

Minutes of the Regular Meeting of the Riverdale City Council held Tuesday, June 18, 2019, at 6:00 p.m., at the Civic Center, 4600 S Weber River Dr., Riverdale City, Weber County, Utah.

Present: City Council: Norm Searle, Mayor
Braden Mitchell, Councilmember
Brent Ellis, Councilmember
Alan Arnold, Councilmember
Cody Hansen, Councilmember
Bart Stevens, Councilmember

City Employees: Rodger Worthen, City Administrator
Steve Brooks, City Attorney
Scott Brenkman, Police Chief
Rich Taylor, Community Services Director
Cody Cardon, Business Services Director
Jared Sholly, Fire Chief

Meeting Visitors: Daniel Phelps Michelle Phelps Eric Malmberg David Leahy

A. Welcome & Roll Call

The City Council meeting began at 6:09 p.m. Mayor Searle called the meeting to order and welcomed all in attendance, including all Councilmembers and all members of the public. Mayor Searle apologized for the delay in the start time of the meeting. He noted the large agenda and the number of items in the Council work session.

B. Pledge of Allegiance

Mayor Searle invited Councilmember Hansen to lead the Pledge of Allegiance.

C. Moment of Silence

Mayor Searle called for a moment of silence and asked everyone to remember our police officers, fire fighters, U.S. Military service members, and members of the City Council as they make decisions this evening.

D. Public Comment

Mayor Searle invited any member of the public with questions or concerns to address the Council and asked that they keep their comments to approximately three minutes. No action will be taken during public comment. There were no public comments.

E. Presentations and Reports

1. Mayors Report

Mayor Searle noted the upcoming third annual Weber Pathways Trails Fest is on Saturday. Riverdale City will host a "trail passport stop" as part of the trail fest at the Kayak Park trail head. Mayor Searle described the event passport stop locations and how to visit each stop along the trail during the Trail Fest.

Mayor Searle mentioned David Leahy who is visiting the council meeting was a former City Fire Inspector for Riverdale and noted David's past service in the Air Force and to the community. Mayor Searle mentioned David's ongoing efforts in support of the community, the Veterans Memorial, and other civic responsibilities.

2. City Administration Report

City Administrator Rodger Worthen presented the City Administration report to the City Council. Administrator Worthen discussed the month of May Department reports, focusing on Mr. Chris Stone's work and his service in supporting the City's service objectives. Chris works on many differing projects for Riverdale City and was commended by Mr. Worthen for his dedication.

A Five year service award was presented to Rich Taylor, the City's Community Services Director for his years of service. Mr. Worthen also presented the Community Development report, the City FTE authorization status, and the Finance Report to the City Council.

F. Consent Items

1. **Consideration to approve the Strategic Planning meeting minutes from May 11, 2019, the June 4, 2019 City Council Work Meeting Minutes and the June 4th, 2019 Regular City Council Meeting Minutes.**

Mayor Searle invited any corrections or comments regarding the above referenced meeting minutes. No corrections were identified by the Council.

2. **Consideration to set a public hearing for August 20, 2019 to receive and consider public comments, in accordance with Utah Code 10-5-17 and 10-6-135, regarding the nonreciprocal inter-fund activity transfer of resources utilized by the General Fund and provided by the Water Fund.**

Mayor Searle asked for any comments or changes on the Consent items. There were none, Mayor Searle called for a motion.

MOTION: Councilmember Mitchell moved to approve the consent items as amended. Councilmember Stevens seconded the motion. There was not any discussion regarding this motion. The motion passed unanimously in favor.

G. Action Items

1. **Consideration of Ordinance 909 to approve a rezone request for properties located approximately 690 W. 4400 S., Riverdale, Utah; a zoning change from Single-Family and Single-Family with Rental Unit Residential (R-2) to Multiple-Family Residential (R-5); requested by Daniel Phelps.**

Mayor Searle introduced the action item being requested by Mr. Daniel Phelps, the petitioner in this matter. Mr. Phelps, is requesting a rezone of property located at approximately 690 West 4400 South from Single-Family and Single-Family with Rental Unit Residential (R-2) zoning to Multiple-Family Residential (R-5) zoning to allow for possibility of the future development of an independent living residential structure and supporting facilities (see the application documents for further explanation). Neighboring properties to the north and east are already zoned with an R-5 zoning. This request is for approximately 0.36 acres of land located on two properties on the corner of 700 West and 4400 South.

