

Riverton City, Utah
SPECIAL CITY COUNCIL MEETING
Minutes
December 11, 2018

Riverton City Hall
12830 South 1700 West
Riverton, Utah 84065

Attendance:

Mayor Trent Staggs

Council Members:

Council Member Tish Buroker
Council Member Brent Johnson
Council Member Tawnee McCay
Council Member Sheldon Stewart
Council Member Tricia Tingey

City Staff:

Konrad Hildebrandt, City Manager
Virginia Loader, Recorder
Jason Lethbridge, Development Services Director
Trace Robinson, Public Works Director
Ryan Carter, City Attorney
Kevin Hicks, Administrative Services Director
Casey Saxton, Communications Director
Jason Adamson, UPD Precinct Interim Chief
Mike White, UFA Battalion Chief
Craig Calvert, Purchasing/Fleet Director

Call to Order

Mayor Staggs called the Riverton City Council Meeting to order at 6:00 p.m. and conducted a roll call. Council Members Buroker, Johnson, McCay, Stewart, and Tingey were present.

Prayer/Pledge of Allegiance

Jason Lethbridge offered the invocation and a Boy Scout led the Pledge of Allegiance.

Consent Agenda

Mayor Staggs presented the Consent Agenda and City Attorney Ryan Carter explained the first three items together. He explained that Suburban Land Reserve, Inc. ("SLR") is the owner of property located in Riverton located between Bangerter Highway to the East; Mountain View Corridor to the West; approximately 12800 South to the North; and the border between Riverton City and Herriman to the South, which is currently under development.

Mr. Carter said that in January of 2016, the Riverton City Council approved a Master Development Agreement and an Infrastructure Development Agreement with SLR to govern, among other things, land use rights and the installation of Infrastructure to serve the development, such as roadways and utility systems. Approval of these Agreements also had the

effect of enabling CenterCal Properties, LLC to commence with the Mountain View Village mixed-use development Project on property originally owned by SLR. He said that since that time, SLR, CenterCal, and Riverton City staff had reconsidered how certain roadway improvements should be aligned to better serve development of the project. The parties now believe that these agreements need to be amended to show new locations where roadways shall be installed. To this end, he said the City Council was in receipt of a First Amendment to Infrastructure Development Agreement and a First Amendment to Master Development Agreement between Riverton City and SLR. If approved, he said these agreements would amend certain exhibits showing where roadway systems and related utilities would be installed. He also said that approval of these documents was necessary to facilitate CenterCal's purchase of additional property currently owned by SLR, to facilitate the development of the Mountain View Village Development Project, Phase II.

Mr. Carter then explained that, since the late summer of 2016, Riverton City has worked to construct 13200 South Street, from the east side of Mountain View Corridor, to 4570 West. The City's election to commence with constructing 13200 South Street in 2016 resulted from a special request of CenterCal Properties, LLC. CenterCal felt completion of 13200 South Street was crucial to launching a successful grand opening for phase I of the Mountain View Development Project ("Project"), which lies contiguously to the south side of 12300 South Street. Accordingly, the roadway was completed in time for the grand opening of the Project, on June 15, 2018. As completed, 13200 South Street features a roadway width of approximately 106', and consists of concrete paving which is 9" thick according to design specifications. The paved surface also lies atop a berm which ties the elevation of the Mountain View Corridor to that of 4570 West. At its peak, the berm stands more than 40' above the northwest corner of the Project, and tapers gradually to where it ties with the elevation of the Project at 4570 West Street. Riverton City originally intended to provide lateral support to the berm by constructing a 30% grade slope on the north and south sides of said berm. CenterCal responded to this news with a request to not install a 30% berm on the south side of the Project. The reason for this request was CenterCal desired to utilize as much of the property it acquired as possible to support retail businesses within the Project; a 30% slope on the northwest corner would have impinged on CenterCal's preferred design layout for said retail businesses. After discussing this problem at some length, the parties agreed to that CenterCal would install a retaining wall, at CenterCal's expense, to replace the 30% grade retaining slope. The City, for its part, would make allowances for CenterCal to complete said retaining wall, to the extent it could while keeping true to its deadline of roadway completion by the date of grand opening.

