- 37
1. **Minutes:** RCCM 06-02-15.
  2. **Bond Releases:**
    1. Royal Farms Phase 1 – 100% Warranty.
  3. **Ordinance No. 15-10** - Adopting a Compensation Schedule for Elective and Statutory Officers and all other Municipal Employees for Fiscal Year 2015-2016.
  4. **Resolution No. 15-53** – Authorizing the City to execute the American Public Works Association, Utah Chapter Mutual Aid Interlocal Agreement for Utah Public Works Emergency Management.
  5. **Resolution No. 15-54** - Encouraging the County of Salt Lake to Submit a Local Option 0.25% Sales Tax to County voters in November 2015.

6. **Resolution No. 15-52** – Consenting to the Mayor’s Appointment of Lieutenant Rivera as the Unified Police Department (UPD) Riverton Precinct Chief of Police Services.
7. **Resolution No. 15-55** - Ratifying the approval of Change Orders given to Ellsworth Paulsen Construction Company allowing them to complete the Water Meter Vaults Modification Project.

1  
2 [8:31:48 PM](#) Consent Agenda Items 4.1 and 4.6 were removed for further discussion.

3  
4 [8:32:16 PM](#) Council Member Tingey **MOVED that the City Council approve the Consent**  
5 **Agenda with the exception of Items 4.1 and 4.6.** Council Member Johnson **SECONDED** the  
6 motion. Mayor Applegarth called for discussion on the motion. There being none, he called for  
7 a roll call vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes,  
8 and Wayman-Yes. **The motion passed unanimously.**

9  
10 **4.1 Minutes: RCCM 06-02-15.**

11  
12 [8:33:40 PM](#) Council Member Staggs spoke of the change in the way the minutes had been  
13 recorded over the past few months with each Council Member’s summarized comments  
14 removed. He recommended they return to that format but also keeping the time stamp. He said  
15 that he gleaned a great deal from reviewing previous written minutes.

16  
17 [8:34:40 PM](#) Council Member Tingey commented that, if that was going to be the case, the  
18 Council not spend time correcting the summary of what took place. She felt that they were  
19 putting the City Recorder in a difficult position of trying to best summarize what was said.  
20 Council Member Tingey clarified that she did not object to what was proposed as long as the  
21 Council does not scrutinize her summaries.

22  
23 [8:35:17 PM](#) Council Member Wayman disagreed and thought that if something is incorrect it  
24 should be corrected.

25  
26 [8:36:21 PM](#) Mr. Carter commented that either option proposed was legal. He suggested that, if  
27 Council Member Staggs’ suggestion was followed, that the minutes not be approved and brought  
28 back for final ratification after they had been modified.

29  
30 [8:36:52 PM](#) Council Member Staggs asked if there was a legal time limit by which they needed  
31 to adopt the minutes and the Mayor confirmed that there was.

32  
33 [8:37:16 PM](#) Council Member Stewart expressed concern regarding the retention period of  
34 recordings. He found it beneficial to be able to go back and refer to the audio recording. Mayor  
35 Applegarth explained that the current policy was to keep the recordings indefinitely. Mr. Carter  
36 recommended that the recordings be retained indefinitely. He stressed that minutes did not need  
37 to be approved within a certain period of time, however, a draft of unapproved pending minutes  
38 had to be made available to the public within 30 days. He felt that what was available currently  
39 satisfied that requirement.

40  
41 **The minutes were not approved.**  
42

1 The Mayor asked the Council for a consensus of how they would like the minutes to be modified  
2 and recommended the process be as simple as possible.

3  
4 [8:44:41 PM](#) Council Member Stewart recommended that staff come back with an ordinance that  
5 caused recordings to be retained, not just by policy. He also suggested there be a three to five  
6 word queue. The definition of “official” record was discussed. Ms. Loader indicated that the  
7 Council could require the written copy and audio recording of the meeting both be considered  
8 together as the official record.

9  
10 [8:48:04 PM](#) Mr. Blackwood asked for specifics about the queues that were desired. In essence,  
11 the minutes would be summarized and any additional detail would have to be found by listening  
12 to the audio.

13  
14 [8:49:43 PM](#) Council Member Wayman said that the Public Notice Website audio recordings  
15 were only kept a few years.

16  
17 [8:50:46 PM](#) Mayor Applegarth summarized that the intent was to modify the format of the June  
18 2, June 16, and July 21 meeting minutes, which would be presented on August 4<sup>th</sup> in a new  
19 format. At that time an ordinance would also be presented defining how long a recording would  
20 be retained.

21  
22 **4.6. Resolution No. 15-52 – Consenting to the Mayor’s Appointment of  
23 Lieutenant Rivera as the Unified Police Department (UPD) Riverton  
24 Precinct Chief of Police Services.**

25 [8:51:42 PM](#) Mayor Applegarth reported that UPD Chief Rod Norton announced earlier in the  
26 day that he would be retiring and his last day of work would be July 15. He said he nominated  
27 Lieutenant Rosie Rivera to serve as the New Riverton Precinct Chief. The procedure was  
28 outlined and the Mayor stated that he and the Sheriff agreed to Lieutenant Rivera’s appointment.  
29 Mayor Applegarth said Chief Norton also offered his support of the nomination.

30 [8:53:53 PM](#) Council Member Stewart expressed his support for Lieutenant Rivera; he, however,  
31 was concerned that not enough notification was given to the Council regarding the appointment  
32 and asked that that be considered in the future.

33 [8:54:16 PM](#) Council Member Staggs recommended that with appointments where advice and  
34 consent of the Council was required, that they meet as a body to discuss the reassignments or  
35 retirements.

36  
37 [8:55:40 PM](#) Council Member Staggs **MOVED that with any appointment requiring advice  
38 and consent that the Council hold a closed door or open session to discuss potential  
39 appointees. The motion died for lack of a second.**

40  
41 [8:56:12 PM](#) Mr. Carter stated that what was before the Council was an up or down resolution on  
42 the ratification of a nomination advanced by the Mayor. The comments raised by Council  
43 Member Staggs did not fall within the framework of that agenda. In order for Lieutenant Rivera  
44 to be fully vetted the Council should come back with a separate agenda item. With regard to the  
45 vetting process, Mr. Carter stated that it would be fair for the Council to engage in a vetting

1 process of a nominee but how the nominee was advanced to the Council was an executive  
2 function. Procedural issues were then discussed.

3  
4 [8:59:25 PM](#) Council Member Wayman recommended the matter be tabled to allow the Council  
5 to ask questions of Lieutenant Rivera before accepting the nomination. Council Member  
6 Wayman **MOVED that the City Council table the matter to the August 4 Council Meeting.**  
7 Council Member Staggs **SECONDED** the motion.

8  
9 [8:59:56 PM](#) Council Member Johnson commented that Chief Norton was retiring on July 15 and  
10 delaying a decision would leave them without a Precinct Chief. Mayor Applegarth reported that  
11 the appointment was at his and the Sheriff's discretion; in the meantime an Interim Chief could  
12 be appointed.

13  
14 [9:00:17 PM](#) Mr. Carter commented that an Interim Chief could be anyone including Lieutenant  
15 Rivera.

16  
17 [9:01:35 PM](#) Council Member Tingey agreed that the Council should be involved but stated that  
18 after the name had been released it would not be appropriate to table the matter.

19  
20 [9:02:00 PM](#) Council Member Johnson agreed but he said there were issues the Council needed to  
21 entertain going forward. He also agreed with Council Member Staggs' concerns. Given the  
22 circumstances, however, he did not think Lieutenant Rivera being present would change his  
23 decision to ratify her as the Chief.

24  
25 [9:02:14 PM](#) Council Member Stewart spoke in favor of Lieutenant Rivera but he said he still had  
26 the concerns that were addressed previously.

27  
28 [9:03:10 PM](#) Council Member Staggs recommended that for the future the Council pass an  
29 ordinance setting a minimum amount of time for notification and ratification of an appointment.  
30 Mr. Carter asked for the opportunity to think the matter through further.

31  
32 [9:04:34 PM](#) Council Member Wayman commented that his only contact was on Friday when he  
33 received a brief phone call; he had not spoken to Lieutenant Rivera before and wanted the  
34 opportunity to speak with her. He recommended the matter be tabled.

35  
36 [9:05:40 PM](#) There being none, he called for a roll call vote. The vote was as follows: Johnson-  
37 No, Staggs-Yes, Stewart-No, Tingey-No, and Wayman-Yes. **The motion failed 3-to-2.**

38  
39 [9:06:05 PM](#) Council Member Stewart **MOVED that the City Council adopt Resolution No.**  
40 **15-52 - Appointing Rosie Rivera as the Unified Police Department (UPD) Riverton Precinct**  
41 **Chief of Police Services.** Council Member Tingey **SECONDED** the motion. Mayor Applegarth  
42 called for discussion on the motion. There being none, he called for a roll call vote. The vote  
43 was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-No. **The**  
44 **motion passed 4 to 1.** Council Member Wayman explained that his vote against the motion was  
45 not to oppose Lieutenant Rivera but because he did not think it was right to rubberstamp  
46 something that was proposed without having a chance to talk to the candidate in person.

47  
48 [9:07:04 PM](#) Mayor Applegarth explained the process and apologized for the notification.

## 5. STAFF REPORTS

Ms. Dudley reported that there were approximately 25 connections on the Circuit Breaker Rate.

[9:10:37 PM](#) Mr. Blackwood reported on recent rain and flooding and said that Salt Lake County activated the Emergency Operations Center and the Riverton Precinct activated a Command Center. He complimented staff for the way they performed and thanked them for their service.

[9:13:23 PM](#) Council Member Stewart said he did not receive any reports of flooding in his area but he was able to take photographs of improvements that had been put in place that functioned well. He said that Mountain View Park adequately retained the water where there had been issues in the past.

[9:14:36 PM](#) Mr. Blackwood reported that Council Member Staggs was in the field providing assistance.

[9:15:15 PM](#) Mr. Trace Robinson reported that the systems were typically designed for 10-year 24-hour storms and the pipes were designed for a 10-year three-hour storm. In this case, over two inches of rain fell in less than 70 minutes, which was a short duration, high intensity storm that caused flooding. He agreed to show the Council video taken by residents at a future meeting.

[9:17:59 PM](#) Council Member Staggs thanked staff for their efforts during the storm.

[9:19:10 PM](#) Sheril Garn, Parks & Public Services Director, reviewed plans for the Sesquicentennial Celebration on June 22 and gave the Council Members their schedule for that event. Ms. Garn then reviewed the schedule for Town Days and said the carnival was moved behind City Hall. She said the City has brought in approximately \$8,000 from the carnival and expected that \$10,000 worth of damage would have been done to the new park; staff did not think it was worth the risk and changed the location.

## 6. ELECTED OFFICIAL REPORTS

[9:26:00 PM](#) **Mayor Applegarth** thanked Ms. Dudley for her dedication and work on the budget and acknowledged that she had some unique challenges during the process.

The Mayor reported that one of the fundraisers for The American Cancer Society was the Relay for Life where the organizers requested a Miracle Minute from the City during the Friday night portion of the rodeo. He asked for direction from the Council and they all expressed their support.

[9:31:34 PM](#) **Council Member Johnson** remarked that his comments made earlier in the meeting were not meant to reflect any negative feelings toward senior staff and he commended them for their efforts. He said he was flooded and received an email the previous Saturday informing him of where he could go to get sandbags; he expressed gratitude those who provided assistance.

[9:36:05 PM](#) **Council Member Staggs** thanked staff for their work on the budget.

1 [9:37:34 PM](#) **Council Member Stewart** spoke in appreciation of the compromise and  
2 collaboration that took place on the budget. Mr. Robinson was asked previously to look into the  
3 fatality that occurred on Mountain View Corridor and the accidents that took place within the  
4 span of a few days.

5  
6 [9:38:34 PM](#) Mr. Robinson reported that he spoke to UDOT about early warning signs and was  
7 informed they had been installed but nothing was budgeted for the area. He agreed to continue to  
8 apply pressure and report back at the next Council Meeting.

9  
10 Council Member Stewart reported on street seals in his area and Mr. Robinson responded. Mr.  
11 Stewart reported a problem with a stormwater drain on Morning Cloak Drive and Mr. Robinson  
12 agreed to investigate.

13  
14 [9:42:53 PM](#) **Council Member Tingey** reported on the Health Fair and said that the majority of  
15 people she spoke to were not Riverton residents. She noticed that construction of the sidewalk on  
16 11800 South had begun. She expressed thanks for the cleanup that had begun on the Midas  
17 Creek Trails. She asked that the Mayor let her know when service projects could begin.

18  
19 [9:44:08 PM](#) **Council Member Wayman** reported that he recently attended training from the  
20 Auditor's Office pertaining to duties, the Employees Ethics Act, and Municipal Officers. He  
21 declared that he is the owner of Wayman's Studio Photography and at times he does business  
22 with Riverton City. Conflict of interest issues were then discussed.

23  
24 [9:47:38 PM](#) Mr. Carter explained that a conflict of interest was when someone could gain  
25 financially because of a decision made while acting as a Council Member. He said that the  
26 Council had always been conscientious in that regard. He said a Council Member could not be  
27 involved in a decision making process where they have also tendered a bid and they could not  
28 have any kind of influence over other people in the decision making process if they were  
29 involved in the bidding.

## 30 31 **7. UPCOMING MEETINGS**

32  
33 [9:51:51 PM](#) Mayor Applegarth reviewed the following upcoming meetings:

- 34
1. July 07, 2015 – Regular City Council Meeting – *Cancelled*
  2. July 21, 2015 – Regular City Council Meeting – 6:30 p.m.
  3. August 4, 2015 – Regular City Council Meeting – 6:30 p.m.

## 35 36 **8. ADJOURN**

37  
38 Council Member Tingey **MOVED to adjourn**. Council Member Wayman **SECONDED** the  
39 motion. Mayor Applegarth called for discussion on the motion. There being none, he called for  
40 a vote. There being none, he called for a roll call vote. The vote was as follows: Johnson-Yes,  
41 Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**  
42 The Regular City Council Meeting adjourned at 9:52 p.m.

43  
44 **Approved:** Pending Minutes

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**Riverton City**  
**REGULAR CITY COUNCIL MEETING**  
**Minutes**  
**July 21, 2015**

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

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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

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**City Staff:**

Lance Blackwood, City Manager  
Virginia Loader, Recorder  
Ryan Carter, City Attorney  
Jason Lethbridge, Planning Manager  
Trace Robinson, Public Works Director  
Jeff Hawker, Asst. City Manager  
Sheril Garn, Parks & Public Services Director  
Lisa Dudley, Finance Director  
Rosie Rivera, Chief UPD Riverton Precinct  
Erik Sandstrom, UFA  
Angela Trammel, Communications Manager

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**Citizens:** Michael Johnson, Wyoma Darlington, Terry Garn, Shane Hudson, Scott Hill, Al Leavitt, Tish Buroker, Rod Norton Family, Norma Bench, Jim Allfrey, Phil Staggs, Cade Bryant, Dan Mackay, Dennis Page, Phil & Judy Lloyd, Merrill & Mindy Olsen, Tanja Bernson, Dawn & Spencer Lords, Britney Walker, Todd Olsen, Trenton Nokes, Matt Busham, Jodi Busham, Brent Turner, Bill & Mar Jo Bahnholdt, Greg Donaldson, Rhett Tingey

The Riverton City Council held a **Danny R. Crump Fishing Pond Dedication**, which began at 5:00 p.m. on July 21, 2015, at the Riverton City Fishing Pond at the Old Farm Park located at 3250 West 13680 South Riverton, Utah.

**1. GENERAL BUSINESS**

**1. Call to Order and Roll Call**

6:30:55 PM Mayor Applegarth called the Riverton City Council Meeting to order at 6:30 p.m. and conducted a Roll Call. Council Members Johnson, Staggs, Stewart, Tingey, and Wayman were present.

**2. Pledge of Allegiance – Terry Garn**

### 3. Presentations/Reports

#### 1. Recognition of Boy Scout Troops – N/A

#### 2. Recognition of Rod Norton, Former Riverton Precinct Chief of Police Services

[6:32:22 PM](#) Mayor Applegarth recognized Rod Norton, former Riverton Precinct Chief, for his service to the City while serving as the Riverton Precinct Chief of Police. He also recognized Rod's wife Jody and their family and then presented Rod with a plaque and other gifts from the City.

### 4. Public Comments

[6:45:20 PM](#) Mayor Applegarth invited public comment.

[6:46:05 PM](#) Jim Allfrey reported that illegal activities were occurring on the walking trail near the Richmond Farms Subdivision located on 3600 West to Bangerter Highway. He said it had become a "test track" for off road vehicles and he asked for help with enforcement. He also said some youth had acquired building materials from the Richmond Homes development for construction of a club house on property that was soon to be dedicated to the City. Mayor Applegarth said that the club house would be torn down and Council Member Tingey said that she would like to see citations issued when necessary.

[6:49:39 PM](#) Merrill Olson spoke of traffic problems on Van Cott Peak Drive that only allows two choices to get in and out of their subdivision. He said Cedar Point Peak Drive was not being used because there are three speed bumps on it. He said he reported it on "Report a Problem" and nothing was done about it. He suggested a four way stop and speed bumps be installed to slow traffic down. He said the traffic problem was created by Riverton City; therefore, the City should help resolve the problem. [6:51:36 PM](#) Council Member Sheldon Stewart said that he and Trace Robinson had been working on the problem with traffic studies and that street does not warrant a four way stop sign. [6:52:31 PM](#) Mayor Applegarth repeated that the City's Traffic Engineering Department conducted traffic studies on that street, which did not warrant a four-way stop. [6:53:36 PM](#) Mr. Olson said that traffic speeds and traffic volume were the problems. [6:54:11 PM](#) The Mayor explained that it was a public street; therefore, traffic volume could not be controlled. He said the City's policy was to use other traffic calming devices rather than speed bumps because of emergency vehicles and for safety reasons. Mr. Olson then recommended that the speed bumps be removed from Cedar Point Drive.

[6:56:18 PM](#) Britney Walker said that she also lived on VanCott Drive and spoke of the traffic problems in that area and said she felt that the traffic studies were skewed and that drivers were more cautious when police officers were in the area. She said it felt like the City does not listen and the City does not care. She said she talked to Mr. Robinson several times and she felt that nothing was done. She asked why a four way stop could not be installed when there was another one close to that area. She suggested the speed bumps be removed from the other road or a four way stop be installed on VanCott Drive. She said that a child would be hit sooner or later and that something needed to be done. [6:58:56 PM](#) Council Member Sheldon Stewart asked that Ms. Walker contact him to address the problem and to work on solutions.