Mr. Worthen excused Mr. Eggett from the discussion as he is out of town for training. Mr. Worthen described the rezone petition from R-2 to R5 as requested by Mr. Phelps. Mr. Worthen described further the need for various types of housing that benefits the residents of the community. Differing housing types benefits a healthy work force and other housing needs for different demographics. Councilmember Ellis questioned Mr. Phelps on the plan for the future development of the property. Mr. Phelps described that he would like to do an Independent Living facility similar to the Riverdale Sr. Center on 900 West that is currently operated by the City's Redevelopment Agency. Mr. Phelps described the need for independent living and handicap living facilities and that there are many people waiting for the type of housing he would be proposing to construct on the property. Councilor Ellis asked how many dwelling units Mr. Phelps is looking to construct. Mr. Phelps indicated that with limited property space and parking area he would be considering 20-30 units. Parking would be the limiting factor for the number of dwelling units.

Councilor Ellis asked Mr. Phelps about the vehicle access and to consider a cross-access ability between the properties. Mr. Phelps described limiting the access onto 4400 south and having an eastern access point. He indicated limiting the access points for safety reasons would be best when the design of the site is considered. Councilor Ellis thanked him for that consideration and is looking forward to seeing the submitted site plan in the future. Mr. Phelps described the connection with staff at Stoney Brooke assisted care living to the new proposed facility that would be constructed on this property.

Councilor Mitchell asked if Mr. Phelps is considering a building taller than two-stories. Mr. Phelps indicated nothing larger than two stories due to ADA requirements and potential elevator use. Councilor Mitchell requested information about the parked cargo trailer on the property. Mr. Phelps indicated the trailer will be removed in the future.

MOTION: Councilmember Arnold moved to approve the Ordinance 909 as stated in the Council packet. Second to the motion offered by Councilor Hansen.

Mayor Searle invited discussion regarding the motion. There was not a discussion.

ROLL CALL VOTE: Councilmembers Mitchell, Arnold, Hansen, Stevens and Ellis all voted in favor of the motion. The motion passed unanimously.

2. Consideration of Final Site Plan approval of proposed Riverdale Retail/Restaurant Building, property located approximately 4104 Riverdale Road, Riverdale, Utah 84405; requested by the DRH Company and AWA Engineering Group.

Mayor presented this agenda items to the council and asked for a description of the site plan application from City Administrator Worthen. This is the property formerly occupied by the Chevron Gas station at 300 West Riverdale Road. Mr. Worthen indicated the site is proposed for demolition and future construction of retail and restaurant pads. The item was favorably recommended to the City Council by the City Planning Commission on June 11th, 2019. Eric Malmberg from AWA Engineering was presented to the Council for any further questions or discussion. Councilor Ellis questioned the cross-access with John Paras furniture store to the South of the proposed site. Mr. Ellis asked the width of the access; Mr. Malmberg indicated the access is designed for 36-feet wide, enough for two-vehicles. Mr. Ellis also asked about how the grade between the two properties would be designed. Mr. Malmberg described the height of the retaining wall on the proposed new site; the wall will be continued at less than three feet or smaller. The grade break for vehicles will all be on DRH property and constructed to allow vehicle movement. Parking stalls were also discussed with council and if any would be eliminated on the John Paras furniture site. Mr. Malmberg indicated two will be removed from the furniture store but could be shared on the restaurant pad site. No further questions were offered to Mr. Malmberg.

Mayor Searle asked for any other questions, there were none. The Mayor called for a motion.

MOTION: Councilmember Arnold moved to approve the Final Site Plan for the Riverdale Retail/Restaurant Building located at 690 West 4400 South owned by the DRH Company. Councilmember Ellis seconded the motion.

Mayor Searle invited discussion regarding the motion. There was not a discussion.

ROLL CALL VOTE: Councilmembers Mitchell, Arnold, Hansen, Stevens & Ellis all voted in favor of the motion.

3. a. Public Hearing: to receive and consider comment(s) regarding proposed amendments to the Riverdale City Code: Human Resources Manual (Referred to in 1-7-1), 1-7-2 Salaries of City Council and Mayor, and 1-7F-6 Salary of the Justice Court Judge.