Mr. Carter said that, although 13200 South Street was completed in time for CenterCal's grand opening, and CenterCal has shown the City much appreciation for its efforts in this regard, Riverton City incurred substantial costs in order to see the project through to a timely completion. In short, the City incurred said costs because CenterCal experienced unexpected difficulty in constructing said retaining wall as scheduled. These events caused the City to incur added costs to construct 13200 South because it was forced to cancel a contract with its general contractor, and pay damages related to several delays incurred by the City's contractor while working for the City. After a lengthy negotiation with CenterCal, the parties have agreed to settle this matter under the terms of the enclosed Resolution and compromise Agreement, subject to the Council's approval of the same.

The Consent Agenda was as follows:

1. Resolution No. 18-98 – Approving the Execution of the First Amendment to Master Development Agreement with Suburban Land Reserve, Inc. Regarding Certain Real Property located in Riverton, Utah
2. Resolution No. 18-99 – Approving the Execution of the First Amendment to Infrastructure Development Agreement with Suburban Land Reserve, Inc. Regarding Certain Real Property located in Riverton, Utah
3. Resolution No. 18-100 – Approving the Execution of the Resolution and Compromise Agreement with CenterCal Properties, LLC regarding Settlement of Expenses to Construct 213200 South in Vicinity of the Mountain View Corridor in Riverton, Utah
4. Bond Releases:
 - a. Cottages at Western Springs Phase 2 (707)-Performance Release
 - b. North Creek Estates (4844)-Performance Release

Council Member Tingey **MOVED that the City Council approve the Consent Agenda, incorporating the comments of the City Attorney.** Council Member Stewart **SECONDED** the motion. Mayor Staggs called for discussion on the motion; there being none, he called for a roll call vote and the vote was as follows: Council Members Buroker-Yes, Johnson-Yes, McCay-Yes, Stewart-Yes, and Tingey-Yes. **The motion passed unanimously.**

Closed Session

5. Discussion of the character, professional competence, or physical or mental health of an Individual

Council Member Stewart **MOVED that the City Council move into Closed Session at 6:15 p.m. for discussion of the character, professional competence, or physical or mental health of an Individual.** Council Member McCay **SECONDED** the motion. Mayor Staggs called for discussion on the motion; there being none, he called for a roll call vote and the vote was as follows: Buroker-Yes Johnson-Yes, McCay-Yes, Stewart-Yes, and Tingey-Yes. **The motion passed unanimously.**

“I, Trent Staggs, Mayor of Riverton City, do hereby certify that a meeting of the City Council held on December 11, 2018, was closed to discuss the character, professional competence, or physical or mental health of an individual, wherein no other items were discussed.”

The Special City Council Meeting reconvened at 7:59 p.m.

Discussion / Action Items

6. Resolution No. 18-101 – Consenting to the Mayor’s Appointment of the Riverton City Chief of Police Services

Mayor Staggs explained the selection process of approximately 60 applicants for a new Riverton Police Chief. He then recommended the appointment of Don Hutson as the Riverton Police Chief.

Council Member Stewart **MOVED** that the City Council approve **Resolution No. 18-101 – Consenting to the Mayor’s Appointment of Don Hutson as the Chief of Police Services for Riverton City**. Council Member Tingey **SECONDED** the motion. Mayor Staggs called for discussion on the motion; there being none, he called for a roll call vote and the vote was as follows: Buroker-Yes Johnson-Yes, McCay-Yes, Stewart-Yes, and Tingey-Yes. **The motion passed unanimously.**

Adjourn

Council Member Tingey **MOVED to adjourn**. Council Member Stewart **SECONDED** the motion. Mayor Staggs called for a vote. The vote was as follows: Council Members Buroker, Johnson-Yes, McCay-Yes, Stewart-Yes, and Tingey-Yes. **The motion passed unanimously.** The meeting adjourned at 8:03 p.m.

Approved: CC 01-15-19