1 [7:00:27 PM](#) Chuck Ball spoke of increased traffic problems due to the increased number of high  
2 density housing being built within Riverton City. He said that 13400 South had become a high  
3 speed road, with the worst offenders being the police department. He suggested that a stop sign  
4 be installed at 2200 West as a means to slow traffic down. He then requested action rather than  
5 verbiage be put towards traffic calming.

6  
7 [7:04:12 PM](#) There being no further comments, Mayor Applegarth closed the Public Comment  
8 period.

## 9 10 **2. PUBLIC HEARINGS**

### 11 12 **1. Public Hearing - Regarding the City's intent not to charge itself for any Riverton** 13 **provided utility services (Culinary Water, Secondary Water, Sanitation, and** 14 **Stormwater) used for municipal purposes**

15  
16 [7:04:20 PM](#) Mayor Applegarth explained that Utah Code 10-6-135 required the City to notify all  
17 utility customers of its intent to not charge City departments for their utility services, which was  
18 sent to all utility customers with their July 2015 utility bills. The following non-cash transfers  
19 (amounts are approximated) for FY 2016 were as follows:

- 20
- 21 • \$100,000 from the Culinary Water enterprise fund to the General Fund
- 22 • \$ 20,000 from the Secondary Water enterprise fund to the General Fund
- 23 • \$ 30,000 from the Stormwater enterprise fund to the General Fund
- 24 • \$ 6,000 from the Stormwater enterprise fund to the Culinary Water Fund
- 25 • \$ 2,250 from the Stormwater enterprise fund to the Secondary Water Fund
- 26

27 [7:05:43 PM](#) Mayor Applegarth opened a Public Hearing and called for public comment.

28  
29 [7:05:52 PM](#) Judy Lloyd asked if the City was not going to bill each department, where would the  
30 money come from to pay for the services; and, if City departments had plenty of water, what  
31 would be their incentive to conserve? She said that parks required a lot of water and asked where  
32 the money would come from to pay for watering the parks.

33  
34 [7:07:21 PM](#) Mayor Applegarth explained that the City carefully monitors the consumption of  
35 water and it would be paid for out of the revenue in the water enterprise fund. He further  
36 explained that the transfer process had been done over the years but the City just began sending  
37 the notice two years ago when the State Auditor said that the public needed to be informed of the  
38 non-cash transfers.

39  
40 [7:13:22 PM](#) Kenneth Baylor asked which council or staff member investigated the state  
41 ordinance that allowed the City to do this.

42  
43 [7:14:00 PM](#) Lisa Dudley explained that she met with the State Auditor's office and reviewed the  
44 notice and the budget with them and they agreed that it was correct. She said the City's  
45 independent auditors had also reviewed the budget and the notice, this being the third fiscal year,  
46 and they said the City was in compliance with the State Code.

47

1 Kenneth Baylor said that through his investigation of the ordinance it was used for City owned  
2 and operated utilities, which the City was paying itself, but if the City was buying their water  
3 from Jordan Valley Water Conservancy District (JVWCD) it was not allowed. Mayor  
4 Applegarth said he would have the City Attorney and the Finance Director look into that to  
5 ensure compliance with the State Code.

6  
7 Mr. Baylor asked how the citizens would know that the City had people that would watch the  
8 budget as closely as had been done in the past. Mayor Applegarth said that the City had the finest  
9 Finance Director and Finance Department in the State, which ran a very effective and efficient  
10 financial program.

11  
12 [7:17:14 PM](#) City Manager Lance Blackwood explained that the State Auditor required the City  
13 to disclose that the City uses water but they were not charging themselves for it. He said it had  
14 been disclosed as entries in the budget but as a non-cash issue, the City did have to pay the  
15 Jordan Valley Conservancy District, and the City did have to meter all their use, even if it were  
16 for City use.

17  
18 Mr. Baylor asked why the JVWCD cost to the City was going to be passed on to the residents.

19  
20 [7:19:29 PM](#) Sheldon Stewart commented about the process.

21  
22 [7:21:29 PM](#) Mayor Applegarth also commented.

23  
24 [7:21:39 PM](#) Lisa Dudley explained that the notice showed that there was a transfer and they were  
25 recording a non-cash transfer from each of the utility funds in to the receiving fund, so for this  
26 year in the budget it nets in and out showing a zero. She said there was a transfer in, which was  
27 included in the budget that was adopted on June 16, showing a non-reciprocal, non-cash transfer  
28 from the Culinary Water Fund into the General Fund, from the Secondary Water Fund into the  
29 General Fund, from the Stormwater Fund into the General Fund, and for all the different funds  
30 that used City utilities. The budget also showed the out for those funds, so it was a net to zero to  
31 each fund but it was recorded and it was required. She said the State Auditor required it and 2015  
32 was the third fiscal year that the citizens were notified; however, she said that practice of the City  
33 had not changed since she had been in the Finance Department.

34  
35 Mr. Baylor asked if the Council had already decided on the transfers.

36  
37 [7:23:01 PM](#) Mayor said that Council decided on the transfers when they passed the budget and  
38 he said he felt it was the most efficient and effective way to budget.

39  
40 [7:23:35 PM](#) Lisa Dudley said that the transfers had been adopted in the budget but no transfers  
41 would be made until after the public hearing; and, if the Council changed their mind, there would  
42 not be a transfer made this year.

43  
44 [7:23:57 PM](#) There being no further comments, Mayor Applegarth closed the Public Hearing.

45  
46 **Resolution No. 15-56 – Adopting Non-Reciprocal Utilities Transaction for Fiscal**  
47 **Year 2015-2016**

48

1 [7:24:01 PM](#) Council Member Trent Staggs **MOVED to approve Resolution No. 15-56 -**  
2 **Adopting Non-Reciprocal Utilities Transaction for Fiscal Year 2015-2016.** Council Member  
3 Tricia Tingey **SECONDED** the motion. Mayor Applegarth called for discussion on the motion;  
4 [7:24:29 PM](#) Council Member Trent Staggs commented on the accounting process and how the  
5 Council had previously discussed the possibility of moving 16 City owned properties from using  
6 culinary water to using secondary water. [7:26:35 PM](#) Council Member Paul Wayman  
7 commented that the City was very mindful of their water usage and they were thinking of ways  
8 to reduce culinary water use on City properties. Mayor Applegarth then called for a Roll Call  
9 Vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and  
10 Wayman-Yes. **The motion passed unanimously.**

### 11

### 12 **3. DISCUSSION/ACTION ITEMS – N/A**

### 13

### 14 **4. CONSENT AGENDA**

15 Mayor Applegarth presented the following Consent Agenda:  
16  
17

1. **Minutes:** N/A
2. **Bond Releases:**
  1. Midas Creek (Court) Minor Subdivision – 90% Performance
3. **Resolution No. 15-57** - Declaring identified property of Riverton City as surplus  
– *Craig Calvert, Purchasing Manager*
4. **Resolution No. 15-58** – Ratifying the contract issued to Revize LLC to design,  
develop and implement a new City Website – *Craig Calvert, Purchasing Manager*

18  
19 Council Member Tricia Tingey **MOVED the City Council approve the Consent Agenda.**  
20 Council Member Sheldon Stewart **SECONDED** the motion. Mayor Applegarth called for  
21 discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as  
22 follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion**  
23 **passed unanimously.**

### 24

### 25 **5. STAFF REPORTS – N/A**

### 26

### 27 **6. ELECTED OFFICIAL REPORTS**

28  
29 **Mayor Bill Applegarth** – No Report  
30

31 **Council Member Brent Johnson** – said he was pleased with the use of the Riverton Park. He  
32 thanked Parks & Public Services Director Sheril Garn and her staff and Chief Rivera and her  
33 staff for their support and efforts spent on a successful Town Days.  
34

35 **Council Member Trent Staggs** – [7:30:47 PM](#) reported that he had a resident meeting regarding  
36 Lampton View Drive and Reeves Lane regarding traffic study counts and speeds. He also  
37 reported that there had been some criminal activity behind the Walmart Store. He also spoke of a  
38 service project at the Peggy Green Park. He reported that the UPD Board approved a budget with  
39 a 3.2% increase, and the SLVLESA Board approved their budget. He then expressed  
40 appreciation to Rod Norton for his service to Riverton City. He also thanked staff for the

1 successful Town Days. Mr. Staggs then spoke of follow up for a Landscape Ordinance on  
2 August 18<sup>th</sup>.

3  
4 **Council Member Sheldon Stewart** - [7:34:31 PM](#) reported on a landscaping violation at a  
5 residence in his area and road resealing on Spring Azure. He then expressed his appreciation to  
6 Rod Norton.

7  
8 **Council Member Tricia Tingey** – [7:36:22 PM](#) said she would like citations issued for violations  
9 on the Midas Creek trail. She said that she had received calls regarding the Town Days carnival  
10 and several residents requested that the carnival stay at the location behind City Hall in the  
11 future. [7:38:08 PM](#) Mayor Applegarth said that Town Days and other events would be reviewed  
12 in a Work Session on August 25<sup>th</sup>. She then expressed her appreciation to Rod Norton and  
13 thanked him for being much more than a Chief to her family and she said he pulled her family  
14 through some rough times.

15  
16 **Council Member Paul Wayman** – [7:39:14 PM](#) spoke positively about Pickle Ball and the use  
17 of the Riverton Park.

## 18 19 **7. UPCOMING MEETINGS**

20  
21 [7:39:50 PM](#) Mayor Applegarth reviewed the following upcoming meetings:

- 22 1. August 04, 2015 – Regular City Council Meeting – 6:30 p.m.
- 23 2. August 18, 2015 – Regular City Council Meeting – 6:30 p.m.
- 24 3. August 25, 2015 – Regular City Council Meeting – 6:30 p.m.

25 [7:40:02 PM](#) **Council Member Trent Staggs** clarified that, although there was an increase in the  
26 cost for UPD, they were not projecting a rate increase; the rate increase would be accommodated  
27 through new growth and fund balance.

## 28 **8. Presentation of proposed Western Commercial District – CenterCal Properties, LLC**

29  
30 [7:40:35 PM](#) Mayor Applegarth announced that Riverton City Days would be held at Station Park  
31 in Farmington, Utah, August 13<sup>th</sup> through the 16<sup>th</sup> for residents to visit the development to get the  
32 feel of what was being proposed for Riverton City.

33  
34 [7:42:10 PM](#) Dan Mackay, Suburban Land Reserve, spoke of the business relationship between  
35 Riverton City, Suburban Land Reserve and CenterCal Properties, LLC. He then introduced Fred  
36 Bruning, the CEO of CenterCal Properties, LLC.

37  
38 [7:44:55 PM](#) Fred Bruning, CEO CenterCal Properties, LLC, presented plans and information for  
39 an 85 acre commercial development, Mountain View Place at Riverton, to be built on 13400  
40 South between Bangarter and the Mountain View Corridor. He presented a video on the  
41 proposed development and showed other locations with like developments.

42  
43 [8:00:26 PM](#) Brent Johnson commented on the proposed project.

44  
45 [8:02:08 PM](#) Mayor Applegarth then commented on the proposed project and invited all to stay

1 after the meeting and ask questions of the Council Members, Staff, and/or Mr. Bruning.

2

3 **9. ADJOURN**

4

5 [8:02:16 PM](#) Council Member Council Member Tricia Tingey **MOVED the City Council**  
6 **adjourn.** Council Member Sheldon Stewart **SECONDED** the motion. Mayor Applegarth called  
7 for discussion on the motion; there being none, he called for a vote. The vote was as follows:  
8 Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed**  
9 **unanimously.** The Regular City Council Meeting adjourned at 8:02 p.m.

10

11 **Approved:** Pending Minutes

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Pending Minutes

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**Riverton City**  
**REGULAR CITY COUNCIL MEETING**  
**Minutes**  
**August 18, 2015**

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

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10 **Attendance:**

11  
12 Mayor William R. Applegarth

13  
14 **Council Members:**

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

20  
21  
22  
23 **City Staff:**

Jeff Hawker, Asst. City Manager  
Virginia Loader, Recorder  
Ryan Carter, City Attorney  
Jason Lethbridge, Planning Manager  
Trace Robinson, Public Works Director  
Sheril Garn, Parks & Public Services Director  
Lisa Dudley, Finance Director  
Angela Trammel, Communications Manager

24 **Citizens:** Michael Johnson, Wyoma Darlington, Tish Buroker, Letitia R. Burder, Doug Folsom, Karol &  
25 Terry Haney, Paul Van Komen, Angela Healy, Todd Bowmar Cameron Francis, Kathy, Greg &  
26 Michelle Hunter, Phil Staggs, Joe & Elvira Lotorica, Rich & Ben Lighten, Nevih Cagle, Frank Cagle,  
27 Bruce Baird, David H. Chavez, Mark J. Healy, Connor P. Healy, Jennifer Hunter, David Retie, Sharon  
28 Rettie, Pat Wilson, Mark Wilson Rob Whitlock, Sharon Lane, Marci & Chris Seegmiller Dorothy Van  
29 Komen, David Van Komen, Lonn & Michelle Rasmussen, Clifford F. Harrison, Marv Hendrickson,  
30 Kriss Young, Dave Hendrickson, Hani Makar. David Coleman, Daniel Strange

31  
32 **1. GENERAL BUSINESS**

33  
34 **1. Call to Order and Roll Call.**

35  
36 [6:30:24 PM](#) Mayor Applegarth called the Riverton City Council Meeting to order at 6:30 p.m.  
37 and conducted a roll call. Council Members Johnson, Staggs, Stewart, Tingey, and Wayman  
38 were present.

39  
40 **2. Pledge of Allegiance – Ryan Tanner.**

41  
42 **3. Presentations/Reports-** No Presentations or Reports at this time.

43  
44 **1. Recognition of Boy Scout Troops** Ryan Tanner, and Boy Scout Troop  
45 Number 1425 was recognized.

46  
47 **2. Presentation of Utah Local Governments Trust 2014 TAP Award**

1 [6:33:37 PM](#) Doug Folsom, Utah Local Governments Trust, presented a Trust Accountability  
2 Program (TAP) for safety. Ryan Carter, Kim Dean and Trish Dixon were commended for their  
3 efforts in helping the City attain this award.

### 4 5 **3. Report from Miss Riverton Lindsey Gill**

6  
7 [6:37:20 PM](#) Miss Riverton Lindsey Gill discussed her platform of safety in driving and not being  
8 distracted. She also announced her plan for collecting 10,000 shoes for an African Relief Project.

### 9 10 **4. Public Comments.**

11  
12 Mayor Applegarth called for public comments.

13  
14 [6:41:16 PM](#) Mark Healy, resident living on Lampton View Way, said his road had been  
15 resurfaced and speed bumps were not re-installed. He was concerned with skate boarders going  
16 down the street too fast. He asked if speed bumps were going to be installed on Lampton View  
17 Way.

18  
19 [6:42:51 PM](#) Council Member Trent Staggs requested Mr. Healy's contact information.

20  
21 There were no further public comments and Mayor Applegarth closed the public comment  
22 period.

## 23 24 **2. PUBLIC HEARINGS**

### 25 26 **1. Public Hearing – Proposed amendments to Title 17, Subdivisions, Section** 27 **17.20.010, repealing section (3), which addresses security gates on public streets,** 28 **Amendments proposed by Riverton City**

29  
30 [6:43:30 PM](#) Jason Lethbridge, Planning Manager, explained that in spring of 2013, the City  
31 Council reviewed a request for the installation of an emergency vehicle gate on Reeve's Lane in  
32 Riverton City. As part of that review process, he said the Riverton City Attorney determined that  
33 Riverton City's ordinance regulating streets prohibited closure of the north end of Reeve's Lane  
34 because Riverton City Code prohibits cul-de-sacs in excess of 450 feet in length. There was also  
35 a concern that completely sealing off Reeves Lane from connecting with property further to the  
36 north could trigger a regulatory taking claim against the City. The ultimate solution was an  
37 amendment to the Riverton City Code that empowered the Riverton City Council to authorize a  
38 security gate in lieu of opening a roadway to comply with cul-de-sac standards under City  
39 ordinance. The ordinance permitting a security gate, however, was freighted with criteria so  
40 specific that it seemed implausible and could be used to authorize a security gate in any other  
41 location of Riverton City. The ordinance was presented to the Council for review of the proposed  
42 repealing.

43  
44 Mr. Lethbridge said on August 13, 2015, the Planning Commission voted to recommend denial  
45 of the proposed ordinance amendment.

46  
47 [6:45:08 PM](#) Mayor Applegarth opened the public hearing and invited public comments.  
48

1 [6:45:34 PM](#) Cameron Francis, a resident from Reeves Lane, asked the residents on Reeves Lane  
2 in attendance to show by raise of hands if they wanted the City Council to leave the existing  
3 ordinance on the books and the majority of the residents in the room raised their hands.  
4

5 [6:48:23 PM](#) Jason Meaders spoke in favor of keeping the ordinance as it existed. He spoke of the  
6 jersey barricades that were being used in the Reeves Lane area. His understanding was that they  
7 would be removed once the subdivision was complete and new homes were occupied. He asked  
8 that the security gate ordinance remain on the books.  
9

10 [6:49:40 PM](#) Tish Buroker, lives on Riverwalk Dr., which she said was currently the only access  
11 to Reeves Lane. She expressed opposition to the gate for the following reasons: safety, civic fair  
12 mindedness, preferential and precedence. She encouraged the Council to act for the good of the  
13 entire City by amending the ordinance so that a gate could not be placed on that street.  
14

15 [6:53:09 PM](#) Brenda McCann, Riverwalk Dr., urged the Council to keep the ordinance for future  
16 reference. She expressed safety concerns for Reeves Lane.  
17

18 [6:54:37 PM](#) Angela Healy asked Council Members why the ordinance was to be lifted right now.  
19 She said she was watching every day and was certain that traffic would increase once the  
20 barricades were removed. She reminded the Council that the issue was considered and approved  
21 two years ago and for safety reasons it should not be disallowed.  
22

23 [6:57:32 PM](#) Paul Van Kommen, Reeves Lane, commented that at the June 16 Council Meeting  
24 the gate issue was approved as a budget item. He said that there had not been a traffic study on  
25 the street and asked the Council to leave the gate ordinance on the books so that a hasty decision  
26 would not be made.  
27

28 [7:02:56 PM](#) There were no further comments; Mayor Applegarth closed the public hearing.  
29

30 [7:03:07 PM](#) Council Member Trent Staggs asked if the ordinance needed to be in place while the  
31 jersey barriers were up.  
32

33 [7:04:18 PM](#) City Attorney Ryan Carter said that the placement of the jersey barricades and the  
34 justification for their placement had nothing to do with the ordinance that was being considered.  
35 He said that, in order to prevent construction truck traffic on Reeves Lane, the City opted to use  
36 jersey barricades as a temporary, preventative measure to help enforce the truck route ordinance.  
37 He said as construction traffic decreased and the project was near completion, the City would  
38 evaluate the appropriate time to remove the barricades.  
39

40 [7:06:14 PM](#) Mayor Applegarth stated that the barricades would come down when it was legally  
41 feasible.  
42

43 [7:08:16 PM](#) Council Member Johnson asked if the barricades would be removed if one resident  
44 was established and a certificate of occupancy was issued for the new development.  
45

46 City Attorney Ryan Carter stated that the quality of traffic would be monitored in the area and  
47 the decision to remove the barricades would not necessarily be tied to a certificate of occupancy,

1 rather it would be determined by the quality, size and volume of the trucks going through the  
2 area.

