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 Staggs, Stewart, Tingey, and Wayman were present; Council Member Johnson was excused.

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

3. Presentations/Reports

   a. Recognition of Boy Scout Troops

   b. Oath of Office administered to Riverton Youth City Council

City Recorder Virginia Loader administered the Oath of Office to the following 2017-2018 Riverton Youth City Council as listed:

   Brooke Ballard-Youth Mayor                   Bri Fuller- Historian
   Broc Stow-Youth Mayor Pro-Tem                Emma Lambert-Hospitality/Service
Mayor Applegarth explained that, under the direction of Youth City Council Advisor Pam Henderson, the Youth Council helps with a number of City Events including the following activities:

- Youth Teen Hunt
- Halloween Bash
- Children Easter Egg Hunt
- Santa’s Arrival
- Riverton Town Days
- Night Out Against Crime
- Get into the River

4. Public Comments

Mayor Applegarth called for public comments.

Dennis Page spoke of the Redwood Road Widening Project and the condition of the Riverton Hardware property. He spoke of the unsightly upkeep of the west side of their property where junk has accumulated and he said that something should be done to enforce cleanup of their property. Ryan Carter, Interim City Manager, said he would review a contract between Riverton Hardware and the City regarding their property.

There being no further comments, Mayor Applegarth closed the Public Comment period.

B. PUBLIC HEARINGS

1. Ordinance Amendment – Proposed amendments to the RM-6 Zone, establishing standards for single-family lots within that zone, Riverton City – Continued from RCCM 09-05-17

Jason Lethbridge, Development Services Director, explained that Riverton City Ordinance 18.45 is a multi-family zone allowing a maximum density of six (6) units per acre. He said it is currently structured around development of multi-family units with common open space, and does not accommodate detached units on separate lots. Riverton City has recently made changes to the minimum lot size and other standards to make the RM-6 a zone that could be utilized more for infill and transitional developments, and, to further that effort, is proposing amendments to that zone for detached units on individual lots.

Mr. Lethbridge said the changes would establish a section of the ordinance specifically addressing development of detached units on separate lots. He said the primary standards to address are minimum lot size and building setbacks. He presented and summarized the Planning Commission’s recommended standards for that zone.

Mr. Lethbridge said that on August 24, 2017, the Planning Commission voted to recommend approval of the proposed ordinance amendment, and on September 5th the City Council continued the item pending changes that were discussed in that meeting. Mr. Lethbridge
presented proposed ordinances wherein those changes were reflected, including separate standards for single and multi-unit lots, and amendments to architectural requirements, and standards for clustered units on shared driveways. He then presented information regarding Exterior Materials, Shared Driveway Clusters and RM-6 Amendment-Options.

Discussion was held regarding setbacks, single story vs. two story homes, roads, safety, and sidewalk placement. Mr. Lethbridge addressed questions from the Council Members and he made reference to zoning requirements for an RM-6 Zone as well as Fire Code regulations.

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

Kameron Spencer, Developer from Century Communities, thanked Mr. Lethbridge for his assistance in working with Century Communities regarding the proposed zone amendment. Mr. Spencer recommended that a maximum parcel for an RM-6 Zone be 15 acres with a maximum density of 90 units. He then spoke of single detached uses, which he said would allow developers to be creative and build some detached living units in the zone.

Additional comments and concerns were offered by Council Members regarding setbacks, one and two-story houses, and architectural standards that are applied to single-family houses.

Trace Robinson, City Engineer, said that many properties have easement concerns with utilities or other situations that need to be addressed when considering setbacks.