Mr. Worthen summarized the executive summary which explained:

A public hearing has been set for June 18, 2019 to receive and consider public comment regarding proposed amendments to the Riverdale City Employees Classification/Compensation Plan (referred to in RCC 1-7-1) concerning employee step and grade schedule, 1-7-2 Salaries of City Council and Mayor, and 1-7F-6 Justice Court Judge.

The salaries for the Mayor, City Council, Justice Court Judge, and City staff are outlined in the Ordinance and attachments.

MOTION: Councilmember Mitchell moved to open the public hearing. Councilmember Ellis seconded the motion; all voted in favor of the motion.

There were no comments made during the public hearing.

MOTION: Councilmember Mitchell moved to close the public hearing. Councilmember Arnold seconded the motion; all voted in favor of the motion.

b. Consideration of Ordinance 910, amendments to the Riverdale City Code: Human Resources Manual (Referred to in 1-7-1), 1-7-2 Salaries of City Council and Mayor, and 1-7F-6 Salary of the Justice Court Judge.

MOTION: Councilmember Arnold moved to approve Ordinance 910, amendments to the Riverdale City Code: Human Resources Manual (Referred to in 1-7-1), 1-7-2 Salaries of City Council and Mayor, and 1-7F-6 Salary of the Justice Court Judge Councilmember Mitchell seconded the motion.

Mayor Searle invited discussion regarding the motion. There was not a discussion.

ROLL CALL VOTE: Councilmembers Ellis, Mitchell, Arnold and Hansen voted in favor of the motion. Councilor Stevens voted to oppose. Motion passed 4-1.

4. a. Public Hearing: to receive and consider comments regarding proposed amendments to the Riverdale City Budget for fiscal year 2018-2019.

Mr. Cardon summarized the executive summary on pages 119 thru 123 in the Council packet which explained:

Mr. Cardon noted several amendments have been identified in different funds and departments. These amendments are summarized accordingly in the council meeting packet. Mayor Searle called for a motion for the public hearing.

MOTION: Councilmember Hansen moved to open the public hearing. Councilmember Ellis seconded the motion; all voted in favor.

There were no comments made during the public hearing.

MOTION: Councilmember Mitchell moved to close the public hearing. Councilmember Arnold seconded the motion; all voted in favor.

b. Consideration of Resolution 2019-13, proposed amendments to the Riverdale City Budget for fiscal year 2018-2019.

There were no additional questions regarding this item.

MOTION: Councilmember Arnold moved to approve Resolution 2019-13, proposed amendments to the Riverdale City Budget for fiscal year 2018-2019. Councilmember Hansen seconded the motion.

Mayor Searle invited discussion regarding the motion. There was not a discussion.

ROLL CALL VOTE: Councilmembers Ellis, Mitchell, Arnold, Hansen and Stevens all voted in favor of the motion.

5. Consideration of Resolution 2019-14, adoption of the Certified Tax Rate for fiscal year 2019-2020, as established by Weber County.

Mr. Cardon summarized the executive summary which explained:

The certified tax rate is established by the Weber County Auditor. He asked the Council to consider approving the new rate of 0.000972.

MOTION: Councilmember Hansen moved to approve Resolution 2019-14, adoption of the Certified Tax Rate for fiscal year 2019-2020, as established by Weber County. Councilmember Mitchell seconded the motion.

Mayor Searle invited discussion regarding the motion. There was not a discussion.

ROLL CALL VOTE: Councilmembers Mitchell, Arnold, Hansen, Stevens and Ellis all voted in favor of the motion.

6. a. Public Hearing: to receive and consider comment(s) regarding adoption of the Final Riverdale City Budget for fiscal year 2019-2020.

Mr. Cardon summarized the executive summary and noted the changes since the tentative budget and the corresponding strategic planning meeting. The executive summary explained:

The City will hold a public hearing on June 18, 2019 to receive and consider public comment on the budget for fiscal year 2019-2020 as the final budget as amended for all funds. Please see the attached proposed final budget documents including a summary of changes from Strategic Planning held on May 11, 2019 presented as Attachment "A". Mr. Cardon discussed the most recent adjustments to the final budget.

MOTION: Councilmember Ellis moved to open the public hearing. Councilmember Arnold seconded the motion; all voted in favor of the motion.

There were no comments made during the public hearing.