3  
4 Council Member Johnson discussed access of the area by emergency response vehicles.  
5

6 [7:09:59 PM](#) Ryan Carter stated that South Jordan City was responsible for the health, safety and  
7 welfare of their residents and the need for emergency response access. He said the City was  
8 working with them on the issue and they would contact us when the homes were near completion  
9 and getting ready for occupancy.

10  
11 [7:11:52 PM](#) Council Member Trent Staggs expressed appreciation to the residents who had been  
12 engaged in the process and he said that opening the connection to South Jordan would distribute  
13 traffic more evenly across the various streets. He said he did not feel it was unreasonable to leave  
14 the ordinance on the books.

15  
16 [7:16:09 PM](#) Council Member Sheldon Stewart **MOVED the City Council approve Ordinance**  
17 **No. 15-13, Amending Section Repealing Riverton City Ordinance 17.20.010 (3), “Security**  
18 **Gate in Lieu of Two Connections to Public Streets within a Subdivision”**. Council Member  
19 Paul Wayman **SECONDED** the motion. Mayor Applegarth called for discussion on the motion.

20 [7:16:33 PM](#) Mayor Applegarth apologized to the residents of Reeves Lane and explained that he  
21 thought he had the ability to put the gate in, but after closer examination of the ordinance he  
22 realized that was not the case. He spoke of the paving of Riverfront Parkway and expressed his  
23 concerns regarding the legal issues regarding the jersey barricades. He recommended tabling the  
24 item until Riverfront Parkway had been paved. [7:22:34 PM](#) City Attorney Ryan Carter  
25 recommended tabling it with a date specific.

26  
27 Council Member Brent Johnson made a substitute motion and **MOVED the City Council table**  
28 **for a period not longer than October 15th to continue looking at the effect that we still have**  
29 **the option to move forward with this or not.** [7:25:13 PM](#) Council Member Trent Staggs  
30 **SECONDED the motion with the clarification that the triggering event be the paving of**  
31 **Riverfront Parkway.** [7:26:48 PM](#) A discussion regarding the October meeting schedule took  
32 place.

33  
34 [7:27:16 PM](#) Council Member Brent Johnson **restated his substitute motion and MOVED the**  
35 **City Council table this issue until the first available Council Meeting nearest to October**  
36 **15<sup>th</sup> for review.** Council Member Trent Staggs **SECONDED** the motion. Mayor Applegarth  
37 called for discussion on the motion. There being none, he called for a roll call vote on the  
38 substitute motion. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-No, Tingey-No,  
39 and Wayman-No. **The motion failed 3 to 2.**

40  
41 Mayor Applegarth called for a roll call vote on **the original motion, that City Council approve**  
42 **Ordinance No. 15-13, Amending Section Repealing Riverton City Ordinance 17.20.010 (3),**  
43 **“Security Gate in Lieu of Two Connections to Public Streets within a Subdivision”** The  
44 vote was as follows: Johnson-No, Staggs-No, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The**  
45 **motion passed 3 to 2.**  
46

1           **2. Public Hearing - Proposed rezone of 8.8 acres located at approximately the**  
2           **North West corner of 1300 West 12600 South to RM-14, currently R-4 and C-G**  
3           **Zones, Keystone Construction, Applicant**

4  
5 [7:30:08 PM](#) Jason Lethbridge, Planning Manager explained that Keystone Construction  
6 submitted an application requesting that eight properties totaling 8.8 acres located at the north  
7 west corner of the intersection of 12600 South 1300 West be rezoned from the existing zoning of  
8 R-4 (Residential 10,000 square foot lots) and C-G (Commercial Gateway) to a new zoning  
9 designation of RM-14 (Residential multi-family 14 dwellings per acre). He said the property  
10 currently split the R-4 and C-G zoning down the middle and current uses of the properties were  
11 residential and limited agricultural. Properties to the north and west were zoned R-4 with a small  
12 parcel zoned C-PO (Commercial Professional Office) at the south west corner. Properties on the  
13 south side of 12600 South were zoned C-G and to the east property was zoned both R-4 and C-  
14 G.

15  
16 Mr. Lethbridge said on July 9, 2015, the Planning Commission voted to recommend denial of the  
17 rezone application.

18  
19 [7:33:17 PM](#) Council Member Tricia Tingey commented on the revitalization of the downtown  
20 area and the need to maintain a Commercial Gateway Zone. She said that once the property was  
21 rezoned residential the commercial opportunity went away. She spoke of the benefit of having  
22 patience with the Western Commercial District.

23  
24 [7:34:13 PM](#) Council Member Trent Staggs commented on the amount of commercial property  
25 the City had and that unsuccessful commercial marketing efforts regarding the proposed property  
26 had been made for a number of years.

27  
28 [7:36:23 PM](#) Council Member Tricia Tingey said that if Trax went down 12600 South, there  
29 would most likely be a stop at 1300 West with little commercial development in place.

30  
31 [7:36:37 PM](#) Council Member Trent Staggs said he felt there would be a higher propensity for  
32 rezoning the property at a higher rate in the future.

33  
34 [7:37:52 PM](#) Mayor Applegarth said that in his experience he had seen that the Council listened  
35 very carefully to the residents and he cautioned the residents to carefully consider what they  
36 asked for.

37  
38 [7:41:16 PM](#) Applicant Matt Lapear, Keystone Construction, said he had met with the neighbors.  
39 He said his company had been dealing with a multitude of possibilities for the site for many  
40 years and their desire was to minimize their footprint while maximizing their sustainability. It  
41 was their opinion that the City Park was the key for the development of the site. He said a good  
42 compromise between what the market suggested and what the neighbors requested was a lower  
43 density product along the bordering residential streets and increasing it along the corridor streets  
44 such as 12600 South and 1300 West. He said the RM-14 application reflected an overall density  
45 of 12.6 units per acre.

46  
47 [7:46:50 PM](#) Mayor Applegarth asked if the perimeter units on the property were all single story.  
48 Mr. Lapear stated that they were all two story with a maximum height of 25 feet.

1 [7:47:33 PM](#) Ryan Hells, Hells Engineering, spoke of a completed Traffic Impact Study on the  
2 project at 12600 South and 1300 West. One result of the study was the need to apply for a  
3 variance from UDOT for the access to the proposed development, as it was currently short of  
4 their standards.

5  
6 [7:55:11 PM](#) Mayor Applegarth opened the public hearing;

7  
8 [7:55:18 PM](#) Russ Lane, resident, said that he had no problem with the low density housing  
9 proposal rather than commercial, however, the R-14 designation scared him and increased traffic  
10 was a big concern.

11  
12 [7:57:15 PM](#) Robert Whitlock, living north of the development, spoke in opposition to a high  
13 density development.

14  
15 [7:58:01 PM](#) Lon Rasmussen, living north of the proposed development, spoke in favor of the  
16 property on 12600 remaining commercial and the interior sections being residential rezone of R-  
17 4 with a horseshoe street for access.

18  
19 [7:58:53 PM](#) Celeste Whitlock expressed his concerns regarding traffic and the young pedestrians  
20 that walk to Artic Circle. She then requested speed bumps in her neighborhood.

21  
22 [8:00:33 PM](#) David Ready, living north of the proposed development, thanked Mr. Hells for his  
23 explanation of the traffic study. He expressed concerns regarding the density of the development,  
24 which he said was too many people for that small of an area.

25  
26 [8:02:17 PM](#) Sharon Ready, a resident and a teacher, expressed concern regarding the number of  
27 children who would be moving into the new housing area and the impact on Rosamond and  
28 Riverton Elementary Schools. She also said the crime rate would increase and requested an RM-  
29 8 Zone.

30  
31 [8:04:00 PM](#) Jon Herman, a resident, said he loved Riverton and felt it was a great place to live  
32 and that the City was being run well. He said the proposed RM-14 was too high density for the  
33 area.

34  
35 [8:05:04 PM](#) Daniel Strange, living north of the development, said he felt a high density  
36 development would devalue the properties in the area. He expressed concerns regarding the  
37 traffic and that off street parking in front of his home would become an issue. He requested an R-  
38 8 Zone.

39  
40 [8:07:55 PM](#) Cal Lugo, a resident in the neighborhood, expressed concern regarding the resale  
41 value of his home with a housing project of such high density in his back yard.

42  
43 [8:08:44 PM](#) Richard Coats, a resident on Quail Ridge, expressed his concerns regarding the  
44 proposed high density units behind him, the size of houses and number of houses. He felt that the  
45 traffic on 1300 West was a problem and would only become worse. He said he was not  
46 supportive of an RM-14 but he supported R-8 zoning.

1 [8:10:40 PM](#) Tish Buroker spoke regarding the Anamas property and home located on the site and  
2 she said it was unfortunate that a method for preservation of older and historic homes was not in  
3 place.

4  
5 [8:11:31 PM](#) David Coleman, resident, expressed his concerns regarding the possibility of Trax  
6 on 12600 South and the need to widen 12600 South. He spoke in favor of residential zoning in  
7 the area but opposed high density.

8  
9 [8:12:32 PM](#) Martin Houk, Lone Peak Realty and Management Broker, said his company had the  
10 west side of the subject property, approximately 5.5 acres, under contract with the Chavez  
11 Family and, as a 25 year veteran of the Real Estate Broker business, he gave a brief history of the  
12 property.

13  
14 [8:16:15 PM](#) Rich Lighten said he was pleased with the current new structures in the downtown  
15 area and felt that the RM-14 was a higher density than most wanted; however, he said sometimes  
16 you have to take what you can get if you want residential.

17  
18 [8:17:23 PM](#) Al Leavitt, resident, said he was concerned about traffic issues and said he had seen  
19 the Walmart trucks using subdivisions to maneuver around. He said he would like the Anamas  
20 and the Chavez families to be able to sell their properties, however, the traffic problems with an  
21 RM-14 would be severe and he requested an RM-8 Zone for the property.

22  
23 [8:19:18 PM](#) Emily Veenedahl, Lampton View, spoke in opposition to the proposed RM-14 Zone  
24 because the increased traffic difficulties would force her to travel north to South Jordan and she  
25 would not be able to spend her time or money in Riverton.

26  
27 There were no further comments; Mayor Applegarth closed the public hearing.

28  
29 [8:20:08 PM](#) Council Member Tricia Tingey said she was still reluctant to let go of the  
30 commercial zoning with the property; however, it appeared the citizens were in favor of  
31 residential. She said her stipulations for voting in favor would include buffering the project with  
32 RM-8. She did not feel it was fair to the existing R-4 property owners to have RM-14 right next  
33 to them.

34  
35 [8:21:17 PM](#) Applicant Matt Lapear restated the benefits of the accessibility to the park, shopping  
36 and dining. He said that down zoning the property was wrong and unheard of.

37  
38 [8:23:56 PM](#) Council Member Paul Wayman said that the residents favored an RM-8 Zone.

39  
40 [8:24:44 PM](#) Applicant Matt Lapear said the property owners would not take the commercially  
41 zoned property to a “down zone” RM-8 Zone but he wanted to be fair to the property owners  
42 with land rights, he felt the proposal was a happy medium.

43  
44 [8:25:44 PM](#) Council Member Tricia Tingey wanted to ensure the adjacent residents with RM-4  
45 Zoning were buffered properly.

46  
47 [8:26:40 PM](#) Council Member Trent Staggs said that Keystone was actually in favor of the  
48 buffering and was going to restrict the overall amount of units in the area to something less than

1 RM-14 in an effort to compromise. He said the maximum height requirement for R-4 was 35 feet  
2 and the developer was willing to cap it at 25 feet. He then spoke of setback requirements and  
3 said there should be a way to create a buffer that would mirror RM-8 private yard space  
4 requirements.

5  
6 [8:29:42 PM](#) Applicant Matt Lapear said that they were open to what Mr. Staggs mentioned and  
7 well as to the buffering suggestions since the beginning of the project. He said that many of the  
8 issues would be addressed during the site plan review.

9  
10 [8:30:59 PM](#) Council Member Sheldon Stewart spoke of the parking situation and was assured by  
11 Mr. Lapear that there was two stall parking for each unit, with additional on street parking,  
12 exceeded the parking requirement by 12-13 total stalls.

13  
14 [8:31:47 PM](#) Council Member Trent Staggs asked Mr. Lapear to address the potential price point  
15 of the units. It was stated by Mr. Lapear that they will be in the \$250,000 - \$300,000 range.

16  
17 [8:33:50 PM](#) Council Member Sheldon Stewart said the development would infuse more money  
18 into Jordan School District.

19  
20 [8:34:32 PM](#) Jason Lethbridge, Planning Manager explained that the City had an RM-12 Zone  
21 available but it was never used anywhere in the City. When the RM-14 Zone was adopted, the  
22 RM-12 Zone was removed so zoning goes from RM-8 to RM-14. He said the RM-12 Zone could  
23 be restated following a process, which would take approximately one month.

24  
25 [8:36:21 PM](#) Mayor Applegarth presented the possibility of tabling the issue to a future meeting  
26 or re-instating the RM-12 Zone text into City Code at a future Council Meeting.

27  
28 [8:36:47 PM](#) Council Member Sheldon Stewart asked if the same thing could be accomplished  
29 with an SD on the RM-14, Special Designation.

30  
31 [8:36:50 PM](#) Jason Lethbridge said that Mr. Stewart was correct and an SD designation would  
32 limit the density.

33  
34 [8:37:47 PM](#) Council Member Sheldon Stewart requested further clarification on the setbacks.

35  
36 [8:37:58 PM](#) Jason Lethbridge, Planning Manager stated that the ordinance does not restrict the  
37 height to 25 feet. The maximum height in the RM-14 Zone is 35 feet. What the applicant is  
38 referring to is a minimum setback from the property line of 25 feet and then one foot for every  
39 foot in building height.

40  
41 **Ordinance No. 15-11 – Rezoning 8.8 acres located at approximately the North**  
42 **West corner of 1300 West 12600 South from R-4 and C-G to RM-14,**  
43 **(Residential Multi-Family with 14 units per acre maximum density)**

44  
45 [8:38:58 PM](#) Council Member Trent Staggs **MOVED** that the City Council approve **Ordinance**  
46 **No. 15-11 – Rezoning 8.8 acres located at approximately the North West corner of 1300**  
47 **West 12600 South from R-4 and C-G to RM-14, Special Designation with the lots to the**  
48 **north and west border of the development property having 25 ft rear setback requirements**

1 **25 ft max height requirement and private yard requirement similar to an RM-8 with an**  
2 **overall density not to exceed 12 units to the acre and amend the Riverton City General Plan**  
3 **from Community Commercial to Medium Density Residential.** Council Member Sheldon  
4 Stewart **SECONDED** the motion. Mayor Applegarth called for discussion on the motion.  
5 [8:41:28 PM](#) Broker Martin Hoke asked if the office building to the west would remain a CPO.  
6 [8:42:07 PM](#) Council Member Paul Wayman commented on the citizens' concerns and said he  
7 would be more supportive of an RM-8 Zone. [8:42:44 PM](#) Council Member Trent Staggs said it  
8 was clear that the residents were in favor of residential over commercial and he felt the motion  
9 had the ability to compromise with a minimal impact with those properties on the north and west.  
10 Mayor Applegarth called for a roll call vote. The vote was as follows: Johnson-No, Staggs-Yes,  
11 Stewart-Yes, Tingey-No, and Wayman- No. **The motion failed 3 to 2.**  
12

13 **3. Public Hearing - Proposed amendments to Riverton City Code Section**  
14 **18.10.070, 'Real property to be kept clean', Amendments proposed by Riverton City**  
15

16 [9:00:52 PM](#) Jason Lethbridge, Planning Manager, explained that the City Council had previously  
17 discussed concerns with current language regarding landscape and property maintenance  
18 requirements for Riverton City. He said, based on that discussion, staff prepared an amendment  
19 to Section 18.10.070, Real Property to be kept clean, which expanded the requirements for  
20 landscaping and property maintenance. He said presented the proposed amendment as follows:  
21

22 **8.10.070 Real property to be kept clean.**

23 ~~It shall be unlawful for any person owning or occupying real property to allow weeds to grow~~  
24 ~~or exist on such property in violation of this chapter, or not to remove from any such property~~  
25 ~~any cuttings of such weeds or any refuse, unsightly or deleterious objects after having been~~  
26 ~~given notice from the ordinance enforcement officer as hereinafter provided.~~  
27

28 ~~(1) Individuals, whether as owner, lessee, tenant, occupant or otherwise, shall be responsible~~  
29 ~~for the continued proper maintenance of all landscaping materials, except as indicated below.~~  
30 ~~Landscaping shall be maintained in good condition so as to present a healthy, neat, and~~  
31 ~~orderly appearance at all times. Landscaping shall be mowed, groomed, trimmed, pruned and~~  
32 ~~watered according to waterwise conservation guidelines to maintain healthy growing~~  
33 ~~conditions and not detract from the appearance of the immediate neighborhood. Landscaping~~  
34 ~~shall be kept virtually free of insects and disease, and shall be kept free from weeds and other~~  
35 ~~volunteer plants. Irrigation systems shall be maintained so as to eliminate water loss due to~~  
36 ~~damaged, missing or improperly operating sprinkler system components. All unhealthy or~~  
37 ~~dead plant material shall be replaced within six (6) months, or the next planting period~~  
38 ~~(spring or fall), whichever comes first; while other defective landscape features shall be~~  
39 ~~removed, replaced or repaired within three (3) months.~~

40 ~~(12) Except that where~~ Where due to the size, location, proximity to buildings, accessibility  
41 or other circumstances regarding certain real property an inspector determines that weeds on  
42 such property, which would otherwise constitute a violation of RCC 8.10.090, do not create a  
43 serious nuisance or fire hazard, or that requiring the removal of such weeds is deemed  
44 impractical, an inspector may:...

