

Riverton City
REGULAR CITY COUNCIL MEETING
Minutes
October 20, 2015

Riverton City Hall
12830 South 1700 West
Riverton, Utah 84065

Attendance:

Mayor William R. Applegarth

Council Members:

Council Member Brent Johnson
Council Member Trent Staggs
Council Member Sheldon Stewart
Council Member Tricia Tingey
Council Member Paul Wayman

City Staff:

Lance Blackwood, City Manager
Virginia Loader, Recorder
Ryan Carter, City Attorney
Jason Lethbridge, Planning Manager
Trace Robinson, Public Works Director
Lisa Dudley, Finance Director
Sheril Garn, Parks & Public Services Director
Rosie Rivera, Riverton Precinct Chief
Mike Ulibarri, UFA Battalion Chief

1. GENERAL BUSINESS

1. Call to Order and Roll Call

Mayor Applegarth called the Riverton City Council Meeting to order at 7:20 p.m. and conducted a roll call. Council Members Johnson, Staggs, Stewart, Tingey, and Wayman were present.

2. Pledge of Allegiance – Tricia Tingey led the Pledge of Allegiance.

3. Presentations/Reports

1. Recognition of Boy Scout Troops – N/A

4. Public Comments

Chief Rosie Rivera introduced School Resource Officers Matt Bartlett, who works at Oquirrh Middle School and South Hills Middle School, and Mike Russell who works at Riverton High School. The Officers then spoke about their assignments.

Mayor Applegarth called for public comments. There were no public comments; Mayor Applegarth closed the public comment period.

2. PUBLIC HEARINGS

1. **Public Hearing – Proposed Rezone of one acre located at 11978 and 11988 South Redwood Road from C-N (Commercial Neighborhood) to C-PO (Commercial Professional Office – Gary Cannon, Applicant**

Jason Lethbridge, Planning Manager, explained that Gary Cannon submitted an application requesting that two properties located at 11978 and 11988 South Redwood Road be rezoned. He said the properties were currently zoned C-N (Commercial Neighborhood) as were the properties to the north. He said that to the west and south properties were zoned R-4 (Residential 10,000 square foot lots) and to the east, on the adjacent side of Redwood Road properties, were zoned C-N and R-4.

Mr. Lethbridge said the applicant requested the properties, totaling 1 acre, be rezoned to a designation of C-PO (Commercial Professional Office). He said the differences between the two zones related to the uses that could occur and explained that the Commercial Neighborhood Zone was oriented to commercial uses that were utilized by a neighborhood such as a daycare, preschool, small scale retail, etc., and the Professional Office Zone was oriented strictly to medical, dental, business and other professional office type of uses. He said another significant difference between the two zones was that in the C-N Zone all uses were conditional where in the C-PO Zone more of the office uses were permitted rather than conditional.

Mr. Lethbridge said that on September 17, 2015, the Planning Commission voted to recommend approval of the rezone application.

Council Member Trent Staggs asked about height restrictions in the Commercial Professional Office Zone, to which Mr. Lethbridge presented the following information:

- (2) Building Height. Buildings shall not exceed two stories or 35 feet in height, whichever is less, except where adjacent to a regional transportation corridor where buildings may not exceed four stories or 80 feet in height.
- (3) Rear Yard Setbacks. Where adjacent to residential zones, the minimum rear yard setback shall be one foot for every one foot in building height. However, there shall be a minimum setback of 15 feet, unless an access lane is planned, in which case, a minimum of 22 feet is required.

Gary Cannon, Developer, said that he had prepared a very preliminary site plan that designated a 6,000 sq. ft. building on the south side of the property and a 4,000 sq. ft. building on the north side of the property, which he said met the parking requirements.

Mayor Applegarth opened a Public Hearing and called for public comments. There were no public comments; Mayor Applegarth closed the public comment period.

Ordinance No. 15-21 – Rezoning 1 acre of property located at 11978-11988 South Redwood Road from C-N (Commercial Neighborhood) to C-PO (Commercial Professional Office)

Council Member Sheldon Stewart **MOVED to approve Ordinance No. 15-21 – Rezoning 1.00 acres located at 11978 and 11988 South Redwood Road from its current zoning of C-N to C-PO (Commercial Professional Office).** Council Member Tricia Tingey **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. There being none, Mayor Applegarth 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. DISCUSSION/ACTION ITEMS

1. Urban Forester Presentation

Sheril Garn, Parks & Public Services Director, introduced Roman Williams as the newly hired Urban Forester.