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

Orderance No. 17-17 – Amending Sections 18.45, RM-6, adding standards for individual lots in the RM-6 Zone, revisions proposed by Riverton City

Council Member Trent Staggs MOVED to adopt Ordinance No. 17-17 - Amending Section 18.45, the RM-6 Zone, Adopting Standards for Individual Dwelling Lots, as described in Exhibit “A”, and modifying 18.45.180 to increase the rear yard setback to 25 feet in the event of a two-story, applying the single-family architectural standards to the detached or individual lots are selected and the less than two acre 7,000 square foot lot minimum. Council Member Sheldon Stewart SECONDED the motion and proposed a Friendly Amendment to include the roads into what he just designated. Council Member Staggs accepted the amendment and clarified that the roadway would not be included in the 5,000 square foot lots. Council Member Stewart SECONDED the motion with the amendment. Mayor Applegarth called for discussion on the motion; there being no further discussion, he called for a roll call vote. The vote was as follows: Council Members Johnson-Excused, Staggs-Yes, Stewart-Yes, Tingey-No, and Wayman-No. Mayor Applegarth explained that the vote was tied and he said that he does not vote to break a tie on land use ordinances. He said that a Council Member was absent at the meeting and suggested that the item be continued to the next City Council Meeting when all Council Members could be present. No further action was taken. The vote was tied 2 to 2 and the motion Failed.
Recorder Virginia Loader then administered the Oath of Office to the Youth Council Members who were not able to attend at the beginning of the meeting.

Council Member Staggs requested clarification of a tie vote. Mr. Carter explained that a tie vote was the same as a failure to pass. A discussion regarding lot sizes on the RM-6 Zone followed. Mr. Carter explained that the Council could make a formal motion to table the item until the next meeting, as the Mayor had previously suggested. Mayor Applegarth said he was trying to give the Council Member who was absent an opportunity to vote on the item. Council Member Staggs said he would not make a motion. Mayor then asked for any Council Member to make a motion on this item; however, a motion was not made.

C. DISCUSSION/ACTION ITEMS

1. Discussion: Definition of terms relating to Single-Family Dwelling Units

Jason Lethbridge, Community Services Director, explained that at a previous meeting the City Council requested information regarding how Riverton City, and other municipalities, defines in ordinance a ‘family’, relative to the City’s residential zones. He referred to excerpts from Riverton City’s ordinance, as well as several other city’s ordinances throughout the state.

Ryan Carter, Interim City Manager, explained the following Utah State Code 10-9a-505.5 Limit on Single Family Designation:

(1) As used in this section, "single-family limit" means the number of unrelated individuals allowed to occupy each residential unit that is recognized by a land use authority in a zone permitting occupancy by a single family.

(2) A municipality may not adopt a single-family limit that is less than:

(a) three, if the municipality has within its boundary:
   (i) a state university; or
   (ii) a private university with a student population of at least 20,000; or
(b) four, for each other municipality.

Mr. Carter then explained the Riverton City Code, Section 18.05.030 Definition of terms:

- “Family” means one person living alone or four or more persons related by blood, or related by marriage or adoption, according to the laws of the state of Utah; or a group not to exceed four unrelated persons living together as a single housekeeping unit.

Discussion was held relating to enforcement of the single-family ordinance and Mr. Carter spoke of possible enforcement issues. Mr. Carter recommended that rental arrangements become more formal in Riverton City and Staff was directed by the Council to make the necessary amendments to do so and bring the issue back to the City Council.

Ryan Carter, Interim City Manager, introduced the topic of Roberts Rules of Order/Riverton Council Rules of Order and Procedure and spoke of the procedure for calling for discussion on a motion. He said that the rules could be amended to include specific language. Council Member Paul Wayman explained that he had requested this item be on the agenda for discussion; however, he said that after reading the Riverton Council Rules of Order and Procedure his questions were answered and there was no need for discussion.

3. Review of Utah Election Laws and discussion of any concerns about Election Law violations

Ryan Carter, Interim City Manager, explained that in June of 2017, the City Attorney’s Office composed and delivered a presentation to Riverton City Staff which set the boundaries of employee conduct in matters related to the pending municipal election. However, he said that he may have failed to inform Staff that they could not devote City resources, which includes time spent on the job, in any way in aid of any campaign. Mr. Carter said that he would take the opportunity to conduct further training to Staff to re-emphasize employee conduct related to the pending municipal election.