45 [9:02:42 PM](#) Council Member Trent Staggs asked if the proposed language conflicted with other  
46 sections of the ordinance.  
47

1 [9:04:02 PM](#) City Attorney Ryan Carter stated that the six inch height was an important standard  
2 to leave in the ordinance.

3  
4 [9:06:56 PM](#) Council Member Paul Wayman said the proposed ordinance would be very difficult  
5 to enforce. He said that it was not equitable and it was forcing people to do things that might be  
6 out of their control. He suggested adding language stating that if people were unable to comply,  
7 the City could have some type of community services group or the community itself perform the  
8 clean up to help out.

9  
10 [9:09:00 PM](#) City Attorney Ryan Carter stated that the ordinance would be applied when someone  
11 has “landscaped” a property, or had taken it from rural farmland to a finished product with  
12 landscaping. He also stated that the standard of “virtually free” was common language in all city  
13 codes. From a prosecution standpoint, the City would be concerned with violations of an obvious  
14 and egregious type.

15  
16 [9:11:37 PM](#) Council Member Tricia Tingey said she was concerned that it might be burdensome  
17 on the elderly.

18  
19 [9:12:54 PM](#) Council Member Sheldon Stewart asked about the need to cross reference the  
20 ordinance with roads, views or engineering requirements regarding line of sight.

21  
22 [9:13:30 PM](#) Mayor Applegarth opened the public hearing.

23  
24 [9:13:43 PM](#) Karol Haney, resident who initiated the issue, said she did so because she lived in a  
25 neighborhood where many houses were in violation of the current landscaping ordinance. Her  
26 neighbor asked for help to clean up his overgrown yard, neighbors pitched in, and he failed to  
27 maintain it. She urged the Council to pass the ordinance.

28  
29 [9:18:47 PM](#) Phil Staggs said he was disappointed in the overgrown weeds and unkempt lawns in  
30 the City. He urged the Council to act and take more pride in the City.

31  
32 [9:20:45 PM](#) Mr. Haney said his property value had suffered because some of his neighbors do  
33 not take care of their yards.

34  
35 [9:21:10 PM](#) John Herman spoke of trash and junk items left in people’s yards.

36  
37 There were no further comments; Mayor Applegarth closed the public hearing.

38  
39 [9:21:44 PM](#) Council Member Sheldon Stewart said that any concerns regarding the elderly  
40 residents who might have trouble complying with the ordinance could be addressed but many  
41 other violations were because the owner no longer lives on the property, which has become a  
42 rental property.

43  
44 [9:23:17 PM](#) Council Member Brent Johnson said that many of the violations discussed were  
45 habitual and do not meet current code, which has caused frustration for the Code Enforcement  
46 Officer.

47

1 [9:24:45 PM](#) Mayor Applegarth discussed the legal process, which he said becomes a difficult  
2 and long process.

3  
4 [9:25:40 PM](#) Jeff Hawker, Assistant City Manager, said once a violation has been established, the  
5 owner had ten days to comply before a notice was issued. If a property was in violation but  
6 found to be vacant, the City could abate the property after thirty days. If a property was in  
7 violation but found to be occupied, the City Prosecutor then proceeds with the process.

8  
9 [9:26:43 PM](#) Council Member Paul Wayman recommended a type of “circuit breaker” language  
10 in the ordinance, which would allow the City to be similar to the County, which would take into  
11 consideration hardship cases and make a judgement call prior to involving the court.

12  
13 [9:29:13 PM](#) Council Member Trent Staggs reminded Council that during the budget process  
14 Code Enforcement requested a part time employee to assist with weed abatement. He felt there  
15 were underutilized funds that could help staff with weed abatement.

16  
17 [9:30:22 PM](#) Jeff Hawker explained that the City has used seasonal employees in the past;  
18 however, if there were a violation that required a witness, it was difficult to get them to appear in  
19 court. He also said the weed abatement account had been \$20,000 and had been reduced to  
20 \$10,000 in the current budget.

21  
22 [9:31:43 PM](#) Finance Director Lisa Dudley confirmed that the weed abatement item had been  
23 \$20,000 each year but it was recently reduced to \$10,000.

24  
25 [9:32:23 PM](#) City Public Works Director Trace Robinson said he had hired two seasonal  
26 employees to assist with weeding, and sign removal.

27  
28 [9:34:42 PM](#) Mayor Applegarth said one more full time Code Enforcement Officer would help to  
29 increase enforcement and could be discussed as a budgetary item.

30  
31 **Ordinance No. 15-12 – Amending Riverton City Code Section 18.10.070, ‘Real**  
32 **Property to be kept clean’**

33  
34 [9:35:00 PM](#) Council Member Trent Staggs **MOVED that the City Council adopt Ordinance**  
35 **No. 15-12 – Amending Riverton City Code Section 18.10.070, ‘Real Property to be kept**  
36 **clean’, as described in Exhibit “A”.** Council Member Sheldon Stewart **SECONDED** the  
37 motion. Mayor Applegarth called for discussion on the motion. Council Members Staggs and  
38 Wayman discussed the possibility of including special needs language at the bottom of the notice  
39 of violation. Council Member Stewart felt the motion was appropriate; however, he suggested  
40 providing information to people with special needs regarding assistance. Mr. Staggs suggested  
41 that key language in the ordinance was “not to detract from the appearance of the immediate  
42 neighborhood”, which would provide the level of discretion needed. Mayor Applegarth called for  
43 a roll call vote. [9:37:46 PM](#). The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes,  
44 Tingey-Yes, and Wayman- Yes. **The motion passed unanimously.**

45  
46 **4. Public Hearing - Proposed Amendments to Riverton City Code Section 6.05,**  
47 **Animals, Establishing a ‘Hobby License’, Amendments proposed by Riverton City**  
48

1 [9:39:51 PM](#) Jason Lethbridge, Planning Manager, explained that Riverton City, prior to  
2 establishing a contract for Animal Control Services with Salt Lake County, had in its ordinance a  
3 ‘Hobby License’ for raising household pets. He explained that a Hobby License lets breeders  
4 keep a certain number of pets above the maximum allowed household pets, under certain  
5 requirements. When Riverton City contracted with Salt Lake County for Animal Control  
6 Services, several sections of ordinance, including the section regarding Hobby Licenses, were  
7 repealed and Riverton City no longer issues or allows Hobby Licenses. He said a question was  
8 asked if the ordinance could be adopted back into City Code to once again to allow Hobby  
9 Licenses.

10  
11 Mr. Lethbridge said the Agenda Item was noticed for a Public Hearing and staff recommended  
12 hearing public comment. Staff also recommended tabling the ordinance to the September 1<sup>st</sup> City  
13 Council Meeting, at which time Staff would finalize the ordinance language with all affected  
14 departments and present it for approval at that meeting.

15  
16 [9:42:10 PM](#) Council Member Brent Johnson **MOVED that the City Council Table Ordinance**  
17 **No. 15-14 - amending Riverton City Code Section 6.05 establishing a “Hobby License” to**  
18 **the September 1, 2015, City Council Meeting.** Council Member Tricia Tingey **SECONDED**  
19 the motion. Mayor Applegarth called for discussion on the motion. There being none, Mayor  
20 Applegarth called for a roll call vote. The vote was as follows: Johnson-Yes, Staggs-Yes,  
21 Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**

22  
23 ***MOVED TO ITEM 3.6 Treasure Estates***

24  
25 **6. Final Plat Subdivision, Treasure Estates Subdivision Phase 2, 12000 South 1500**  
26 **West, R-3 Zone, 22 Residential Lots, Marvin Hendrickson, Applicant**

27  
28 [9:43:23 PM](#) Jason Lethbridge, Planning Manager, explained that Marvin Hendrickson submitted  
29 an application requesting 9.4 acres located at approximately 12000 South 1500 West be  
30 subdivided. He said the property was zoned R-3 (Residential 14,000 square foot lots) and the  
31 property to the north was zoned R-3 and RR-22 (Rural Residential ½ Acre Lots). He said  
32 property to the west was zoned R-3 and R-4 (Residential 10,000 square foot lots) and property to  
33 the south was also zoned R-3. He said that east of the property on the adjacent side of the canal,  
34 property was zoned RR-22.

35  
36 Mr. Lethbridge said the applicant proposed to subdivide 9.4 acres into 22 single family  
37 residential lots larger than 14,000 square feet. He said each new lot within the proposed  
38 subdivision met the minimum lot width, frontage and square footage requirements of the R-3  
39 zoning ordinance. He said there were no animal rights associated with the R-3 zoning and there  
40 were no storm water management ponds in the proposed subdivision.

41  
42 Mr. Lethbridge said on April 23, 2015, the Planning Commission voted to recommend approval  
43 of the site plan application with the following conditions:

- 44  
45 1. Storm drainage systems and installation shall comply with Engineering Department  
46 requirements and standards.  
47 2. Any and all irrigation ditches associated with the property be addressed, with disposition of the  
48 irrigation systems approved by Riverton City and the proper irrigation company or users.

- 1 3. The subdivision shall comply with any and all applicable Riverton City standards and
- 2 ordinances, including the International Building and Fire Codes.
- 3 4. Six foot solid fencing along all lots adjacent to the canal.
- 4 5. Provide evidence of the necessary easements.
- 5 6. Record a boundary survey.
- 6 7. Comply with remaining minor redlines.

7  
8 **9:45:29 PM** Council Member Brent Johnson **MOVED** that the City Council approve  
9 **Application No. 13-1008, Treasure Estates Phase 2, located at 12000 South 1500 West, with**  
10 **the conditions outlined in the Staff Report.** Council Member Trent Staggs **SECONDED** the  
11 motion. Mayor Applegarth called for discussion on the motion. There being none, he called for  
12 a roll call vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes,  
13 and Wayman-Yes. **The motion passed unanimously.**

### 14 15 **3. DISCUSSION/ACTION ITEMS**

#### 16 17 **1. Final Plat Approval, Midas Crossing Phase 2, 11800 South 2700 West, 30 lots,** 18 **Ivory Development, LLC, Applicant**

19  
20 **9:46:06 PM** Jason Lethbridge, Planning Manager, Ivory Development, LLC, submitted an  
21 application for Final Plat approval for the Midas Crossing Phase 2 Subdivision. He said the  
22 application was for 39 lots within the Midas Crossing Development, located at approximately  
23 11800 South 2700 West. He said that development was zoned R-4-SD, with the 'SD' designation  
24 requiring a mix of 1/3 and 1/4 acre lots.

25  
26 Mr. Lethbridge said this was the second phase of development within the subdivision, and it was  
27 on the south west portion of the overall development area. He said Staff reviewed the subdivision  
28 and found it in compliance with the technical requirements of Riverton City's standards and  
29 ordinances.

30  
31 Mr. Lethbridge said that on July 9, 2015, the Planning Commission voted to recommend  
32 approval of the subdivision application with the following conditions:

- 33  
34 1. This phase of the subdivision comply with the overall requirements of the approved  
35 preliminary plat, including the SD designations relating to lot size requirements.
- 36 2. Any and all required fencing be installed prior to the issuance of building permits for this  
37 phase.
- 38 3. Storm drainage systems and accommodation comply with Riverton City standards and  
39 ordinances, and with the recommendations of the Riverton City Engineering Division.
- 40 4. An interim storm drainage and erosion control plan and an access management plan be  
41 approved by the City prior to any construction or grading on the site.
- 42 5. The site and structures comply with any and all applicable Riverton City standards and  
43 ordinances, including staff review requirements and the International Building and Fire  
44 Codes.

45  
46 **9:47:11 PM** Council Member Trent Staggs **MOVED** that the City Council approve the Midas  
47 **Crossing Phase 2 Final Plat, Application Number PL-15-1003, located at approximately**  
48 **11800 South 2700 West, with the conditions outlined in the Staff Report.** Council Member  
49 Tricia Tingey **SECONDED** the motion. Mayor Applegarth called for discussion on the motion.

1 There being none, Mayor Applegarth called for a roll call vote. The vote was as follows:  
2 Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed**  
3 **unanimously.**

4  
5 **2. Single Phase Subdivision, The Creek at Lovers Lane, 3 Lots, 13270 South Lovers**  
6 **Lane, RR-22 Zone, Ridge at Lover’s Lane LLC, Applicant**

7  
8 [9:48:33 PM](#) Jason Lethbridge, Planning Manager explained that The Ridge at Lovers Lane LLC  
9 submitted an application requesting subdivision of land located at 13270 South Lovers Lane. He  
10 said the property was zoned RR-22 (Rural Residential ½ acre lots) and it was surrounded by  
11 properties zoned RR-22 and R-1 (Residential 1 acre lots). He said all surrounding land uses were  
12 compatible land uses.

13  
14 Mr. Lethbridge said the applicant has proposed to subdivide one parcel totaling 4.6 acres into  
15 three smaller lots. Lots one and two would be located on the southern portion of the subdivision  
16 and parcel A, the largest parcel would be preserved for future subdividing. He said Lots 1 and 2  
17 were both larger than 22,000 square feet and exceeded the minimum requirements for lot width  
18 and frontage as required by the RR-22 zoning district. He said each lot would have frontage onto  
19 Lover’s Lane, a publicly owned and maintained right-of-way.

20  
21 Mr. Lethbridge said on July 9, 2015, the Planning Commission voted to recommend approval of  
22 the subdivision application with the following conditions:

- 23  
24 1. Storm drainage systems and installation shall comply with Engineering Department requirements  
25 and standards.  
26 2. Any and all irrigation ditches associated with the property be addressed, with disposition of the  
27 irrigation systems approved by Riverton City and the proper irrigation company or users.  
28 3. The subdivision shall comply with any and all applicable Riverton City standards and ordinances,  
29 including the International Building and Fire Codes.  
30 4. Provide a copy of the U.S. Army Corps of Engineers permit application.  
31 5. The approved plans shall match the U.S. Army Corps of Engineer’ application.  
32 6. [The project shall] comply with all conditions on the U.S. Army Corps of Engineers application.  
33 7. Addressing minor redline comments on the subdivision plat and submitting four sets of properly  
34 signed and stamped plat and drawings.

35  
36 [9:50:33 PM](#) Council Member Tricia Tingey **MOVED that the City Council approve**  
37 **Application No. 14-1001, The Creek at Lovers Lane Subdivision, located at 13270 South**  
38 **Lovers Lane, with the conditions outlined in the Staff Report.** Council Member Sheldon  
39 Stewart **SECONDED** the motion. Mayor Applegarth called for discussion on the motion.

40 [9:50:52 PM](#) Council Member Trent Staggs asked about a document from U.S. Army Corps of  
41 Engineers. There being none, Mayor Applegarth called for a roll call vote. The vote was as  
42 follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion**  
43 **passed unanimously.**

44  
45 **3. Site Plan, Our Journey School DBA Montessori at Riverton, 1646 West 13200**  
46 **South, C-N Zone, Emily Aune, Applicant**

47  
48 [9:51:32 PM](#) Jason Lethbridge, Planning Manager explained that Emily Aune submitted an  
49 application requesting site plan approval for the development of physical infrastructure for a

1 private school at 1646 West 13200 South. He said the property was zoned C-N (Commercial  
2 Neighborhood) and RR-22, and was currently occupied by several structures. He said the  
3 property to the west was zoned RR-22 (Rural Residential ½ acre lots) as was the property to the  
4 east; however, the property to the west, adjacent to Redwood Road, included vacant property and  
5 an existing legal nonconforming commercial business, Barrett’s Blossoms. The property to the  
6 north was also zoned RR-22.

7  
8 Mr. Lethbridge said the application was primarily for the installation of a parking/turn-around  
9 area on the site. The parking area included 23 parking stalls, and queuing space for up to 30  
10 vehicles. He said that one of the conditions under the C.U.P. was for parking and stacking to  
11 occur off-street, and the parking area would allow for that to occur with the projected capacity of  
12 the school. The parking area also included a bulb at the north end to accommodate turn-around  
13 movement for vehicles.

14  
15 Mr. Lethbridge said that on July 9, 2015, the Planning Commission voted to recommend  
16 approval of the site plan application with the following conditions:

- 17  
18 1. The site and infrastructure shall comply with any and all requirements of the approved  
19 Conditional Use Permit(s).  
20 2. Fencing on the north property line shall consist of solid core decorative concrete fencing at a  
21 minimum height of six (6) feet.  
22 3. Storm water management on site, including the proposed storm water pond, be constructed in  
23 accordance with a design approved by the Riverton City Engineering Department.  
24 4. Any and all irrigation ditches, weirs, etc. on or associated with this site be addressed in  
25 compliance with Riverton City standards and ordinances, and as approved by the appropriate  
26 water company/ditch master.  
27 5. Construction of the parking lot and associated infrastructure not commence until final approval of  
28 the technical drawings.  
29 6. The site and structures comply with any and all applicable Riverton City standards and  
30 ordinances, including the International Building and Fire Codes.

31  
32 [9:57:32 PM](#) Josh Aune, a volunteer board member of Our Journey Montessori School, said they  
33 had a successful first year and have typical as well as special need children attending.

34  
35 [10:01:52 PM](#) Bruce Baird, Attorney, discussed compatible as well as non-compatible fencing  
36 requirements established by the City. He stated the application from Our Journey had been  
37 submitted prior to the recent Ordinance change. He discussed the neighboring properties with  
38 animal rights and a request from the owners of Our Journey for a one year extension on the  
39 City’s fencing requirement.

40  
41 [10:03:58 PM](#) Council Member Brent Johnson mentioned the disrepair of the barn on site and felt  
42 the installation of the fence could be deferred for one year, as long as the children were being  
43 protected from exposure to the parking lot, or the field east of the parking lot without  
44 supervision.

45  
46 [10:05:41 PM](#) Josh Aune stated that chain link fencing had been installed on the property and that  
47 the barn was used for storage only, which the kids did not have access to. He also stated there  
48 was fencing between the play area and the parking lot.