Roman Williams then presented a Riverton City Tree Presentation, which included the goals duties and responsibilities of an Urban Forester. He said that the trees in Riverton City were suffering, the health of the urban forest, in his opinion, was in a critical state. He planned to begin by assessing the current state of the urban forest and to create a City tree inventory, and he expanded on those plans. He spoke of Community Outreach and a Long Term Tree Plan, which he said was continually evolving. He then spoke of tree issues that he was currently addressing, specifically a City-owned tree limb that fell onto residential property in the Midas Creek area, which as a result, all trees in the Midas Creek drainage were assessed for hazards and risk potential and two trees were deemed dangerous and needed to be removed. He said his goal was to ensure Riverton's urban forest infrastructure for current and future generations.

In reply to Council Member Stewart's question regarding Mr. William's background and education, Mr. Williams said that he was an ISA Certified Arborist, a Member of the Utah Community Forest Council with 15 years' experience, 12 years at Hogle Zoo with eight of those years in management, Draper City Parks Department, and then Riverton City.

Council Member Tingey thanked Mr. Williams for his extensive time spent in the Midas Creek Area and for addressing the hazardous problems in that area.

Council Member Johnson spoke of the possibility of Mr. Williams offering advice to residents about their trees and City Attorney Ryan Carter commented on potential liability of the City advising residents regarding the care of trees on personal property. Mr. Williams said that, with the time constraints of his job, he planned to provide information to residents regarding trees at community events.

Council Member Wayman reported on dead trees in park strips and asked where their removal was on the priority list. Mr. William said he was aware of those trees, however, he was busy doing damage control at the present time.

Council Member Staggs asked about a time period for inventory completion and Mr. Williams said it would take approximately 18 to 24 months minimum.

2. Final Site Plan Approval – Sonic Drive In, located at 5117 West 13400 South, SP-C Zone, Ryan Trease or SRI Real Estate Properties, Applicant

Jason Lethbridge, Planning Manager, explained that SRI Real Estate Properties submitted an application requesting Final Commercial Site Plan approval for a Sonic Drive-in to be located at 5117 West 13400 South in the Monarch Meadows commercial development. He said the property was zoned SP-C (Specific Plan Commercial), as were the properties to the west and to the east, with the property to the south was zoned SP RM-18 (Specific Plan Residential Multi-Family 18 Units per Acre), and the property to the north was located in Herriman City.

Mr. Lethbridge further explained that the proposed development placed the Sonic building at the center of the site with the parking area on the west and the typical parking canopy that accompanies a Sonic located on the east side. He said vehicular circulation was around the building with entrances from 13400 South and from London Bay Drive, a private road located to the east of the proposed site. Also, he said the vehicle drive through aisle was entered from the south west and exits at the north east side of the building and there was a vehicle cross connection provided with the car wash to the west, as encouraged by ordinance and typical for this development.

Mr. Lethbridge said that on August 27, 2015, the Planning Commission voted to recommend approval of the rezone application with the following conditions:

1. Storm drainage systems and accommodation comply with Riverton City standards and ordinances, and with the recommendations of the Riverton City Engineering Division.
2. An interim storm drainage and erosion control plan and an access management plan be approved by the City prior to any construction or grading on the site.
3. The site and structures comply with any and all applicable Riverton City standards and ordinances, including the International Building and Fire Codes.
4. Lighting, both on the building and in the site shall be designed and installed to minimize impacts to the surrounding properties.
5. Any and all rooftop mechanical equipment shall be fully screened from view from the roadway and surrounding properties.
6. Complete an acceptable O & M plan for post-construction storm water controls and associated covenant to maintain.
7. Building architecture shall be constructed as per approved plans and parking canopy support columns shall be of brick or stone similar to that used on the building exterior.

Mr. Lethbridge then presented a view of the existing fencing surrounding the property, which was determined to be solid masonry.

