

Riverton City
REGULAR CITY COUNCIL MEETING
Minutes
April 19, 2016

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 - *Excused*
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
Sheril Garn, Parks & Public Services Dir.
Rosie Rivera, Riverton Precinct Chief
Mike White, UFA Battalion Chief
Joy Johnson, Deputy Recorder

FIELD TRIP

The Riverton City Council went on a Field Trip beginning at 5:00 p.m. on April 19, 2016, to visit the City Water Shop to look at potential employee work space; wherein no action was taken.

A. GENERAL BUSINESS

1. Call to Order and Roll Call

Mayor Applegarth called the Riverton City Council Meeting to order at 6:30 p.m. and conducted a roll call. Council Members Johnson, Staggs, Tingey, and Wayman were present. Council Member Sheldon Stewart was excused.

Pledge of Allegiance – A Boy Scout led the Pledge of Allegiance.

1. Presentations/Reports

a. Recognition of Boy Scout Troops

Mayor Applegarth recognized Boy Scouts that were in attendance.

b. Mayoral Proclamation – Arbor Day 2016

Mayor Applegarth read a Proclamation proclaiming April 29, 2016, as Arbor Day and encouraging all residents to become active in planting, promoting, and preserving trees throughout the year.

2. Public Comments

Mayor Applegarth called for public comments; there being none, he closed the public comment period.

Mayor Applegarth moved to Agenda Item C.1.

C. DISCUSSION/ACTION ITEMS

1. Discussion of Special Event Permits

Sheril Garn, Parks & Public Services Director, explained that each year Riverton City, as well as UPD, received a number of requests for special events to be held in the City. She said Events included, but were not limited to, 5K runs, triathlons, bike rides, block parties, etc. She said those types of events add value to the quality of life to the City, but at times are difficult to manage, and to maintain a sense of safety, not only to those in attendance but to non-participants as well.

Mrs. Garn presented a copy of a survey of surrounding cities Special Event Permit Application Fees. She explained that the purpose of the application was not to make money on an event but to be aware of and to regulate non-City sponsored events that occurred within the City. She explained that anyone wanting to host an event in the City would be required to fill out an application and submit it to the City Parks and Recreation Department, from which the approval process would begin. She then explained each item on the proposed application.

Mrs. Garn explained that most other cities in Salt Lake County require a Special Event Permit. She said she preferred an application process and said that any associated fee would be at the discretion of the City Council.

Chief Rosie Rivera commented that she preferred the application process because it allowed the Police Department time to prepare for and staff an event; she said it also helped the public become informed of an event.

Public Works Director Trace Robinson said that many of the Special Events use valuable staff time in coordination and preparation efforts. He said that he did not feel a permit should generate revenue for the City but a fee should be charged to cover staff time.

Council Member Trent Staggs recommended that the City not allow non-City sponsored events and not implement a Special Permit Fee. He said fees had already been established in the Municipal Fee Schedule to cover the costs of renting a City building or Park Pavilion for events.

Lengthy discussion was held regarding appropriate staff time and a fee that would compensate for utilizing staff time. City Attorney Ryan Carter said that City public facilities were going to be used whether permitted or not and the City now had the opportunity to become aware of an event and it would have more control of an event through a Special Event Permit Application.

Council Members Johnson and Wayman spoke in favor of a Special Event Permit and said the application process would be a benefit for the safety and welfare of all citizens because of the requirements within the application. They recommended staff bring back to the City Council a recommended fee that would offset staff time required for an event.

Council Member Tricia Tingey **MOVED that the City Council adopt Riverton City’s Special Event Permits and then have Staff bring back to the Council some recommended fees at a later time.** Council Member Paul Wayman **SECONDED** the motion. Mayor Applegarth called for discussion on the motion. Council Member Staggs said that he was uncomfortable with the situation; that the City had a Fee Schedule for facilities, which were open to the public and there was a process and they could go through. He said the City would spend an inordinate amount of time on Special Events, including staff, law enforcement and otherwise, to try to monitor and govern an event, and he said it seemed that the City was either competing with the private sector or they were opening it up to any organization and to an extent for utilizing public roads. Council Member Tingey called for Point of Order, after which Council Member Staggs made a **Substitute motion: I move that the City Council not adopt Riverton City’s Special Event Permit and look to make changes to our fee schedule with public facilities. The motion died for lack of a Second.** Mayor Applegarth called for a vote on **the original motion**; the vote was as follows: Johnson-Yes, Staggs-No, Stewart-Excused, Tingey-Yes, and Wayman-Yes. **The motion passed 3 to 1.**

Mayor Applegarth recommended the Special Event Permit Fee be brought back for discussion at the June 7th City Council Meeting as part of the proposed budget discussions.