49

1 [10:07:56 PM](#) Council Member Brent Johnson **MOVED** that the City Council approve the Site  
2 **Plan for the Montessori School located at 1646 West 13200 South, with the conditions**  
3 **outlined in the Staff Report with the modification of Item No.2, allowing half of that fence**  
4 **to be constructed under the conditions agreed upon by the owner of Montessori and the**  
5 **residents to the north.** Council Member Trent Staggs **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  
10 **4. Resolution No. 15-62- Adopting Rules of Order and Procedure for Public**  
11 **Meetings of the Riverton City Council**

12  
13 [10:09:54 PM](#) City Attorney Ryan Carter explained that the Utah State Legislature passed House  
14 Bill 267 in the 2011 General Session, which requires political subdivisions to adopt Rules of  
15 Order and Procedure. The Rules of Order and Procedure for public meetings of the Riverton  
16 City Council have been prepared and were provided to the Council. He said House Bill 267  
17 required that the Rules of Order and Procedure generally address the following (3) issues:

- 18 1. Rules of Parliamentary Order and Procedure
- 19 2. Ethical Behavior; and
- 20 3. Civil Discourse

21  
22 Mr. Carter said that, once adopted, the Rules of Order and Procedure could be amended by the  
23 City Council from time to time. He said the Council could consider whether they would like to  
24 adopt a resolution authorizing standards by which the Council would entertain providing its  
25 advice and consent to the Mayor's appointment of individuals to administrative positions. He  
26 said the City Attorney's Office drafted the following set of standards for the Council to consider:

27 ~~—3.15~~

28 **3.15 Granting Advice and Consent for Appointment of Nominees to Administrative City**  
29 **Positions**

30  
31 1. Overview. Riverton City provides municipal services through the operation of  
32 several different public City department. Generally, each department operates under  
33 an Administrative Department Head who serves as the administrator for the  
34 appurtenant department. Moreover, positions such as the City Engineer, the City  
35 Treasurer and the City Recorder are required to be appointed by the Mayor, with the  
36 advice and consent of the City Council [See Utah Code Section 10-3-916].  
37 Therefore, in all instances where an-City public official is to be appointed by the  
38 Mayor, and the Mayor is either required by law to obtain the advice and consent of  
39 the City Council, or otherwise solicits the advice and consent of the City Council  
40 before appointment, the following guidelines should be followed before the City  
41 Council is presented with a nominee for appointment to an Administrative City  
42 Positions.

43  
44 a. Screening of Nominees by the Mayor. Some quantum of information should be  
45 supplied by the Mayor's office to account for the process which the Mayor  
46 used to consider persons eligible to become a nominee for the appointed  
47 position. Such information should include, at a minimum: 1) a statement  
48 describing the efforts undertaken by the City to inform interested persons that  
49 an appointed position is open for eligible candidates to submit an application

1 for employment; and 2) the number of applicant's screened for the appointed  
2 positon.

3  
4 b. Statement of Qualifications for Mayor's Nominee. Some information should be  
5 provided which accounts generally for the professional qualifications of the  
6 nominee, and why said qualifications make the nominee suitable for the  
7 available administrative position.

8  
9 c. Availability of Nominee for Questioning by the City Council. The Nominee  
10 must be presented to the City Council during a regularly scheduled meeting of  
11 the Council for questioning regarding the Nominee's appointment to the  
12 available position.

13  
14 d. Adoption of a Resolution Granting Consent to Appointment. The City Council  
15 shall express its granting of consent, or withhold the same as the case may be,  
16 by adoption of a resolution to be presented to the Council at the meeting  
17 wherein the nominee is presented to the Council for consideration

18  
19 10:17:26 PM Council Member Tricia Tingey **MOVED** that the City Council approve  
20 **Resolution No. 15-62 - adopting Rules of Order and Procedure to provide guidelines for**  
21 **providing advice and consent to appointment of administrative positions by the Mayor**  
22 **with the striking of the word "City" from section 3.15 subsection 1.** Council Member Paul  
23 Wayman **SECONDED** the motion. Mayor Applegarth called for discussion on the motion.  
24 There being none, he called for a roll call vote. The vote was as follows: Johnson-Yes, Staggs-  
25 Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**

## 26 27 **5. Process for choosing a Riverton Historical Society and potential funding**

28  
29 10:19:33 PM Council Member Paul Wayman said that volunteers were very important in the  
30 City and there were volunteers in a Historical Society that wanted to keep track of what was  
31 happening in the City and they want to apply for grants. He said he would like to see the City  
32 recognize the Historical Society and fund the group with \$1,000.

33  
34 Council Member Tricia Tingey said the item was only to select a process for creating a Historical  
35 Society, not the actual group.

36  
37 Council Member Paul Wayman said a society already existed and the item could be put on the  
38 September 1st agenda.

39  
40 10:22:14 PM Council Member Sheldon Stewart said that he was in favor of supporting a  
41 Historical Society; however, he said that the requirements needed to be discussed and established  
42 first. His concern was that the current group was using historical items that were given to them  
43 by the City, which had then been used to portray the City in a negative light. He spoke in support  
44 of a Historical Society but not a group who promotes a negative atmosphere within the City.

45  
46 10:23:13 PM Council Member Trent Staggs asked if the Historical Society was responsible to  
47 become accredited on their own or if that was the City's responsibility.

48  
49 10:23:48 PM City Attorney Ryan Carter said that in the June 16, 2015 Budget Meeting, Council  
50 decided to fund a Historical Society with the caveat that the Historical Society be approved by

1 the Council, which was both incorporated with the State of Utah and accredited with the State  
2 Historical Society, and was open to a Council Audit.

3  
4 Mr. Carter explained the Utah Division of State History has outlined a clear process on their  
5 [Heritage.Utah.Gov](http://Heritage.Utah.Gov) website for a Certified Local Government (CLG). They do not have a  
6 process for recognizing accredited private nonprofit entities, which there was a misunderstanding  
7 about the process for some time. He said for many years the City had been aware that there was a  
8 nonprofit entity in existence in Riverton City. The City's history demonstrated that at one time  
9 Riverton City was a CLG. Steps that were required by the State were followed to become a CLG,  
10 which are totally different from creating a nonprofit entity. Mr. Carter explained that to become a  
11 CLG, a Historic Preservation Ordinance needs to be adopted. In order to carry out the  
12 administrative functions required under that ordinance such as cataloguing historic sites,  
13 documenting historic buildings before they are destroyed, etc., which are some of the things the  
14 ordinance requires the City Staff to do operating through a commission or a committee. The  
15 commission or committee would then be appointed by the City to carry out the functions. If all  
16 these requirements from the Utah State Division of History are performed, you become a CLG.

17  
18 Mr. Carter said Riverton City adopted an ordinance at one time and organized a commission or  
19 group of volunteers, including Mr. Bashore, Mr. Crump and others. The original CLG  
20 Commission Members were simultaneously also on a nonprofit entity board and served dual  
21 functions. The function of the nonprofit entity at that time, which was in 1984, was to serve as a  
22 wing by which people could comfortably provide charitable donated funds for programing that  
23 would be operated by both the nonprofit entity and Riverton City's Historic Commission. As far  
24 as the State is concerned they recognize municipalities who are CLG's.

25  
26 [10:28:33 PM](#) Council Member Trent Staggs **MOVED that the City Council Table this item to**  
27 **the September 1<sup>st</sup> Council Meeting, then modified it to the October 1st meeting.** Council  
28 Member Sheldon Stewart **SECONDED** the motion. [10:29:20 PM](#) Mayor Applegarth called for  
29 discussion on the motion. [10:30:43 PM](#) There being none, he called for a roll call vote. The vote  
30 was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The**  
31 **motion passed unanimously.**

#### 32 33 **4. CONSENT AGENDA**

34  
35 [10:32:35 PM](#) Mayor Applegarth presented the following Consent Agenda:

- 36
1. **Minutes:** N/A
  2. **Bond Releases:**
    1. Villages at Park Avenue (West) Phase 1 – 100% Warranty
    2. Holy Trinity Lutheran (Landscaping) Church – 90% Performance
    3. Summerwood Estates Phase 4 – 100% Warranty
  3. **Resolution No. 15-59** - Approving the execution of a Stormwater Easement between Riverton City and PacifiCorp – Trace Robinson, Public Works Director
  4. **Resolution No. 15-60** – Ratifying the approval of a Change Order given to England Construction to complete the Margaret Park Subdrain Project – Craig Calvert, Purchasing Manager
  5. **Resolution No. 15-61** - Ratifying an emergency purchase to Widdison Turbine

Service to repair the Hill Well Booster Pump - Craig Calvert, Purchasing Manager

1  
2 [10:32:42 PM](#) Council Member Tricia Tingey **MOVED** that the City Council approve the  
3 **Consent Agenda** Council Member Brent Johnson **SECONDED** the motion. Mayor Applegarth  
4 called for discussion on the motion. There being none, he called for a roll call vote. The vote  
5 was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The**  
6 **motion passed unanimously.**

## 7 8 **5. STAFF REPORTS**

9  
10 Lance Blackwood, City Manager,

## 11 12 **6. ELECTED OFFICIAL REPORTS**

13  
14 **Mayor Applegarth** – No Report.

15  
16 **Council Member Johnson** - No report.

17  
18 **Council Member Staggs** [10:33:18 PM](#) said he would like the Council to review the zoning for  
19 the remaining properties near the park. He thanked staff for working with Margaret Park issues.

20  
21 **Council Member Stewart** [10:35:43 PM](#) thanked staff for help with trees near Monarch  
22 Meadows. He then discussed some landscaping issues on Morning Cloak.

23  
24 **Council Member Tingey** [10:36:33 PM](#) discussed issues regarding the current four (4) foot  
25 fences located near the homes in Oxford Farms. The citizens in the area are requesting six (6)  
26 foot privacy fences. She said originally the space was to be left open and now there are trails and  
27 homes. She said they are feeling vulnerable and are requesting an amendment to the original site  
28 plan fencing requirement. She then thanked Trace Robinson and staff for helping with trails in  
29 District 2. She was very pleased with the activities in the new park and commended Parks and  
30 Recreation for their programming work.

31  
32 **Council Member Wayman** [10:38:27 PM](#) reported that he attended the art exhibit and open  
33 house at the Dome Meeting Hall and was pleased. He said he would like another open house  
34 regarding the potential Trax route on 12600 South. [10:38:59 PM](#) Mayor Applegarth said that  
35 there are two more scheduled UTA Trax Open Houses scheduled, one in October and another in  
36 January with additional information available at “What’s’ Up in Riverton” in September. He said  
37 UTA is also scheduled to return to the City Council with information and a report in early  
38 February.

## 39 40 **7. UPCOMING MEETINGS**

41  
42 Mayor Applegarth reviewed the following upcoming meetings:

- 43
1. August 25, 2015 – Regular City Council Meeting – 6:30 p.m. - Canceled
  2. September 1, 2015 – Regular City Council Meeting – 6:30 p.m.
  3. September 15, 2015 - Regular City Council Meeting – 6:30 p.m.

1 **8. ADJOURN**

2  
3 [10:41:36 PM](#) Council Member Sheldon Stewart **MOVED to adjourn.** Council Member Brent  
4 Johnson **SECONDED** the motion. Mayor Applegarth called for discussion on the motion.  
5 There being none, he called for a vote. There being none, he called for a roll call vote. The vote  
6 was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The**  
7 **motion passed unanimously.** The Regular City Council Meeting adjourned at 10:41 p.m.

8  
9 **Approved:** Pending Minutes

Pending Minutes

1  
2  
3  
4  
5  
6  
7  
8  
9

**Riverton City**  
**REGULAR CITY COUNCIL MEETING**  
**Minutes**  
**September 1, 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 Lisa Dudley, Finance Director

28  
29  
30 **Citizens:** Michael Johnson, Wyoma Darlington, Norma Bench, Steve Maddox, Robert Thrasher, Ryan  
31 Thrasher, Matt Basham, Steve Condie, Dennis Toland, Eric Toland, Eric Wright, Juan & Angie  
32 Hernandez, Phil Staggs, Brian Taylor, Amber Ahlberg, Russell Perkins, Lisa Totorica, Tina Burgen

33  
34 **1. GENERAL BUSINESS**

35  
36 **1. Call to Order and Roll Call.**

37  
38 Mayor Applegarth called the Riverton City Council Meeting to order at 6:30 p.m. and conducted  
39 a roll call. Council Members Johnson, Staggs, Stewart, Tingey, and Wayman were present. City  
40 Manager Lance Blackwood was excused.

41  
42 **2. Pledge of Allegiance – Boy Scout Ryan Thrasher, Troop 922**

43  
44 **3. Presentations/Reports**

45  
46 **1. Recognition of Boy Scout Troops 922, 180, & others**

47  
**4. Public Comments.**

Mayor Applegarth called for public comments.

Michael Johnson recommended that an entrance to the City Hall parking lot be repaired to eliminate standing water. Mayor Applegarth explained that Redwood Road was a State road, which was maintained by Utah Department of Transportation (UDOT) but Public Works Director Trace Robinson would inspect that area and report it to UDOT for their consideration.

1 Mr. Johnson continued and said that he had received complaints from residents regarding the  
2 increase in the water rates and the residents said they were not made aware of the changeover  
3 and the increase. Mr. Johnson said he informed the residents of the public awareness process that  
4 occurred prior to the changeover and he invited them to attend City Council Meetings.  
5

6 Matt Basham said he owned a drone and asked the Council if they would be interested in having  
7 him producing a video of the Riverton area with drone footage at no cost, which he said could be  
8 used as part of the City's social media. The Council expressed interest and Mayor Applegarth  
9 said the information would be forwarded to Angela Trammell, Communications Manager, who  
10 would coordinate a video with the Council Members and Mr. Basham.  
11

12 Brian Taylor, Taylor's Bike Shop Plaza, said he represented eight business owners in his  
13 business plaza and he said those eight businesses were opposed to Utah Transit Authority (UTA)  
14 Trax running down 12600 South. He said because those businesses rely on local traffic, they felt  
15 that access to their businesses would become limited and Trax would not be a benefit to them.  
16 He also expressed concern for the safety of the school students that cross 12600 South at 2700  
17 West. Mayor Applegarth recommended that Mr. Taylor present his comments and concerns at  
18 upcoming UTA Public Hearings and he outlined the process and the dates of those hearings.  
19

20 Brief discussion was held regarding the Trax preferred route for Riverton City and the process  
21 for the outcome.  
22

23 Dirk Widdison spoke of past windstorms in his area that had blown in many tumbleweeds from  
24 Herriman properties. He asked what he and his neighbors could do to remove the tumbleweeds  
25 as they blew in. Public Works Director Trace Robinson said that the City had provided a  
26 dumpster in the past for the collection of tumbleweeds but the dumpster filled up with large  
27 items, which made it very costly to dispose of. Mayor Applegarth asked Mr. Widdison to work  
28 with Council Member Stewart regarding the matter. Council Member Staggs suggested that it  
29 may be possible to work with Herriman City for a solution.  
30

31 There were no further public comments; Mayor Applegarth closed the public comment period.  
32

## 33 2. PUBLIC HEARINGS

### 34 1. Public Hearing – Edge Homes is requesting rezone of 28.29 acres located at 35 12989 S Cactus Berry Drive from RR-22 to RM-18-SD, allowing a mix of single 36 and multi-family units with a maximum overall density of 18 units per acre 37 38

39 Jason Lethbridge, Planning Manager, explained that Steve Maddox, representing Edge Homes,  
40 applied for a rezone of 28.29 acres located at 12989 South Cactus Berry Drive. He said the  
41 property was zoned RR-22 (single family designation with ½ acre minimum lot size). He said the  
42 properties to the north were zoned SP-R-8 as part of the Western Springs Specific Plan, which  
43 allowed for single-family development with a minimum lot size of 5,000 square feet. He said the  
44 property was bordered on the east by the Mountain View Corridor and on the south and west by  
45 Herriman City.  
46

47 Mr. Lethbridge further explained that the applicant proposed a rezone of the property to RM-18,  
48 which allowed multi-family development at a maximum density of 18 units per acre. However,

1 the applicant proposed a Specific Development Designation on the property, which allowed for  
2 modifications of the underlying zone. He said the SD had been utilized by the City in several  
3 recent projects as a way to add additional limitations and restrictions on property while at the  
4 same time allowing alternative setbacks, variations on unit types, and other modifications. He  
5 said the applicant proposed through the SD designation a mix of single family, townhome, and  
6 apartment style units. The transition in density and unit type runs basically north to south,  
7 buffering the existing single-family lots in Western Springs with single family units.

8  
9 Mr. Lethbridge displayed a vicinity map of the proposed rezoned property development, Western  
10 Springs and the Herriman Towne Center, and explained that the overall density and mixture of  
11 unit types within the proposed development was consistent with development patterns in the  
12 surrounding area. He said Western Springs, to the north, included a mix of single family,  
13 townhome and apartment units, as does the Monarch Meadows development further south across  
14 13400 South. He said the Herriman Towne Center development, adjacent to the west and south,  
15 included existing and proposed single and multi-family developments, and also commercial  
16 development. He further explained that Utah Transit Authority (UTA) and other agencies were  
17 currently involved in the study phase of a proposed rapid-transit line that would run directly  
18 south of the property, with a potential station in close proximity. He said the higher residential  
19 densities proposed for the southern end of the project would be very consistent with the  
20 principles of transit oriented development.

21  
22 Mr. Lethbridge said that one of the primary concerns with the property was traffic generation.  
23 He said the project would connect to the north with Cactus Berry Drive in the Western Springs  
24 development, which was currently the only existing roadway accessing the property. He said  
25 several other points of connection to the property were proposed; however, two points of access  
26 would be required for significant development of the property, and the applicant was aware of  
27 those restrictions. He also said that a traffic study had been completed for the property and  
28 project.

29  
30 Council Member Tricia Tingey asked if Herriman City were obligated to match the roadways  
31 proposed by the developer and Mr. Lethbridge said that were not. Further discussion continued  
32 regarding access roads and Mayor Applegarth said that the City was only in control of one way  
33 in and one way out of the proposed development.

34  
35 Mr. Lethbridge continued his presentation and spoke of an open space requirement, he then said  
36 the Planning Commission voted to recommend approval of the rezone application with the  
37 following conditions:

- 38  
39 1. The property and project shall comply with the included RM-18-SD zone, as approved.  
40 2. Overall density shall not exceed eighteen (18) units per acre.  
41 3. Exterior perimeter fencing shall comply with Riverton City Ordinance 18.155, fencing.  
42 4. All open spaces shall be included in a landscape plan to be approved as part of subdivision  
43 and/or site plan applications.  
44 5. Development will be limited to 30 units on a single point of access, subject to site plan approval.

45  
46 Brief discussion was held regarding fencing requirements.  
47

1 Steve Maddox, Developer, presented information regarding the proposed development and said  
2 they had met with Momentum and Herriman City and they had acquired an easement and it  
3 would be dedicated as part of Phase 1 of their development. He then explained that Momentum  
4 was a property owner in Herriman City and they desired connectivity to their development from  
5 the proposed Edge Home development. He spoke of water, open space, and he presented detailed  
6 images of their proposed development.

7  
8 Jaron Nichols, Edge Homes, presented information regarding UTA criteria for the proposed Trax  
9 line.