Following brief discussion, Mayor Applegarth stated for the record that he asked City Attorney Ryan Carter to train staff regarding the current Election Laws.

D. CONSENT AGENDA

Mayor Applegarth presented the following Consent Agenda:

1. Minutes: RCCM 09-05-17
2. Bond Releases:
   a. The Towers – Warranty Release
3. Resolution No. 17-55 – Authorizing Nickerson Company, Inc. to furnish and install a new 400 HP VHS Motor on a pump in the 4200 West Pump House
4. Resolution No. 17-56 – Authorizing the sale of property located at approximately 4050 West 13400 South
5. Resolution No. 17-57 – Approving the Polling Location for the 2017 Municipal General Election

Council Member Paul Wayman MOVED that the City Council approve the Consent Agenda except Item No. 2. 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: Council Members Johnson-Excused, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. The motion to Approve passed unanimously.

2. Bond Releases:
   a. The Towers – Warranty Release

Council Member Sheldon Stewart stated that there was still no rock between a portion of the wall along the Mountain View Corridor and the sidewalk in the landscape area and he would like to
make certain it is part of the phase before releasing the funds. Mayor Applegarth said this agenda item would be postponed until the October 3, 2017, City Council Meeting.

E. STAFF REPORTS

Ryan Carter, Interim City Manager, called for the following Staff Reports:

Sheril Garn reported that she was working with Craig Calvert, Purchasing Manager, Riverton Baseball and Council Member Staggs to prepare an RFP for sports field maintenance.

Lisa Dudley, Administrative Services Director, reported on collecting monies for damaged City properties, specifically items that are hit and damaged from a traffic accident, as well as the City’s process for collecting restitution.

Council Member Stewart said that his concern was the lack of transparency regarding available funds in each Council District fund. He requested that a quarterly statement be provided to the Council Members showing the incoming and outgoing activity in their accounts. Ms. Dudley said she could provide a quarterly report on each Council District’s $15,000 special project budget; however, she explained that the monies received for damages were held in a liability account and not a discretionary spending account.

Ms. Dudley then presented and reviewed information regarding the City’s progress toward the Riverton Law Enforcement Service Area and process steps yet to be completed, including noticing and citizen education. Council Member Staggs proposed that companion ads be published along with Truth in Taxation notices. Ms. Dudley reviewed costs associated with noticing and citizen education and said that a budget amendment would be required to cover those costs.

F. ELECTED OFFICIAL REPORTS

Council Member Johnson - Excused

Council Member Staggs reported that the Jordan River Commission had engaged a consultant for a design concept for a restoration project. He then reported that Herriman City and Millcreek City had both withdrawn from SLVESA. He spoke of the Ball Field Prep RFP, proposed dugout improvements donated by the baseball organization and the possibility of an in-house plan review for the dugouts. Mr. Carter said that he needed to review the plans before a decision was made regarding plan approval; once the plans are approved, he said the plans would then be presented to the Council for approval. Mr. Staggs thanked Trace Robinson for work that had done in Council District 4. Council Member Staggs asked if it was a violation for a staff member, while on City time or in a City building, to be engaged in denigrating a candidate. Mr. Carter said that if an employee were on the clock in the ordinary course of their employment and they were taking up time saying things that should not be said, then that is correct. Mr. Carter stated that the situation cuts both ways and a candidate could not approach an employee and denigrate another candidate.
Council Member Stewart said that he was appreciative that Facebook Live that was used for the first time at the City Council Meeting and he said he looked forward to interacting with the residents who may not be able to attend City Council Meeting through Facebook Live. He thanked staff members for their work and for making his dream come true through this venture. Mr. Stewart thanked Trace Robinson and Parks & Recreation for their work in moving football to the Western Springs Park. He then gave an update on UFA procedures, audit findings, the Fire Marshal’s road standards, Mutual Aid, and UFA’s Strategic Plan. He also reported on a proposed UFA tax increase of 9.6%. Mr. Stewart said he had received many compliments for Urban Forester Roman and for his knowledge, training, and the way he was taking care of the trees in Council District 1.