Mayor Applegarth presented a Utah Department of Environmental Quality Recognition Award to Council Member Paul Wayman for his contribution to the EPA Region 8 Radon Program.

B. PUBLIC HEARINGS

1. Ordinance Amendment - Amending Section 18.150, Signs, of the Riverton City Land Use Code as described in Exhibit “A”, Amendments proposed by Riverton City

Council Member Paul Wayman recommended that the proposed ordinance amendment regarding Section 18.150, Signs, of the Riverton City Land Use Code, be tabled and returned to the Planning Commission for further discussion.

Council Member Paul Wayman **MOVED the City Council Remand Ordinance No. 16-08 – back to the Planning Commission for further proceedings.** 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-Excused, Tingey-Yes, and Wayman-Yes. **The motion carried.**

1. Ordinance Adoption - Adoption of Section 18.130, Pedestrian Oriented Overlay Zone (PO-OV), proposed by Riverton City

Jason Lethbridge, Development Services Director, explained the Riverton City Council requested preparation by staff of an overlay zone which would add additional regulations and allowances on existing commercial zones to encourage and facilitate pedestrian oriented development. He said the intent of the zone was to establish specific permitted uses, which are determined to be more compatible with pedestrian use, and to prohibit uses which may conflict with that intent. In addition, the overlay allows for reduced front setbacks to accommodate screened parking areas. He said General architecture would be governed by the underlying zone, but there were several encouraged features within the overlay that were intended to facilitate pedestrian access and encourage outdoor uses. The zone includes a maximum parcel area of 5 acres, as it was intended for smaller scale commercial development, and parcels proposed for rezone to the overlay must have frontage on a public street.

Mr. Lethbridge said that examples of potential areas this could be applied included the 12600 South corridor between 1300 West and Redwood Road, the Redwood Road corridor where commercial is planned, commercial development within the Downtown area, and development within the Western Commercial District that lies outside of the recently approved SLR development.

Mr. Lethbridge said that on March 24, 2016, the Planning Commission voted to recommend approval of the proposed ordinance amendment.

Lengthy discussion was held and Mr. Lethbridge addressed questions from Council Members.

Mayor Applegarth opened a Public Hearing and called for public comments; there being none, he closed the Public Hearing.

Council Member Brent Johnson recommended that the following prohibited uses be added to 18-130-040 Prohibited Uses:

1. Check cashing / title loan businesses.
2. Tobacco retailers
3. E-cigarette, including ‘vapor’ businesses
4. Pawn Shops

Ordinance No. 16-09 - Adoption of Section 18.130, Pedestrian Oriented Overlay Zone (PO-OV), proposed by Riverton City

Council Member Trent Staggs **MOVED** the City Council adopt **Ordinance No. 16-09** - **The proposed Pedestrian Oriented Overlay Zone (PO-OV), as described in Exhibit “A”**. Council Member Brent Johnson made a **Substitute Motion** to explicitly add Check cashing/title loan businesses, Tobacco retailers, E-cigarette, including ‘vapor’ businesses, and Pawn Shops. 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-Excused, Tingey-Yes, and Wayman-Yes. **The motion carried.**

3. Vacation of Property, Vacating a portion of the Scenic Cove Subdivision located at 11962 S Scenic Acres Drive in Riverton City, Utah

Jason Lethbridge, Development Services Director, explained that the agenda item was regarding an existing storm water detention pond in the Scenic Cove Subdivision that was designed to be temporary pending installation of more permanent facilities. He said the applicant proposed the construction of a new pond to replace the existing, which would free up the property to become a buildable lot. While this item was noticed for the meeting, he said the permanent pond had not yet been finalized, and staff recommended the item be tabled pending finalization of the permanent pond.

Council Member Tricia Tingey **MOVED the City Council TABLE Item B.3 pending finalization of the required storm drainage facility.** 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-Excused, Tingey-Yes, and Wayman-Yes. **The motion carried.**

4. Ordinance Amendment, Amending Section 18.135.020, Zoning Amendments, Addressing Requirements for Submittal of Rezone Applications and Required Public Noticing

Jason Lethbridge, Development Services Director, explained that the agenda item proposed changes to the reapplication process for rezone applications, and also to the required noticing for such applications. The Planning Commission's hearing on the item was not correctly transcribed due to technical issues with the recording; therefore, staff recommended the item be tabled to the May 3rd City Council Meeting to allow for proper transcription of the minutes.