10  
11 Steve Maddox, Developer, requested Council's approval of the proposed project and explained  
12 that they had not asked to exceed the overall unit count that was presented.

13  
14 Mr. Maddox then addressed questions from Council Members and discussion continued  
15 regarding the proposed project.

16  
17 Mayor Applegarth opened a public hearing and invited public comments.

18  
19 Gerald White spoke in opposition to additional higher density housing in his neighborhood and  
20 recommended more single family homes.

21  
22 Tyler Merrill spoke in favor of single family homes and said with the surrounding high density in  
23 their neighborhood they are losing their connection with their neighbors. He said if single family  
24 homes were built, people would come and buy those homes; he said there was a need for  
25 additional high density housing in their area.

26  
27 Dirk Widdison spoke in favor of more single family homes to preserve their sense of unity in  
28 their neighborhood, schools and church. He asked the Council to please consider their  
29 community.

30  
31 Russ Perkins said he did not feel the proposed development compared to Western Springs and  
32 said he did not feel that the proposed density should be allowed. He spoke of increased traffic  
33 that would occur in their area and he urged that construction not be allowed to begin until a  
34 lighted intersection on Mountain View Corridor was installed to help mitigate the increased  
35 traffic that the development would create.

36  
37 Amber Ahlberg expressed concern with the way the proposed development was segmented and  
38 she requested that more compromise occur.

39  
40 Angela Merrill expressed her concern that their neighborhood would be surrounded by Trax and  
41 the Mountain View Corridor. She said she would like to see more single family homes and  
42 townhomes, and less or no apartments.

43  
44 Bryce Davis expressed his concerns regarding traffic on existing congested roads in their  
45 neighborhood.

46

1 Brett Cummings said their neighborhood was no longer a community and asked if the Council  
2 had given thought to increased crime rates and increased school populations. He also expressed  
3 concerns regarding traffic and asked the Council to listen to the residents.

4  
5 Tina Burgen said she agreed with the comments previously given and said she favored single  
6 family homes. She also expressed concerns regarding traffic, the Trax line and Mountain View  
7 Corridor.

8  
9 Phil Staggs commented and said he appreciated the quality presentation by Edge Homes.

10  
11 There were no further comments; Mayor Applegarth closed the public hearing and asked for  
12 questions or comments from the City Council.

13  
14 Council Members Staggs and Stewart directed questions to Mr. Lethbridge regarding zoning  
15 requirements, setbacks and density for the proposed development.

16  
17 Steve Maddox, Developer, again addressed the City Council and thanked them for their  
18 consideration.

19  
20 Council Member Johnson requested additional clarification on the SD (Specific Development)  
21 Zoning designation and said he was not in favor of 25 units per acre. Mr. Lethbridge gave further  
22 explanation regarding a SD designation.

23  
24 Council Member Stewart said that having housing options available was important and he spoke  
25 of the importance of having a balance between the adjacent property owners and the developer.

26  
27 Council Member Johnson clarified that his previous comments were not meant as a discredit to  
28 Edge Homes.

29  
30 **Ordinance No. 15-15 – Rezoning 28.29 Acres located at 12989 South Cactus Berry**  
31 **Drive from RM-22 (Residential Single Family, ½ Acre Minimum Lot Size) to RM-**  
32 **18-SD (Residential Multi-Family, 18 Units per Acre Maximum Density with**  
33 **Specific Development Designation)**  
34

35 Council Member Trent Staggs commented that his questions were addressed in the presentation;  
36 he then commented on public safety issues and the number of UPD Officers the development  
37 would necessitate. He also expressed concern regarding open space, and the Developer said they  
38 would be willing to decrease the unit count to comply with the open space requirement; he said  
39 that if there were a number of units, rather than 25 units, that they could consider, he preferred  
40 that rather than returning with a alternate proposal.

41  
42 Council Member Staggs **MOVED the City Council approve Ordinance No. 15-15 - Rezoning**  
43 **28.29 Acres located at 12989 South Cactus Berry Drive from RM-22 to RM-18-SD with**  
44 **Specific Development Designations as shown in Exhibit “A”, added thereto from Staff**  
45 **Report No. 5. that development, a secondary access will need to be present for construction**  
46 **activity of homes to commence and the open space requirement be upped to 25% in the**  
47 **overall project.** City Attorney Ryan Carter requested clarification of construction activity.  
48 Council Member Staggs continued his motion to **build a paved road with two access points**

1 **before any further development activity can occur.** Council Member Stewart offered a  
2 friendly amendment and Council Member Staggs agreed to **include language to cover the 8**  
3 **foot height on the east, as well as the collector roads be maintained as public.** Council  
4 Member Sheldon Stewart **SECONDED** the motion. Mayor Applegarth called for discussion on  
5 the motion. Council Member Johnson recommended the 25 units per acre be changed and limited  
6 to 18 units per acre. Council Member Staggs requested a vote on the original motion. Mayor  
7 Applegarth called for a roll call vote. The vote was as follows: Johnson-No, Staggs-Yes,  
8 Stewart-Yes, Tingey-No, and Wayman-No. **The motion failed 3 to 2.**  
9

10 Following further discussion, Council Member Brent Johnson **MOVED the City Council**  
11 **approve Ordinance No. 15-15 - Rezoning 28.29 Acres located at 12989 South Cactus Berry**  
12 **Drive from RM-22 to RM-18-SD with Specific Development Designations as shown in**  
13 **Exhibit “A”, added thereto from Staff Report No. 5. that development, a secondary access**  
14 **will need to be present for construction activity of homes to commence and the open space**  
15 **requirement be upped to 25% in the overall project, to build a paved road with two access**  
16 **points before any further development activity can occur, and change the high density to 18**  
17 **versus 25 units.** Council Member Sheldon Stewart **SECONDED** the motion. Jason Lethbridge  
18 asked that a drawing be included with the motion and Council Members Johnson and Stewart  
19 agreed. Mayor Applegarth called for discussion on the motion. There being none, he called for a  
20 roll call vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and  
21 Wayman-Yes. **The motion passed unanimously.**  
22

23 **2. Public Hearing - Juan Hernandez is requesting property located at 12524 South**  
24 **Doreen Drive be rezoned from C-D to C-D EHOV (Commercial Downtown**  
25 **Elderly Housing Overlay)**  
26

27 Jason Lethbridge, Planning Manager, explained that Juan Hernandez submitted an application  
28 requesting that an existing vacant parcel of land located at 12524 South Doreen Drive be rezoned  
29 attaching an Elderly Housing Overlay to the C-D zoning of the property. He said to the north of  
30 the subject parcel property was zoned R-4 (Residential 10,000 square foot lots), and to the west  
31 property was zoned RM-8-D (Residential Multi-family 8 Dwellings per Acre). Also, to the south  
32 property was zoned C-D (Commercial Downtown) and was currently utilized as commercial by  
33 the Nuttalls-Bernina business, and to the east property was zoned C-D and was utilized as the  
34 IFA Country Store.  
35

36 Mr. Lethbridge said the applicant proposed to construct a senior assisted living center on the  
37 property and in order to do so the Elderly Housing Overlay must be attached. He said the C-D  
38 Zone was a candidate for Elderly Housing and this was not the first property in Riverton’s  
39 downtown to have the elderly housing overlay. He said Coventry Cove, which rests south of the  
40 post office, was currently zoned C-D EHOV. He then clarified height and setback requirements  
41 for the project and said that on August 27, 2015, the Planning Commission voted to recommend  
42 approval of the rezone application.  
43

44 Mayor Applegarth opened a public hearing and invited public comments.  
45

46 Walter Odare asked if the proposal was for a nursing home. He then expressed his concern  
47 regarding increased traffic in the area.  
48

1 Dennis Pullan, Beehive Homes, explained the proposed facility and described it as being one  
2 level with 16 rooms and limited staff.

3  
4 Phil Staggs spoke in favor of Beehive Homes and shared his experiences with them.

5  
6 There were no further comments; Mayor Applegarth closed the public hearing.

7  
8 **Ordinance No. 15-16 – Rezoning 1.29 acres located at 12524 South Doreen Drive**  
9 **from its current zoning of C-D to C-D EHOV (Commercial Downtown Elderly**  
10 **Housing Overlay)**

11  
12 Trent Staggs **MOVED** that the City Council approve **Ordinance No. 15-16 – Rezoning 1.29**  
13 **acres located at 12524 South Doreen Drive from its current zoning of C-D to C-D EHOV**  
14 **(Commercial Downtown Elderly Housing Overlay)**. Council Member Sheldon Stewart  
15 **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. Council  
16 Member Staggs commented on the facility and the low impact it would have on the community.  
17 Mayor Applegarth called for a roll call vote. The vote was as follows: Johnson-Yes, Staggs-Yes,  
18 Stewart-Yes, Tingey-Yes, and Wayman- Yes. **The motion passed unanimously.**

19  
20 **3. Public Hearing - Riverton 4.5, LLC, is requesting property located at 4425 West**  
21 **12600 South be rezoned from R-1 (Residential 1 acre lots) to C-G (Commercial**  
22 **Gateway)**

23  
24 Jason Lethbridge, Planning Manager, explained that Riverton 4.5 LLC submitted an application  
25 requesting property located at 4425 West 12600 South be rezoned from its existing zoning of R-  
26 1 (Residential 1 acre lots) to C-G (Commercial Gateway). He said the property, as mentioned,  
27 was zoned residential but was not utilized as residential. Rather, he said it was a public utility  
28 operated by the South Valley Sewer District who had chosen to sell the property and move  
29 operations to another location. He said that to the east and the south property was zoned R-1 and  
30 RR-22, which was Estate Density Residential. He said that to the west property was also zoned  
31 R-1 and C-N (Commercial Neighborhood) and to the north property was zoned SP (Specific  
32 Plan) Residential.

33  
34 Mr. Lethbridge said the applicant proposed to rezone the property to C-G to make way for a  
35 neighborhood storage unit business. He said the property, although zoned residential, had not  
36 been utilized as residential but as a public utility operated by the sewer district. He said that even  
37 though rezoning the property to commercial would allow various commercial activities to occur,  
38 the use of the property as commercial would be consistent with how the property was currently  
39 being used.

40  
41 Mr. Lethbridge said on August 27, 2015, the Planning Commission voted to recommend  
42 approval of the rezone application. At the request of Council Members, he then clarified a C-G  
43 (Commercial Gateway) Zone.

44  
45 **Mayor Applegarth MOVED to Item 2.4**  
46

1           **4. Public Hearing - Riverton City is proposing amendments to Titles 18.70.030 (5)**  
2           **Conditional Uses and 18.70.040 (1) & (2), Setback Requirements, in the**  
3           **Commercial Gateway Zone**

4  
5 Jason Lethbridge, Planning Manager, explained that Riverton City proposed amendments to the  
6 Commercial Gateway Zone, specifically to sections 18.70.030 (5), Conditional Uses and  
7 18.70.040 (1) & (2), Setback Requirements. He said that currently, Storage and Warehousing as  
8 a use was not permitted in the Commercial Gateway Zone. In response to a proposed use in that  
9 zone, and on examination of other properties bearing that zone, staff proposed that the use,  
10 allowing storage units, be designated as a Conditional Use in that zone with setbacks included to  
11 address that type of development where approved. He said that in addition, the use would be  
12 restricted from any properties adjacent to the 12600 South corridor east of the Bangerter  
13 Highway.

14  
15 Mr. Lethbridge said that on August 27, 2015, the Planning Commission voted to recommend  
16 approval of the proposed ordinance amendment.

17  
18 At the request of Council Member Stewart, Mr. Lethbridge reviewed the storage units located in  
19 Mr. Stewart's area on Morning Cloak Dr.

20  
21 Doug Young, Developer, presented a video and described his proposed project for a  
22 neighborhood storage unit business and addressed questions from Council Members.

23  
24 Mayor Applegarth opened a public hearing; there being none, Mayor Applegarth closed the  
25 public hearing.

26  
27 Council Member Tricia Tingey **MOVED that the City Council approve Ordinance No. 15-18**  
28 **- Amending Title 18.70.030 (5) Conditional Uses and 18.70.040 (1) & (2) Setback**  
29 **Requirements in the Commercial Gateway Zone, as described in Exhibit "A".** Council  
30 Member Sheldon Stewart **SECONDED** the motion. Mayor Applegarth called for discussion on  
31 the motion. Council Member Paul Wayman asked if a C-R Zone could be restricted to storage  
32 units and City Attorney Ryan Carter answered no. Mayor Applegarth called for a roll call vote.  
33 The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-  
34 Yes. **The motion passed unanimously.**

35  
36 **Return to Item 2.3**

37  
38 Mayor Applegarth opened a public hearing and invited public comments; there being none, he  
39 closed the public hearing.

40  
41 **Ordinance No. 15-17 – Rezoning 4.5 Acres located at 4425 West 12600 South from**  
42 **R-1 (Residential 1 Acre Lots) to C-G (Commercial Gateway)**

43  
44 Council Member Tricia Tingey **MOVED that the City Council adopt Ordinance No. 15-17 –**  
45 **Rezoning 4.5 acres located at 4425 West 12600 South from its current zoning of R-1 to C-G**  
46 **and amend the Riverton City General Plan from Estate Density Residential to Community**  
47 **Commercial.** Council Member Brent Johnson **SECONDED** the motion. Mayor Applegarth  
48 called for discussion on the motion. There being none, Mayor Applegarth called for a roll call

1 vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and  
2 Wayman- Yes. **The motion passed unanimously.**

3  
4 **5. Public Hearing - John Oneal is requesting property located at 2765 West 12320**  
5 **South be rezoned from RR-22 (Rural Residential ½ acre lots) to R-4 (Residential**  
6 **10,000 square foot lots)**

7  
8 Jason Lethbridge, Planning Manager, explained that Jon Oneal submitted an application  
9 requesting .5 acres, located at 2765 West 12320 South, be rezoned from RR-22 (Rural  
10 Residential ½ Acre Lots) to R-4 (Residential 10,000 Square Foot Lots). He said properties to the  
11 east were zoned RR-22 but were non-conforming lots because they were significantly smaller  
12 than the required ½ acre lot size minimum required by the zone. He said to the south property  
13 was zoned RR-22 and to the west property was zoned RR-22, which was currently being utilized  
14 as a seminary instruction building. He said to the north property was zoned R-4 SD (Residential  
15 10,000 Square Foot Lots Specific Development) and R-3 (Residential 14,000 Square Foot Lots).

16  
17 Mr. Lethbridge said the applicant was rezoning the property to facilitate a subdivision of the  
18 property into two lots. He explained that the hearing, however, was not to approve the  
19 subdivision of the property but to approve the zoning of the property. He said all land uses to the  
20 west, north and east were uses that were conducive to residential zoning without animal rights  
21 and the property to the south, was zoned for, and of sufficient size, to have large animals. He said  
22 that by rezoning the property, the property owner forfeited the animal rights. Also, he said that  
23 upon subdivision approval, the property owner would be required to install a six foot solid core  
24 concrete fence along the southern boundary.

25  
26 Mr. Lethbridge said on August 27, 2015, the Planning Commission voted to recommend  
27 approval of the rezone application.

28  
29 Mayor Applegarth opened a public hearing and invited public comments; there being none, he  
30 closed the public hearing.

31  
32 **Ordinance No. 15-19 - Rezoning .5 Acres located at 2765 West 12320 South from**  
33 **RR-22 to R-4**

34  
35 Council Member Sheldon Stewart **MOVED** the City Council approve **Ordinance No. 15-19 -**  
36 **Rezoning .5 Acres located at 2765 West 12320 South from RR-22 to R-4.** Council Member  
37 Tricia Tingey **SECONDED** the motion. Mayor Applegarth called for discussion on the motion.  
38 There being none, he called for a roll call vote. The vote was as follows: Johnson-Yes, Staggs-  
39 Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**

40  
41 **6. Public Hearing - Proposed Amendments to Riverton City Code Section 6.05,**  
42 **Animals, Establishing a ‘Hobby License’**

43  
44 Jason Lethbridge, Planning Manager, explained that Riverton City, prior to establishing a  
45 contract for animal control services with Salt Lake County, had in its ordinance what is called a  
46 ‘hobby license’ for raising household pets. A hobby license lets breeders keep a certain number  
47 of pets above the maximum allowed household pets, under certain requirements. When Riverton  
48 City contracted with Salt Lake County for animal control services, several sections of ordinance,

1 including the section regarding hobby licenses, was repealed, and Riverton City no longer issues  
2 or allows hobby licenses. The question was brought to staff as to whether the ordinance could be  
3 adopted back into City code to once again allow hobby licenses.

4  
5 Council Member Sheldon Stewart said his intent was to open the ordinance to a limited number  
6 of individuals that held hobby licenses that expired within two years of contracting with Salt  
7 Lake County Animal Services, and to allow those individuals to re-up and maintain that license  
8 until such time that they no longer renew.

9  
10 City Attorney Ryan Carter explained that grandfathered rights were limited to uses of land and  
11 hobby licenses did not meet that criteria. He said that all laws adopted by governments were  
12 required to have uniform application; therefore, laws could not be created that did not apply to  
13 everyone.

14  
15 Council Member Stewart then requested the ordinance be re-opened and further discussion  
16 ensued regarding zoning requirements for hobby licenses and a Hobby License Review Board.

17  
18 Mayor Applegarth opened a public hearing and invited public comments.

19  
20 Phil Staggs asked that, if possible, Pit Bulls not be allowed as a hobby license.

21  
22 There being no further comments, Mayor Applegarth closed the public hearing.