Council Member Paul Wayman **MOVED to approve the proposed Sonic Drive-in Final Commercial Site Plan located at 5117 West 13400 South with the conditions outlined in the Staff Report.** Council Member Tricia Tingey **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. There being none, Mayor Applegarth 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. Ordinance No 15-22 - Approving a Draft Project Plan and Budget for the proposed Western Commercial District Community Development Project Area

Ryan Carter, City Attorney, explained that on October 20, 2015, the Redevelopment Agency of Riverton City met during a regularly scheduled meeting and adopted the Western Commercial District Community Development Project Area Plan (the “Plan”). He said the ordinary process for adopting a Project Area Plan by the Redevelopment Agency was through passage of an appropriate resolution. He said that adoption of the plan by ordinance of the Riverton City Council added nothing to the substance of the same, but merely was a required step to comply with Utah law.

Council Member Trent Staggs **MOVED to approve Ordinance No. 15-22 - Adopting the Redevelopment Project Area Plan for the Western Commercial District Community Development Project Area.** Council Member Sheldon Stewart **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. There being none, Mayor Applegarth 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.**

4. CONSENT AGENDA

Mayor Applegarth presented the following Consent Agenda:

1. **Minutes:** N/A
2. **Bond Releases:**
 1. Riverton Meadows Lot 7 – Warranty Release
 2. Bowen Park – Performance Release
3. **Resolution No. 15-72** – Requesting the recertification of the Riverton Municipal Justice Court - **Removed**
4. **Resolution No. 15-73** – Approving the appointment of Poll Workers for the 2015 General Municipal Election
5. **Resolution No. 15-74** – Approving the First Amendment to the Interlocal Agreement with the Jordan River Commission

Council Member Paul Wayman removed Item 4.3 from the Consent Agenda.

Council Member Tricia Tingey **MOVED that the City Council approve the Consent Agenda with the exception of Item No. 4.3.** Council Member Paul Wayman **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**

4.3 Resolution No. 15-72 – Requesting the recertification of the Riverton Municipal Justice Court

Council Member Staggs asked if the City was required to maintain a Municipal Justice Court or could the City merge with other municipalities. City Attorney Ryan Carter explained that the

City was not required to maintain a Municipal Justice Court and it could be merged with another entity and he gave a brief explanation of that process.

Council Member Sheldon Stewart **MOVED to approve Resolution No. 15-72 – Requesting the recertification of the Riverton Municipal Justice Court.** Council Member Trent Staggs **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. **The motion passed unanimously.**

The Council requested this issue be discussed in Strategic Planning discussions.

5. STAFF REPORTS

Lance Blackwood, City Manager, called for Staff Reports.

Chief Ulibarri, UFA Battalion Chief, reported on the Wildland Fires season and said the fires started slow but picked up in June to October.

1. Craig Calvert – Fleet Report

Lance Blackwood, City Manager, explained that as a follow up to the budget and to the Strategic Plan, Purchasing Manager Craig Calvert had prepared a Fleet Report.

Craig Calvert, Purchasing Manager, presented and explained a spread sheet showing the difference between the purchase price and trade in offer of two 2014 Ford F150 Trucks being \$1,377.00, and five 2014 Toyota Tacoma Trucks being \$189.71.

Council Member Paul Wayman asked questions regarding the figures presented and what the figures included. He said he wanted to know the total cost, figuring in light bars, equipment, and any other cost involved in changing out a vehicle. He said Mr. Calvert's presentation may have looked good but he said he was a little skeptical.

Trace Robinson, Public Works Director, explained that the City mechanic would remove the existing light bars and install them on the new vehicles, so there would be no additional costs for them. He explained that light packages cost \$900.

Council Member Sheldon Stewart said that in comparing a lease/purchase option, the lease cost was well under the purchase cost.

Craig Calvert explained that the difference between a two year and a three year rotation was quite significant as far as trade in value that the City would receive because there would be one more year left on the bumper to bumper warranty. Therefore, if a three year rotation was selected, he said the City may lose that trade in value and the program may not work.

Council Member Stewart spoke in favor of moving forward and **MOVED that the City Council approve doing a trade in and purchase the vehicles listed in the document provided.** Council Member Trent Staggs **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. Council Member Paul Wayman said he would like to see a paper comparison as