Council Member Tingey issued comments and suggestions to Sheril Garn, Parks & Public Services Director, regarding the recent event “What’s Up in Riverton”. She also reported on a recent Healthy Riverton event. She reported that she had received an astronomical amount of comments regarding the City Newsletter and how those citizens would like it brought back. She suggested the newsletter be discussed during a future Strategic Planning Session or City Council Meeting.

Council Member Wayman asked Public Works Director Trace Robinson questions regarding the 13800 South road between Riverton and Bluffdale. He also asked about a Secondary Water project in the CenterCal Project and an Interlocal Cooperation Agreement with VECC.

Angie Meine, Communications Director, reported on Facebook Live and reported there were 900 views and 44 comments thus far in the meeting.

Mayor Applegarth reported that he was the Chairman of the Active Transportation Committee associated with the Wasatch Front Regional Council and he recently attended a Bike Utah event in Minneapolis, MN on September 11th where they biked 21 miles of trail. He reported that City funds were not used for any part of his travel; he said he was on City business but he personally paid for every expense associated with that event. He also reported on a Get into the River event and encouraged Council’s participation in future events. He reported on a State Economic Development Committee Meeting he attended wherein several issues were presented regarding future economic development in the State of Utah. He also said there was statewide interest in the CenterCal development at that meeting.

G. UPCOMING MEETINGS

Mayor Applegarth reviewed the following upcoming meetings:

1. October 03, 2017 – Regular City Council Meeting – 6:30 p.m.
2. October 17, 2017 – Regular City Council Meeting – 6:30 p.m. – Subject to ratification by vote of the City Council

Mayor Applegarth explained that there has been interested expressed in moving the October 17th Regular City Council Meeting to October 24th. He called for discussion and Council Member Tingey said she had already scheduled her time according to the October 17th Meeting and she
was opposed to moving the date to October 24\textsuperscript{th}. She said October 17\textsuperscript{th} was a Regular City Council Meeting and October 24\textsuperscript{th} conflicted with a scheduled City event. Mayor Applegarth encouraged the use of electronic meetings when necessary. Council Member Stewart referred to an email he sent earlier and said it was not his intent to blindside the Council with the alternate date of October 24\textsuperscript{th}. Council Member Tingey suggested that when meetings be rescheduled, it is a discussed in a public forum rather than in an email. Council Member Staggs said that he and Council Member Stewart both had personal conflicts on October 17\textsuperscript{th} and they would appreciate the accommodation.

Council Member Sheldon Stewart \textbf{MOVED that we move the meeting to October 24\textsuperscript{th} at 6:30 p.m.} Council Member Trent Staggs \textbf{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: Council Members Johnson-Excused, Staggs-Yes, Stewart-Yes, Tingey-No, and Wayman-Yes. \textbf{The motion to Approve passed 3-to 1.}

\textbf{H. CLOSED SESSION}

\textbf{1. Strategy Session to discuss the purchase, exchange, lease, or sale of real property}

Council Member Paul Wayman \textbf{MOVED that the City Council meet in in a Closed Session for a Strategy Session to discuss the purchase, exchange, lease, or sale of real property.} Council Member Trent Staggs \textbf{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: Council Members Johnson-Excused, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. \textbf{The motion to Approve passed unanimously.}

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

\textbf{I. ADJOURN}

Council Member Tricia Tingey \textbf{MOVED to adjourn.} Council Member Sheldon Stewart \textbf{SECONDED} the motion. Mayor Applegarth called for a vote. The vote was as follows: Council Members Johnson-Excused, Staggs-Yes, Stewart-Yes, Tingey-Yes, and Wayman-Yes. \textbf{The motion passed unanimously.} The meeting adjourned at 10:10 p.m.

\textbf{Approved:} CC 10-24-17