23  
24 **Ordinance No. 15-14 - Amending Riverton City Code Section 6.05, Animals,**  
25 **Establishing a ‘Hobby License’**

26  
27 Council Member Brent Johnson **MOVED** the City Council approve **Ordinance No. 15-14 -**  
28 **Amending Riverton City Code Section 6.05, Animals, Establishing a ‘Hobby License’ and**  
29 **delete 42-2. Hobby License Review Board from Part 13-3-42 Hobby License.** Council  
30 Member Sheldon Stewart **SECONDED** the motion. Mayor Applegarth called for discussion on  
31 the motion. Council Member Trent Staggs recommended removing 42-2. Hobby License Review  
32 Board from Part 13-3-42 Hobby License. He also recommended modifying the household pet  
33 ordinance and/or zoning ordinances that clarify the ratio of animals allowed in a zone. Mr.  
34 Carter explained that the Hobby License clarifies the number of adult dogs allowed for breeding  
35 purposes. He then explained that Utah Code states that a municipality may not adopt a breed  
36 specific ordinance. Mayor Applegarth then called for a roll call vote. The vote was as follows:  
37 Johnson-Yes, Staggs-No, Stewart-Yes, Tingey-Yes, and Wayman-No. **The motion passed 3.2.**

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

40  
41 **1. Resolution No. 15-63 – Adopting Rules of Order and Procedure for Public**  
42 **Meetings of the Riverton City Council**

43  
44 Ryan Carter, City Attorney, explained that the Utah State Legislature passed House Bill 267 in  
45 the 2011 General Session, which required political subdivisions to adopt Rules of Order and  
46 Procedure. The Rules of Order and Procedure for public meetings of the Riverton City Council  
47 have been prepared and are attached as Exhibit A. House Bill 267 requires that the Rules of  
48 Order and Procedure generally address the following (3) issues:

- 1 1. Rules of Parliamentary Order and Procedure
- 2 2. Ethical Behavior; and
- 3 3. Civil Discourse

4 Once adopted, the Rules of Order and Procedure may be amended by the City Council from time  
5 to time.

6  
7 Mr. Carter explained the Utah Open Public Meetings Act also requires that the City Council take  
8 minutes of meetings and to establish procedures whereby such minutes are approved by the  
9 Council. The Council has recently discussed the substance of what meeting minutes should  
10 contain and asked staff to provide a set of guidelines which reflect the Council's standards for  
11 approving an acceptable set of meeting minutes. The City Attorney's Office drafted a set of  
12 standards for the Council to consider which would engage the Council with a discussion about  
13 the matter. If approved, the City Attorney believed inclusion of the standards in the City  
14 Council's Rules of Order and Procedure was appropriate.

### 15 3.4 Minutes of Meetings

- 16  
17 1. Utah Law general requirements. Under the Utah Open Public Meetings Act, Riverton City is  
18 required to keep written minutes of open meetings conducted by the Riverton City Council.  
19 Said minutes are required to include (without limitation) such information as: 1) the date,  
20 time and place of the meeting; 2) the names of council members present and absent; 3) the  
21 substance of all matters proposed, discussed or decided, which may include a summary of  
22 comments made by members of the public body; 4) the name of each person properly  
23 recognized to speak by the Mayor and the substance of the testimony or comments provided  
24 by that person. The City Council is also required to establish procedures for the public  
25 Body's approval of the written minutes of each meeting. See Generally Utah Code § 52-4-  
26 101 et seq.  
27
- 28 2. Establishment of procedures for the approval of minutes. The City Council relies on the  
29 expertise of the City Recorder to draft minutes which comply with Utah law, and to furnish  
30 the same to the Council for approval. Although not required by law, written minutes should  
31 be furnished to the Council in the meeting immediately following the subject meeting for  
32 which minutes are created. Reasonable delays in furnishing draft minutes of prior public  
33 meetings due to occasional personnel management issues or other reasons which interfere  
34 with the carrying of ordinary workload are not considered a failure to meet the City Council's  
35 standards set by these procedures. Council members shall not, individually, involve  
36 themselves in the drafting of meeting minutes while this process is being undertaken by the  
37 City Recorder. Ordinarily, the Council is first provided a draft of meeting minutes for review  
38 when the same are enclosed with the distribution of a City Council meeting agenda and  
39 packet some days before commencement of said meeting. Any requests to amend minutes  
40 supplied to the Council before a council meeting shall be made in the presence of the Council  
41 as a whole by email or other group communication. Requests to amend said meeting minutes  
42 before a scheduled meeting should be limited to grammar, spelling, and punctuation issues.  
43 The Council should refrain from requesting material changes to the substance of the minutes  
44 until the Council convenes in a scheduled meeting.  
45
- 46 3. Features of Riverton City Council meeting minutes eligible for approval. The Council notes  
47 under the foregoing standards that meeting minutes may be created in a number of ways  
48 which comply with the Utah Open Public Meetings Act. A transcript of a meeting, for  
49 example, complies with the Act, but is generally too burdensome to undertake for each  
50 Council meeting. Conversely, meeting minutes which contain links to digital recordings of

1 attendees' statements, but provide no written summary of what was said, comply with the  
2 Act. In establishing procedures for approving minutes, the Council seeks to strike a balance  
3 between transparency of City business and efficiency in governance. Therefore, minutes  
4 which are eligible for approval by the Council shall, at a minimum, contain the following  
5 features:

- 6
- 7 a. Compliance with Utah law. All minutes submitted for Council approval shall contain  
8 sufficient information to comply with each applicable section of the Utah Open  
9 Public Meetings Act.
  - 10
  - 11 b. Links to digital recordings of statements made during Council meetings. Upon the  
12 commencement of each item to be discussed or otherwise presented to the Council,  
13 the Minutes shall provide a link to a digital recording which can be reviewed online  
14 or by visiting the City Recorder's office. Said links shall note the time of the meeting  
15 which correlates to the commencement of a given item before the Council. Links  
16 shall not be required for each statement made by individuals involved in an item  
17 presented to the Council.
  - 18
  - 19 c. Written summary of statements made by or before the Council. The City Recorder  
20 shall listen to and draft a summary of the substance of each statement made by  
21 persons duly recognized to speak in a Council meeting. The City Recorder shall  
22 listen to and may draft a summary of the substance of statements made by persons  
23 who are not recognized to speak in a Council meeting.
  - 24
  - 25 d. Summary or transcript of staff reports or other written records may be included in  
26 minutes. The City Recorder may, at the Recorder's discretion, summarize staff  
27 reports or other written records for inclusion in the Council minutes, or may provide  
28 copies of such records in the minutes.
  - 29
  - 30 e. Designees of City Recorder's office allowed to create minutes. References to the  
31 office of the City Recorder in drafting meeting minutes under these procedures  
32 should not be interpreted to mean the City Recorder alone can draft said minutes.  
33 The City Recorder may assign any tasks related to drafting meeting minutes to  
34 individuals other than the City Recorder, at the Recorder's discretion.
  - 35

36 Council Member Stewart spoke of a permanent retention for audio recordings and Mr. Carter  
37 said that was at the Council's discretion.

38

39 Council Member Staggs mentioned that the recently adopted addition to the Rules of Order and  
40 Procedure Granting Advice and Consent for Appointment of Nominees to Administrative City  
41 Positions needed to be added to the manual.

42

43 Council Member Staggs spoke of the delivery time of Council Packets, with meeting two to three  
44 times a month he said it was difficult to receive information on Friday and be prepared for a  
45 Council Meeting on Tuesday. Mr. Carter explained the process and the Council Packet schedule  
46 was discussed.

47

48 Council Member Sheldon Stewart **MOVED the City Council approve Resolution No. 15-63–**  
49 **Adopting Rules of Order and Procedure for Public Meetings of the Riverton City Council,**  
50 **with the addition to retain the electronic recordings indefinitely or until such time that the**

1 **Council makes a motion to remove those recordings.** Council Member Tricia Tingey  
2 **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. There being  
3 none, Mayor Applegarth called for a roll call vote. The vote was as follows: Johnson-Yes,  
4 Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**  
5

6 Discussion continued regarding the timeliness of Council Packets and the item was continued to  
7 September 15, 2015, to allow City Manager Lance Blackwood's presence for the discussion.  
8

- 9 **2. Report on Town Days 2015-2016** – Sheril Garn, Parks & Public Services Director,  
10 was not able to attend; therefore, this item was not presented.  
11

#### 12 **4. CONSENT AGENDA**

13

14 Mayor Applegarth presented the following Consent Agenda:  
15

1. **Minutes:** N/A
2. **Bond Releases:**
  1. Saddlebrook – 100% Warranty
  2. Villages at Park Avenue (East) Phase 2 – 100% Warranty
3. **Resolution No. 15-64** - Appointing Trace Robinson as Riverton Representative Board Member and Stephen Elms as an Alternate Board Member of the Trans-Jordan Landfill Board – Trace Robinson, Public Works Director

16  
17 Council Member Tricia Tingey **MOVED that the City Council approve the Consent Agenda**  
18 Council Member Trent Staggs **SECONDED** the motion. Mayor Applegarth called for discussion  
19 on the motion. There being none, he called for a roll call vote. The vote was as follows: Johnson-  
20 Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed**  
21 **unanimously.**  
22

#### 23 **5. STAFF REPORTS**

24

25 Jeff Hawker, Asst. City Manager, called for Staff Reports.  
26

27 Lisa Dudley, Finance Director, said that questions had been asked about the cost and purpose of  
28 the Northeast Corner of 12600 South and Redwood Road. She presented a Sources & Uses  
29 analysis for the project, which outlined sources of cash and capital contributions (In-kind  
30 donations) as well as payments, for a total project cost of \$191,600. She reported that there had  
31 been an urgency to complete the project in a short amount of time but the City's Procurement  
32 Policy was followed through completion of the project.  
33

34 Council Member Johnson raised a question from Perry Newman, who said he had not been  
35 contacted by Mrs. Garn regarding the figure represented as his In-kind contribution. Mr.  
36 Newman then questioned the accuracy of the remaining figures represented.  
37

38 Council Member Wayman spoke of bond proceeds used for the project and said he did not  
39 remember any discussion being presented to the City Council. He said he remembered a \$60,000  
40 approval for the project. Mayor Applegarth then reviewed the expenses that did go before the

1 City Council for approval. Further questions and discussions occurred regarding bond proceeds  
2 and the use of remaining funds.

3  
4 Council Member Staggs expressed concern regarding the cost of the project and said it far  
5 exceeded \$60,000. He then questioned the naming of the corner and recommended the sign say  
6 Riverton City. Mayor Applegarth explained the existing sign displays the name “Silverwolves”  
7 because the corner has been designated as the Riverton High School spirit corner.

## 9 **6. ELECTED OFFICIAL REPORTS**

10  
11 **Mayor Applegarth** – No report.

12  
13 **Council Member Johnson** – said that he was thrilled with the use of the Riverton Park and he  
14 expressed his condolences to the Garn family in the death of Aaron Garn.

15  
16 **Council Member Staggs** – requested discussion regarding zoning in and around the park at a  
17 future City Council Meeting. Council Member Stewart requested that Zoning in the City of  
18 Riverton with an emphasis in the downtown area be held. Council Member Staggs also requested  
19 discussion on the status of shortened approval periods involving the Planning Commission and  
20 the City Council; September 22, 2105, was agreed upon for those discussions. Mr. Staggs  
21 thanked Public Works Director Trace Robinson for the traffic calming improvements in the  
22 Lampton View area and for the improvements to the Margaret Park area. He reported on the  
23 UPD appointment of Chief Rosie Rivera, the first female UPD Chief.

24  
25 **Council Member Stewart** – thanked Public Works Director Trace Robinson for the traffic  
26 calming improvements in his area. He then asked for increased UPD enforcement with the  
27 placement of a new stop sign. He then spoke of Vapor houses and the possibility of limiting them  
28 within the City. City Attorney Ryan Carter said he would review State Law regarding vapor  
29 houses and report back to Council. Mr. Stewart then requested City banners for his area and  
30 Asst. City Manager Jeff Hawker agreed to follow up.

31  
32 **Council Member Tingey** – said she had been approached by residents in District 4 to reconsider  
33 Ordinance No. 15-11 that was presented to the City Council on August 18, 2015. She said that if  
34 the ordinance were reconsidered, it did not mean she would vote in favor of it. She spoke of the  
35 following issues she would like to see fixed: 1) the traffic on 1300 West, 2) the proper buffering  
36 of the existing residents on ¼ acre lots.

37  
38 Council Member Tingey **MOVED the City Council reconsider Ordinance No. 15-11, the**  
39 **proposed rezone of 8.8 acres located at approximately north west corner of 1300 West**  
40 **12600 South from R-4 and C-G to RM-14 as presented to the City Council on August 18,**  
41 **2015.** Council Member Trent Staggs **SECONDED** the motion. Mayor Applegarth called for  
42 discussion on the motion. There being none, he called for a roll call vote. The vote was as  
43 follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion**  
44 **passed unanimously.**

45  
46 Council Member Tingey asked that the developer be informed of her concern regarding the  
47 proper buffering of the existing residents on ¼ acre lots. She said she would not vote in favor of  
48 something that would make those residents feel uncomfortable. She then expressed her

1 condolences to the Garn family.

2

3 **Council Member Wayman** – reported on a press conference he attended with Mayor  
4 Applegarth and Mayor McAdams regarding trails. He then spoke of the Riverton Historical  
5 Society and asked that it be placed on an agenda for discussion of procedure.

6

## 7 **7. UPCOMING MEETINGS**

8

9 Mayor Applegarth reviewed the following upcoming meetings:  
10

1. September 15, 2015 - Regular City Council Meeting – 6:30 p.m.
2. October 6, 2015 - Regular City Council Meeting – 6:30 p.m.
3. October 20, 2015 - Regular City Council Meeting – 6:30 p.m.

11

## 12 **8. ADJOURN**

13

14 Council Member Paul Wayman **MOVED to adjourn.** Council Member Sheldon Stewart  
15 **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. There being  
16 none, he called for a vote. There being none, he called for a roll call vote. The vote was as  
17 follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion**  
18 **passed unanimously.** The meeting adjourned at 11:05 p.m.

19

20 **Approved:** Pending Minutes

Item No. 4.2.1



## Issue Paper

<b>Presenter/Submitted By:</b>	G Trace Robinson	
<b>Subject:</b> Warranty Bond release for <b>SPARKLES EXPRESS CAR WASH</b>	<b>Meeting Date:</b> 09/15/2015	
	<b>Fiscal Impact:</b> \$N/A	
	<b>Funding Source:</b> N/A	
<b>Background:</b> Engineering, Public Works and Water Departments have performed the necessary infrastructure inspections for the <b>SPARKLES EXPRESS CAR WASH</b> and have found the site complete and constructed to Riverton City's standards. All improvements have been constructed and we recommend that approval be given for a <b>Warranty</b> release of the bond and that the City accept the improvements.		
<b>Recommendation:</b> It is recommended that approval be give to release <b>100%</b> of the bond and that the City accept the improvements.		
<b>Recommended Motion:</b> Motion for approval of bond release.		

**RIVERTON CITY**  
SUBDIVISION BOND REDUCTION REQUEST

---

**DEVELOPER'S INFORMATION**

1. Subdivision Name: **SPARKLES EXPRESS CAR WASH**
2. Address: **13328 S MARKET CENTER DR**
3. Subdivision Developer: **DRIGGS DAN**
4. Bond Company: **Riverton City**
5. **100%** Bond Release Request date: **August 31, 2015**
6. Date of bond release approval by City Council: **September 15, 2015**
7. Description of completed subdivision improvements (attached.)

**CITY APPROVAL**

Amount of bond release approved by Staff: \$ **2,888.06**

Date of bond release approval by Staff: **September 1, 2015**

The bond amount for the subdivision shall be reduced by an amount equal to as shown above.

\_\_\_\_\_  
Mayor, Riverton City

\_\_\_\_\_  
Date

\_\_\_\_\_  
Attest:

\_\_\_\_\_  
Date

**DESCRIPTION OF SUBDIVISION IMPROVEMENTS COMPLETED  
AND THE DOLLAR AMOUNT REQUESTED FOR EACH.**

SPARKLES EXPRESS CAR WASH Improvement	ORIGINAL BOND AMOUNT date	80% RELEASE DATE	80% RELEASE AMOUNT	90% RELEASE DATE	90% RELEASE AMOUNT	100% RELEASE DATE	100% RELEASE AMOUNT	AMOUNT REMAINING
SEWER	Separate Agreement							
Culinary Water	\$ 17,461.66			9/2/2014	\$ 15,715.49	9/15/2015	\$ 1,746.17	\$ -
Secondary Water	10,618.90			9/2/2014	9,557.01	9/15/2015	1,061.89	-
Demolition	-			9/2/2014	-	9/15/2015	-	-
Storm Drain	-			9/2/2014	-	9/15/2015	-	-
Streets	-			9/2/2014	-	9/15/2015	-	-
Sidewalk & Signs	-			9/2/2014	-	9/15/2015	-	-
Fencing & Landscaping	-			9/2/2014	-	9/15/2015	-	-
Record Drawings & GIS	800.00			9/2/2014	720.00	9/15/2015	80.00	-
Other	-			9/2/2014	-	9/15/2015	-	-
								-
								-
								-
								-
								-
								-
<b>Total</b>	<b>\$ 28,880.56</b>		<b>\$ -</b>		<b>\$25,992.50</b>		<b>\$ 2,888.06</b>	<b>\$ -</b>

Total amount of bond release requested: **\$ 2,888.06**

**APPROVAL AND ACCEPTANCE STATUS  
OF THE SUBJECT SUBDIVISION IMPROVEMENTS:**

Engineer's Certification: All work described above has been inspected and the above quantities verified. All work appears to have been completed in accordance with Riverton City Subdivision Standards and Specifications.

  
Public Works Director/ City Engineer

9-8-15  
Date

City Inspection Certification: All work described above has been inspected and the appropriate testing requirements have been successfully completed or exceeded.



## Issue Paper

Item No. 4.3

<b>Presenter/Submitted By:</b>	Craig Calvert, Purchasing Manager	
<b>Subject:</b>  Request approval to issue a change order to Applied Geotechnical Engineers to add additional engineering services to the Lovers Lane Geotechnical Study	<b>Meeting Date:</b> September 22, 2015	
	<b>Fiscal Impact:</b> \$5,500.00	
	<b>Funding Source:</b> 10-53-310	
<b>Background:</b>  The City contracted with Applied Geotechnical Engineers to complete the Lover's Lane land stability and safety study. The City would like to further study the options to improve stability and the relative cost of the improvement options to the study. Applied Geotechnical Engineers provided a price to add these services to the contract. According to the city procurement ordinance if a change order causes the contract to exceed 10% of the original contract amount, the project will be presented again to City Council for approval. If approved the adjusted contract amount would be \$35,000.00.		
<b>Recommendation:</b>  Staff's recommendation is to approve the issue of a change order to Applied Geotechnical Engineers to add additional engineering services to the Lovers Lane Geotechnical Study.		
<b>Recommended Motion:</b>  "I move the City Council approve <u>Resolution No.15-65</u> - approving the issue of a Change Order to Applied Geotechnical Engineers to add additional engineering services to the Lovers Lane Geotechnical Study."		

**RIVERTON CITY, UTAH**  
**RESOLUTION NO. 15-65**

**A RESOLUTION TO APPROVE THE ISSUE OF A CHANGE ORDER TO APPLIED  
GEOTECHNICAL ENGINEERS TO ADD ADDITIONAL ENGINEERING SERVICES  
TO THE LOVERS LANE GEOTECHNICAL STUDY**

**WHEREAS**, Riverton City is required by ordinance to approve any change order that exceeds 10% of the original contract amount in a public meeting; and,

**WHEREAS**, City staff has determined that items on this change order are needed.

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

1. Riverton City approves the issue of a change order to Applied Geotechnical Engineers to add additional engineering services to the Lovers Lane Geotechnical Study.
2. This resolution shall become effective upon passing.