Council Member Trent Staggs **MOVED the City Council Table Item B.4 to the May 3rd City Council Meeting.** Council Member Brent Johnson **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-Excused, Tingey-Yes, and Wayman-Yes. **The motion carried.**

D. CONSENT AGENDA

Mayor Applegarth presented the following Consent Agenda:

1. **Minutes:** CCM 03-29-16, RCCM 04-05-16
2. **Bond Releases:** N/A
3. **Resolution No. 16-19** - Authorizing the execution of a Second Amendment to an Existing PCS Site Agreement with STC Five LLC, and granting an easement identified as "Memorandum of Second Amendment"

Council Member Tricia Tingey **MOVED that the City Council approve the Consent Agenda.** Council Member Brent Johnson **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-Excused, Tingey-Yes, and Wayman-Yes. **The motion carried.**

E. STAFF REPORTS

Lance Blackwood, City Manager, reported that there were no staff reports.

F. ELECTED OFFICIAL REPORTS

Mayor Applegarth issued an invitation from South Valley Sanctuary to the City Council to a breakfast on Tuesday, May 10th from 8:00 to 9:00 a.m. at the Meridian Center in West Jordan. He briefly spoke of the progress of the Redwood Road Project and reported that UDOT was in the process of appraising land values in order to approach land owners.

Council Member Johnson spoke of the signage in the parks regarding things that were prohibited. He mentioned that smoking was prohibited in the parks but he had seen many offenders with various types of cigarettes there. He sought recommendations for larger signage. He then spoke of the Jordan Valley Water Conservation District Board (JVWCD) of Trustees promotion of “localscapes” for water conservation. He presented photos of “localscapes” and said they were designed for Utah. He said JVWCD had offered a \$50,000 grant for water conservation projects and encouraged the City to apply. Mr. Johnson said he would work with Angie Trammell, Communications Manager, on the promotion of “localscapes.” He then requested an update of the sidewalk project on 1300 West near the golf course.

Council Member Staggs spoke of the Peggy Green Park tennis courts and said he was working with Sheril Garn, Parks & Public Services Manager, and they were proposing demolition of the courts and installing landscaping or sand pit volleyball courts. He said he would be contacting the residents in that area regarding their needs for that area. Mayor Applegarth reported that he had not included any funds in his proposed budget for 2016-2017 for that project. He then said the Margaret Park Project would be finished in June. He spoke of traffic calming devices and said he would use the remainder of his budget money to paint chevron stripes on 11800 South and 1900 West. He then reported that he was working with the Parks Department in spraying part of the Jordan River Trail. He then reported that, as part of the Jordan River Commission, the City received \$20,000 grant funds and they were meeting with a consultant as to how to proceed with those funds. He reported that the “Get into the River” event would be held on May 12th. He also reported that the barricades on Reeves Lane would be removed the week of April 25th.

Council Member Stewart - Excused

Council Member Tingey thanked Jason Lethbridge, Development Services Director, for teaching 4th and 5th grade students about Block Cities and the process of planning a city. She reported that she accompanied the Riverton High School Choir to Chicago and they received a 1st overall rating in their competition. She said the students represented Riverton City very well.

Council Member Wayman spoke of mosquitos and the diseases they spread. He reported that the Oquirrh Hills Park Improvements had been bid and the project should begin in May and completed in July.

Mayor Applegarth reported that the Mayor's Budget would be presented to the City Council on May 3rd. He then reviewed the Budget Calendar and the budget process.

G. UPCOMING MEETINGS

Mayor Applegarth reviewed the following upcoming meetings:

1. May 03, 2016 – 6:20 p.m. – Redevelopment Agency Meeting
2. May 03, 2016 – 6:30 p.m. – Regular City Council Meeting
3. May 17, 2016 – 6:30 p.m. – Regular City Council Meeting

H. CLOSED SESSION

Strategy Session to discuss the purchase, exchange, or lease or sale of real property

Council Member Tricia Tingey **MOVED** that the City Council meet in a Closed Session for a **Strategy Session to discuss the purchase, exchange, lease or sale of real property**. Council Member Brent Johnson **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-Excused, Tingey-Yes, and Wayman-Yes. **The motion carried.**

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

I. ADJOURN

Council Member Tricia Tingey **MOVED to adjourn**. Council Member Brent Johnson **SECONDED** the motion. Mayor Applegarth called vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Excused, Tingey-Yes, and Wayman-Yes. **The motion carried.** The meeting adjourned at 9:41 p.m.

Approved: CC 05-03-16