MOTION: Councilmember Mitchell moved to close the public hearing. Councilmember Arnold seconded the motion; all voted in favor of the motion.

b. Consideration of Resolution 2019-15, adoption of the Final Riverdale City Budget for fiscal year 2019-2020.

There was no additional discussion regarding this item.

MOTION: Councilmember Arnold moved to approve Resolution 2019-15, adoption of the Final Riverdale City Budget for fiscal year 2019-2020. Councilmember Hansen seconded the motion.

Mayor Searle invited discussion regarding the motion. There was not a discussion.

ROLL CALL VOTE: Councilmembers Arnold, Hansen, Stevens, Ellis and Mitchell all voted in favor of the motion.

7. Consideration of Resolution 2019-16, adopting an Interlocal Fire Service Agreement between Riverdale City and South Ogden City.

Mayor Searle turned the item over to Chief Sholly for input. The Chief had no further updates to offer since the agreement was present during the previous City Council meeting on June 4th for discussion and review. The council members noted the fine work of Chief Sholly and City staff in the formulation of the agreement. Council Hansen and Ellis commended Chief Sholly on the work completed for the agreement. Mayor Searle also noted Chief Sholly's diligence in moving the proposed idea forward. Mayor Searle called for a motion on Resolution 2019-16.

MOTION: Councilmember Hansen moved to approve Resolution 2019-16, adopting the Interlocal Fire Service Agreement between Riverdale and South Ogden. Councilmember Arnold seconded the motion.

Mayor Searle invited discussion regarding the motion. There was not a discussion.

ROLL CALL VOTE: Councilmembers Arnold, Hansen, Stevens, Ellis and Mitchell all voted in favor of the motion.

8. Consideration of Resolution 2019-17, adopting an amendment to the Riverdale City Personnel Policies and Procedures Handbook.

Mayor Searle introduced the action item and requested input from City Attorney Stevin Brooks. Mr. Brooks explained the reason for this personnel policy change is part of a new State Code that requires entities to identify in policy what public items or property owned by the City could be used by City Employees. Councilor Ellis asked for the reasons why the State of Utah created the new law. Mr. Brooks indicated the reason it came to be was from activities of other entities and their employees using various public property items brought about complaints from citizens. Mr. Brooks provided example in which another county jurisdiction allowed employees to use ATV's on personal time to keep the vehicles in a state of readiness. This decision by the county (in the example presented) brought complaints from citizens to the state legislative body. The new legislative bill requires political subdivisions of the state to identify what City employees can do with public property.

The personnel policy amendment reads as such:

"City-owned property is public property and is to be used for the benefit of the public. First and foremost, City employees are to use City-owned property to achieve the purposes of the City. Notwithstanding the foregoing, incidental and occasional personal use of city owned property is permitted unless such use is otherwise prohibited by policy/code or the use creates a more than de Minimis cost to the City, at which time the employee shall reimburse the City for the cost of personal use. If City-owned property is damaged during such personal use and must be repaired or replaced, the employee shall pay the cost of repair or replacement."

MOTION: Councilmember Hansen moved to approve Resolution 2019-17, adopting an amendment to the Riverdale City Personnel Policies and Procedures Handbook. Councilmember Ellis seconded the motion.

Mayor Searle invited discussion regarding the motion. There was not a discussion.

ROLL CALL VOTE: Councilmembers Arnold, Hansen, Stevens, Ellis and Mitchell all voted in favor of the motion.

H. Discretionary Items

Mayor Searle asked for any discretionary items. Councilor Hansen inquired about the recent Taxing Entity Committee meeting in May. Mr. Worthen described that the discussion of the TEC was to request more time on the "trigger date" of utilizing the tax increment. The members of the committee desired to consult their respective boards for such an extension and the RDA staff is working on this direction. Secondly, the TEC members wanted to receive updates on the Rocky Mountain Power cost estimate of relocation of the power lines. Mr. Worthen checked with Rocky Mountain Power and confirmed with the power company that the previous estimates are in alignment with costs, depending on design of relocation. Overall, the TEC meeting was favorable and City RDA staff will be meeting with school district officials again in the month of July this year.

I. Adjournment.

MOTION: Having no further business to discuss, Councilmember Mitchell moved to adjourn. The motion was seconded by Councilmember Arnold; all voted in favor. The meeting was adjourned at 6:46 p.m.

Norm Searle, Mayor

Rodger S. Worthen, City Administrator

Date Approved: July 16, 2019