**PASSED AND ADOPTED** by the City Council of Riverton, Utah, this 22<sup>nd</sup> day of September by the following vote:

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

**RIVERTON CITY**

[SEAL]

**ATTEST:**

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

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

# AGEC

## Applied GeoTech

August 26, 2015

Riverton City  
12830 South Redwood Road  
Riverton, Utah 84065

Attention: Purchasing Department  
EMAIL:

Subject: Additional Engineering Services  
Lovers Lane Geotechnical Study  
RFP176-15, Purchase Order No. 168823  
Project No. 1150135

Gentlemen:

As requested, Applied Geotechnical Engineering Consultants, Inc. (AGEC) conducted a geotechnical investigation into the stability of the slope upon which Lovers Lane is located between approximately 13000 South and 13800 South at approximately 1100 West. A report summarizing our findings was submitted on June 19, 2015.

We have been requested to provide additional services in regards to:

- Probability of failure
- options to improve stability and
- relative cost of the improvement options.

We also anticipate that we will be invited to participate in meetings with developers and city counsel members.

Based on the requested information, we propose that our services be conducted on a time and materials basis. The estimated fees for these services are listed below:

Task	Fee Estimate
Probability of Failure	\$2,000
Options/cost for Improvement	\$2,000
Meetings (3 at \$500 each)	<u>\$1,500</u>
Total	<u>\$5,500</u>

Riverton City  
August 26, 2015  
Page 2

We appreciate the opportunity of being of service to you and look forward to our continued involvement on this project.

Sincerely,

APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS, INC.



James E. Nordquist, P.E.

JEN/rs

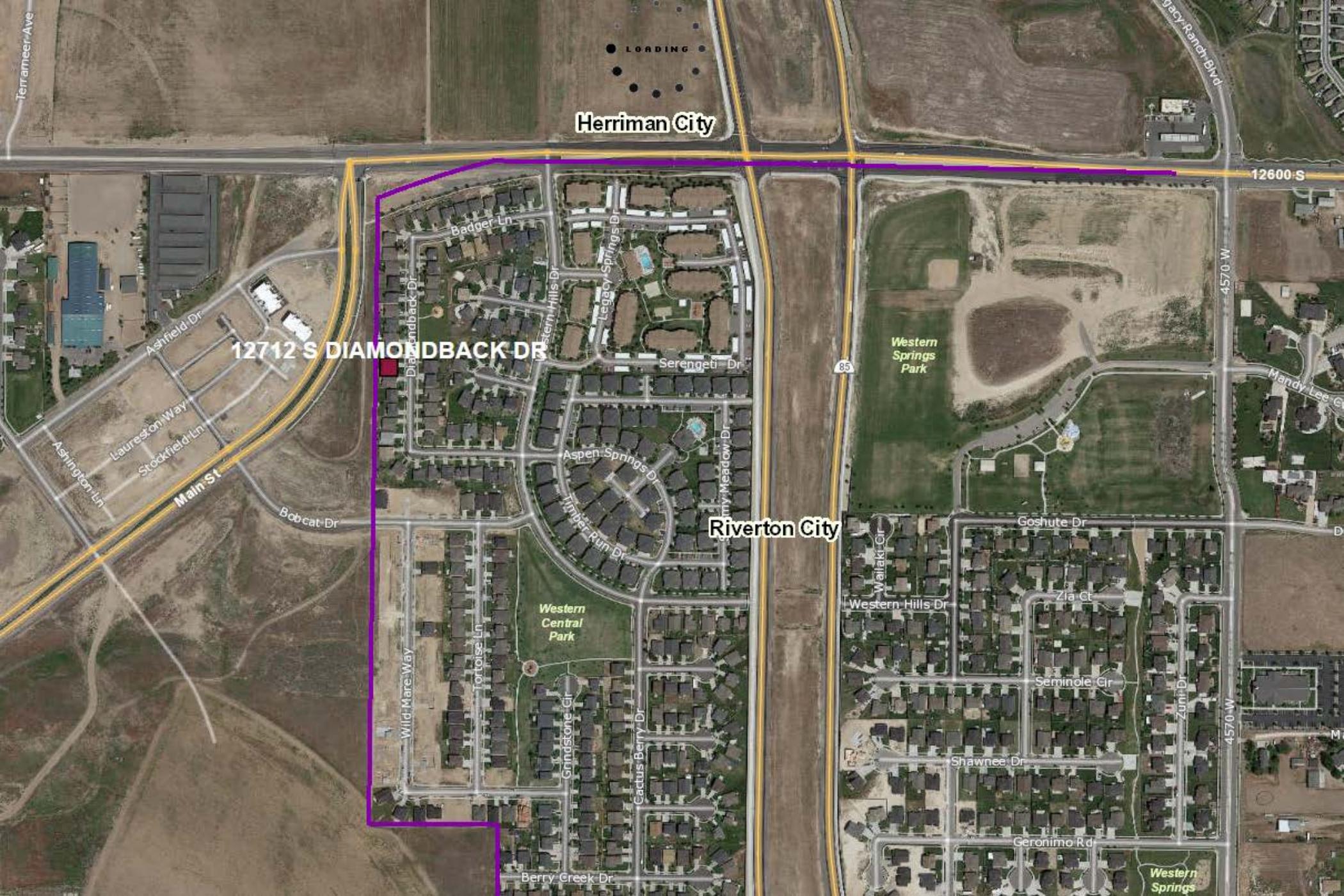
cc: Chase Robinson, EMAIL: [trobinson@rivertoncity.com](mailto:trobinson@rivertoncity.com)  
Ryan Carter, EMAIL: [rcarter@rivertoncity.com](mailto:rcarter@rivertoncity.com)



## Issue Paper

Item No. 4.4

<b>Presenter/Submitted By:</b>	Ryan Carter, City Attorney	
<b>Subject:</b>  APPROVE A REASONABLE ACCOMMODATION REQUEST FOR A DISABLED PERSON, PROPERTY LOCATED AT 12712 SOUTH DIAMOND BACK DRIVE, BAMBI SORENSON, APPLICANT	<b>Meeting Date:</b> September 22, 2015	
	<b>Fiscal Impact:</b> N/A	
	<b>Funding Source:</b> N/A	
<b>Background:</b>  Bambi Sorenson, a Riverton Resident living at 12712 South Diamondback Drive, has submitted what is recognized under the Federal Fair Housing Act to be a “Reasonable Accommodation Request” for someone with a disability. Ms. Sorenson approached staff with a request to enclose the garage of her home to provide living space for her disabled daughter. Riverton City Ordinance 18.135.040 (5) requires all homes to have a two-car garage, and therefore staff indicated to the applicant that the elimination of the garage was not permitted under that ordinance. The Ms. Sorenson has requested reasonable accommodation to allow the garage to be converted to living space, with no additional construction of garage space.		
<b>Recommendation:</b>  City Staff is recommending approval of the Reasonable Accommodation Request.		
<b>Recommended Motion:</b>  “I move the City Council grant the Reasonable Accommodation Request under the Federal Fair Housing Act for a disabled person on property located at 12712 South Diamond Back Drive by allowing the enclosure of the garage and its conversion to living space without additional construction of garage space.”		



Herriman City

12600 S

12712 S DIAMONDBACK DR

Riverton City

Western Springs Park

Western Central Park

Western Springs

LOADING

85

4570 W

4570 W

Terrameer Ave

Legacy Ranch Blvd

Ashfield Dr  
Laureston Way  
Stockfield Ln  
Main St  
Bobcat Dr

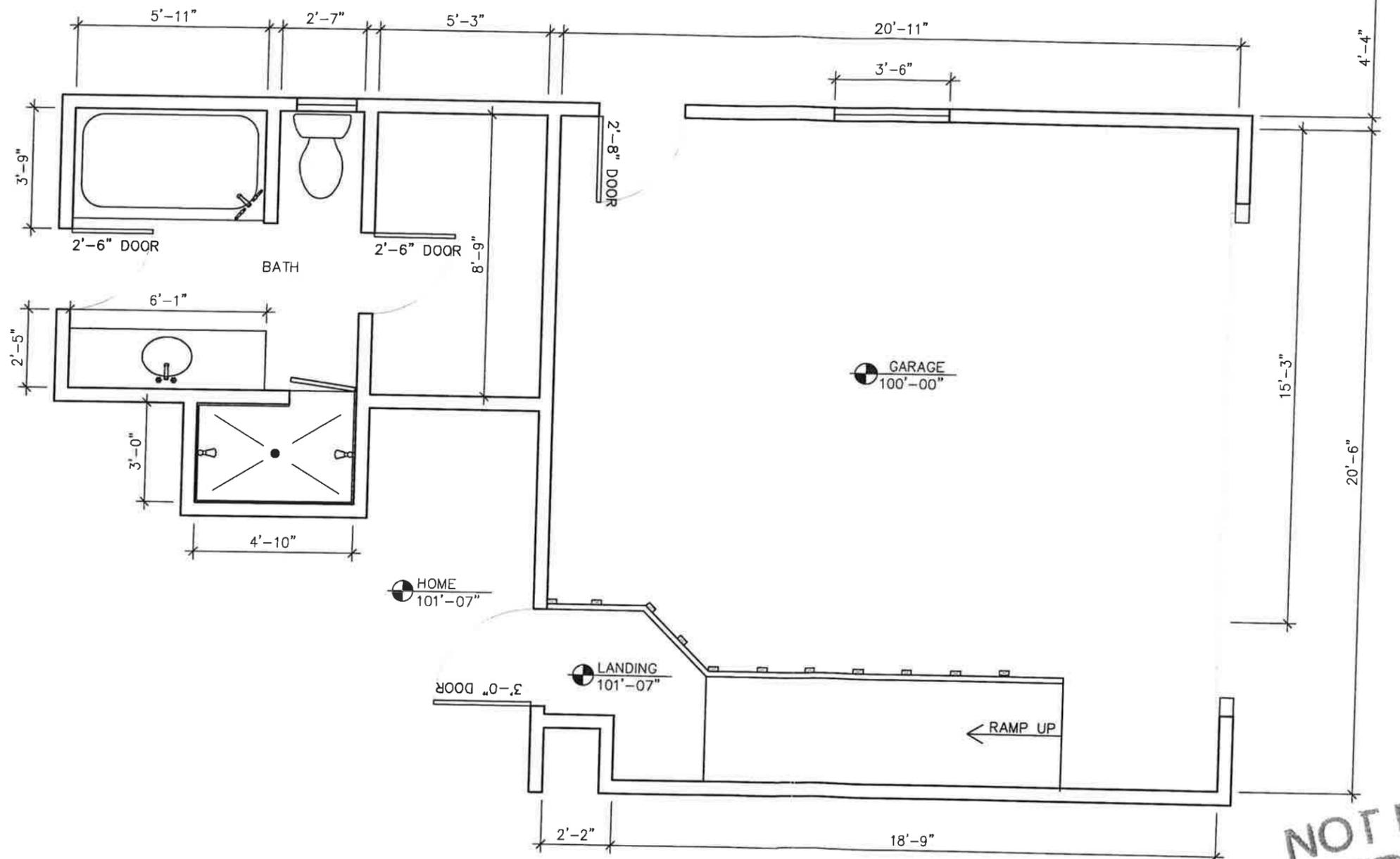
Badger Ln  
Diamondback Dr  
Serengeti Dr  
Aspen Springs Dr  
Winter Run Dr  
Wild Mare Way  
Tonitose Ln  
Grindstone Cir  
Cactus Berry Dr  
Berry Creek Dr

Wallaki Cir  
Western Hills Dr  
Zia Ct  
Seminole Cir  
Shawnee Dr  
Geronimo Rd  
Zuni Dr

Mandy Lee Ct

M





**NOT FOR CONSTRUCTION**

PLAN - EXISTING  
 SCALE: 1/4" = 1'-0"

**assist**  
 A COMMUNITY DESIGN CENTER  
 218 EAST 500 SOUTH  
 SALT LAKE CITY, UTAH 84111  
 PHONE: (801) 355-7085  
 FAX: (801) 355-7086  
 E-MAIL: future@xmission.com

BATH & ROOM PROPOSAL FOR:  
 SKYLLER SORENSEN  
 12712 S. DIAMOND BACK DR. (5200 W.)  
 RIV, UT 84096  
 (801) 599-9775

DATE:	08/28/15
FILE:	SORENSEN
REVISIONS:	NZ
SHEET:	OF
01	03

LEGEND:  
 - - - - - REMOVE WALL  
 // // // BUILD NEW WALL  
 PATCH & MATCH  
 EXISTING WALL,  
 CEILING AND FLOOR  
 CONDITIONS.

OPTION:  
 INSTALL NEW WINDOW ADJACENT TO  
 EXISTING WITH SAME DIMENSIONS

BUILD FRAME AND PLYWOOD FLOOR  
 TO MAIN HOME LEVEL

OPTION:  
 INSTALL DUTCH DOOR WITH WINDOW IN UPPER HALF

INSTALL NEW ROLL-UNDER SINK & COUNTER  
 SUPPORTED BY LEDGER ON WALLS &  
 TRIANGULAR SUPPORT. INSULATE PIPES  
 BELOW OR PROVIDE PROTECTIVE PANEL.

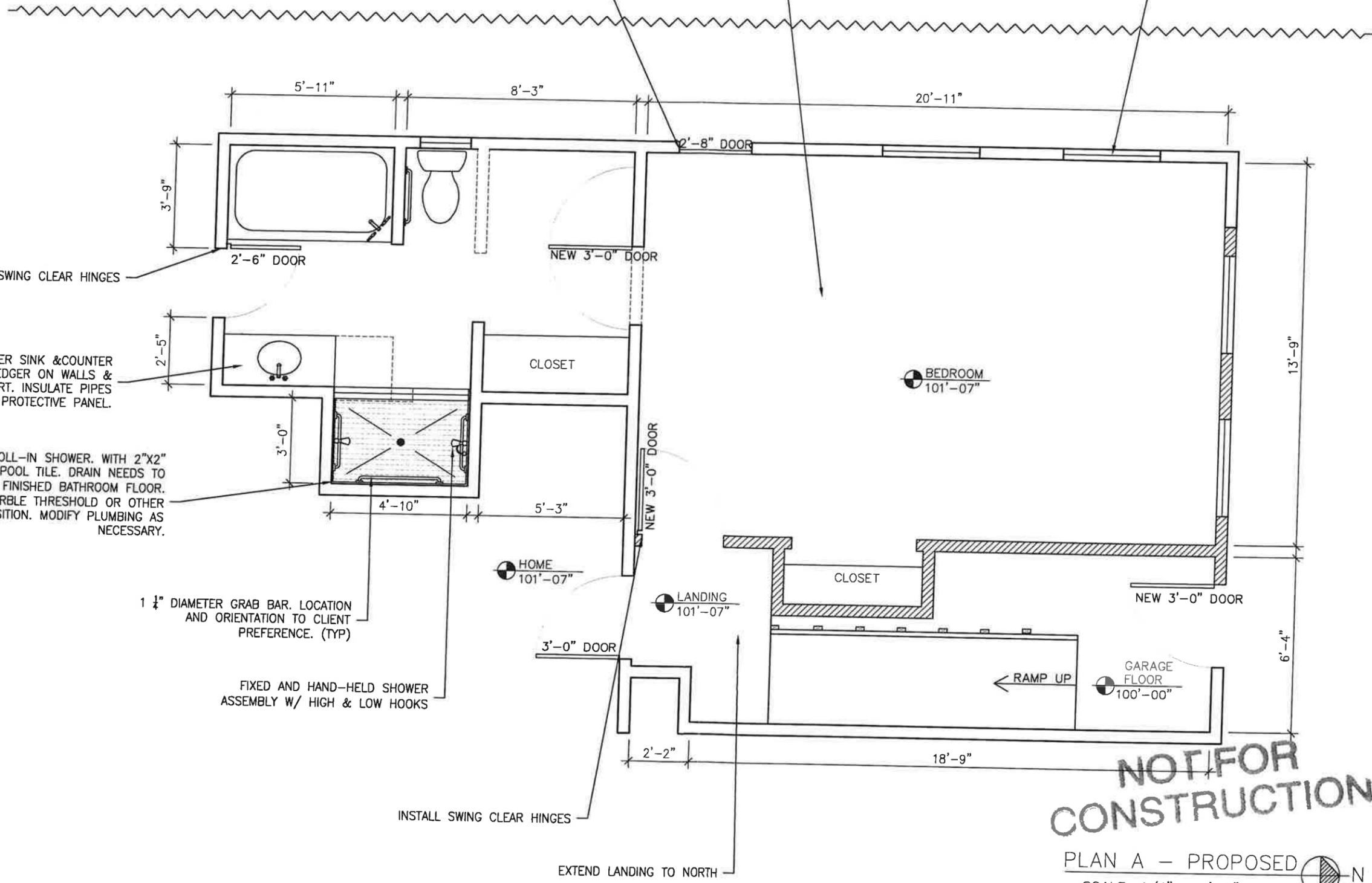
INSTALL NEW ROLL-IN SHOWER. WITH 2"X2"  
 NON-SKID SWIMMING POOL TILE. DRAIN NEEDS TO  
 BE 1" BELOW FINISHED BATHROOM FLOOR.  
 SLOPED MARBLE THRESHOLD OR OTHER  
 BARRIER-FREE TRANSITION. MODIFY PLUMBING AS  
 NECESSARY.

1 1/4" DIAMETER GRAB BAR. LOCATION  
 AND ORIENTATION TO CLIENT  
 PREFERENCE. (TYP)

FIXED AND HAND-HELD SHOWER  
 ASSEMBLY W/ HIGH & LOW HOOKS

INSTALL SWING CLEAR HINGES

EXTEND LANDING TO NORTH



**NOT FOR  
 CONSTRUCTION**

PLAN A - PROPOSED  
 SCALE: 1/4" = 1'-0"

**assist**

A COMMUNITY DESIGN CENTER

218 EAST 500 SOUTH  
 SALT LAKE CITY, UTAH 84111

PHONE: (801) 355-7085  
 FAX: (801) 355-7086  
 E-MAIL: future@xmission.com

BATH & ROOM PROPOSAL FOR:

SKYLLER SORENSEN  
 12712 S. DIAMOND BACK DR. (5200 W.)  
 RIV, UT 84096

(801) 599-9775

DATE:	08/28/15
FILE:	
SORENSEN	
REVISIONS:	
NZ	
SHEET: OF	02 OF 03