to what Salt Lake County did on their vehicles. He said it was important to see how other people were doing it because a lot of those were doing a ten year rotation and doing 60,000 miles. Mr. Wayman said he called some of the people that had done other rotations and they had gone back to the longer rotation because of cost. He said he was thinking there were more hidden costs than what they were shown, so he said he was going to vote No. Council Member Stewart said the Council had discussed the issue last year with plans to revisit the issue to see if it was worth doing. He said that when an asset is kept too long the value of that asset diminishes. Council Member Trent Staggs commented favorably to the proposal and said that the longer that vehicles were held the more that would necessitate an additional employee. Mayor Applegarth said the issue was discussed at length in the Strategic Planning Session and a two year rotation was agreed to and the information presented by Craig Calvert was the result of that two year rotation. Mayor Applegarth then called for a roll call vote. The vote was as follows: Wayman-**No** – “and the reason is cause I don’t think the figures are accurate, I think I’ve already mentioned that so I’m going on that.” Tingey - asked Craig Calvert if the figures were accurate or if there was any other information that he was holding back. Mr. Calvert said that the information he provided was the purchase cost of the vehicles and the trade in value of the vehicles–**Yes**, Stewart-**Yes**, Staggs-**Yes**, and Johnson-**Yes**. **The motion passed 4 to 1.**

6. ELECTED OFFICIAL REPORTS

Mayor Applegarth – reported that an UTA Open House would be held on October 29th, also in January, and in February. He said there was confusion from discussions held at the October 6th City Council Meeting regarding a 2016 Town Days Carnival. He said it was his understanding that the City would not pursue any bids for a carnival in June or July of 2016, but discussion would be held in a Strategic Planning Session to discuss family friendly alternatives in its place.

Council Member Tingey reported that the majority of the feedback she received was not in favor of holding a carnival. Council Member Wayman disagreed and said he preferred holding a carnival behind City Hall but contracting with a pristine company.

Council Member Brent Johnson said the discussion was clear two weeks ago and **MOVED to disapprove of a Carnival for Town Days for 2016**. Council Member Trent Staggs made a **friendly amendment to come back with family friendly activities for 2016**. Council Member Sheldon Stewart **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Johnson-**Yes**, Staggs-**Yes**, Stewart-**Yes**, Tingey-**Yes**, and Wayman-**No**. **The motion passed 4 to 1.**

Mayor Applegarth said that he received a letter from Richard Bay, Jordan Valley Water Conservancy District (JVWCD), stating that Lynn Crane’s term on the JVWCD Board was expiring and two nominee’s, (elected officials only) names may be submitted, along with resumes. Council Members agreed the appointment should come from Riverton City and Council Member Brent Johnson expressed interest. Mayor Applegarth said that Governor Herbert would make the selection and the appointment would be approved at the November, 17, 2015, City Council Meeting.

Council Member Johnson – spoke of a request from residents of the Vista for a midblock crosswalk at the intersection of 12800 South and 1300 West. He said he met with Trace Robinson regarding the issue and he said he would research it further for possible options. He

then spoke of ordinance amendments regarding Conditional Use Permits and a change to the Board of Adjustments.

Council Member Staggs – spoke of road improvements in areas of District 4. He then reported on the SLVESA Board and said they approved their tentative budget for 2016 with no tax increases. He then spoke of the Jordan Valley Water Conservancy District and requested a midyear update for the City of Riverton.

Council Member Stewart – spoke of parking lots and streets that were being used for storing vehicles. He then requested that a Closed Session be held to discuss UFA issues.

Council Member Tingey – thanked Roman Williams for his extensive work in the Midas Creek area. She said her Council Budget was going toward cleanup of a trail system. She said a bridge was being installed over the canal to connect trail system in that area. Trace Robinson said that he had applied for a grant to be used toward that area.

Council Member Wayman – reported that a Radon Open House would be held on November 19th at the Riverton Hospital. He said that the City would man a table there and asked for the City's involvement. He then spoke of road construction at 12600 South 2700 West. He then briefly reviewed proposed sign ordinance changes and requested Council Member's input. He asked them to review the document he had previously distributed and email him any of their comments. He said the sign ordinance would be ready for the Planning Commission after the first of the year.

7. UPCOMING MEETINGS

Mayor Applegarth reviewed the following upcoming meetings:

1. November 03, 2015 – General Election Day – No City Council
2. November 17, 2015 – Board of Canvassers Meeting – 6:15 p.m.
3. November 17, 2015 – Regular City Council Meeting – 6:30 p.m.

8. ADJOURN

Council Member Paul Wayman **MOVED to adjourn**. Council Member Sheldon Stewart **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. There being none, he called for a vote. There being none, he 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**. The meeting adjourned at 9:07 p.m.

Approved: CC 11-17-15