

Riverton City, Utah
CITY COUNCIL MEETING
Minutes
July 21, 2020

Riverton City Hall
12830 South 1700 West
Riverton, Utah 84065

Attendance:

Mayor Trent Staggs

Council Members:

Council Member Tish Buroker
Council Member Tawnee McCay
Council Member Troy McDougal
Council Member Sheldon Stewart
Council Member Claude Wells

City Staff:

David Brickey, City Manager
Virginia Loader, City Recorder
Jason Lethbridge, Development Services Director
Kevin Hicks, Administrative Services Director
Chief Don Hutson, RPD
Ryan Carter, City Attorney
Sheril Garn, Parks & Public Services Director
Casey Saxton, Communications Director
Trace Robinson, Public Works Director
Chief Watkins, UFA

1. Mayor and Council Informal Meeting

2. WORK SESSION – 5:45 PM

3. Call to Order

Mayor Staggs called the meeting to order at 5:45 PM.

4. Presentations

**a. 52-4 - Open and Public Meetings Act & Section 52-4-207 Electronic meetings --
Authorization -- Requirements Training**

Ryan Carter, City Attorney, presented annual training regarding UCA Open and Public Meetings Act to the City Council, who also serve as Riverton Law Enforcement Service Area Board Members and Redevelopment Agency Board Members. He also explained the provision of "Section 52-4-207 Electronic Meetings" as follows:

(4) A public body may convene and conduct an electronic meeting without an anchor location if the chair of the public body:

(a) makes a written determination that conducting the meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location;

(b) states in the written determination described in Subsection (4)(a) the facts upon which the determination is based;

(c) includes in the public notice for the meeting, and reads at the beginning of the meeting, the information described in Subsections (4)(a) and (b); and

(d) includes in the public notice information on how a member of the public may view or make a comment at the meeting.

5. Discussion Items

a. September Town Days Events

Sheril Garn, Parks & Public Services Director, explained that with the COVID-19 Pandemic, Town Days, which was traditionally held in July, had been postponed until September 2020. She spoke of the events that would be included in the celebration and asked the Council Members if they wanted to proceed.

Discussion was held regarding the current COVID-19 Pandemic and the Salt Lake County Health Department regulations. Utmost concern was discussed regarding the safety of the patrons, participants, and City staff that would be involved in the event. The Council agreed to cancel the postponed Town Days events and in its place provide a fireworks show, possibly at three different park locations, on Patriots Day, September 11th at 9:11 PM.

b. Redevelopment Agency (RDA) and Community Reinvestment Area (CDR) Update

Randy Sant, via video conferencing, presented information regarding the Riverton City Redevelopment Agency: Downtown East Community Reinvestment Project Area. He said that on October 15, 2019, a resolution was adopted creating the Riverton Downtown East Community Reinvestment Project Area, which included expansion of the remnant parcels from 12600 south to Bangerter Highway to align to the east with properties in a north south formation to Nicholas Lane from Redwood Road.

Mr. Sant reported that, in working with Advisors Consulting Services for the development of the City's Downtown Economic Development Plan, their scope of work was to determine where they were, where they wanted to go, and how they were going to get there, what would get in the way of getting there and how do we determine success in regards to a Community Reinvestment Project Area (CRA). He said they had reviewed the demographics and conditions, as well as existing studies that had been done. He said they had reviewed the real estate market in significant detail to determine development opportunities in the CRA. He said they had also worked to determine strengths, weaknesses, opportunities, and challenges, which would be part of putting together an Economic Development Tool Box. He said a significant part would be looking at the availability of creating Community Reinvestment Areas within the RDA Study Area. He then asked how many areas should be created; one large project area, or several smaller project areas. He said that a budget needed to be prepared, which included the affected taxing entities that would seem right for their participation. He said that they had tried to identify the areas that they thought would develop first and recommended project areas, i.e. parcels along 12600 South, parcels along Redwood Road, the rodeo grounds, as well as other areas. He said there were 28 steps to creating a CRA, which could take three to seven months. He said that real estate developers have indicated that there were development opportunities within the corridor.

Mr. Sant then addressed questions from the Mayor and Council Members and explained that the ability exists, under the RDA law, to transfer increment from one project area to another. He then said that to begin with, it would be better to create one CRA; however, everything could be

put into place under the creation document and have other project areas ready to create if the desire was to move at a faster pace.

Council Member Stewart asked if tax increment could be used and dedicated to tenant improvements, in order to attract other businesses into an area to create a daytime flow.

Council Member McDougal recommended that the project area be more tightly defined to alleviate questions from the citizens.

Mr. Sant then reviewed steps that needed to be taken in order to refine the study area for a potential CDA. He said they had identified the vacant piece of property along 12600 South to the Skate Park as a good project area. Further discussion was held regarding the contract and Mr. Sant said that additional work could fall under the current contract. It was then recommended that the CDA issue be presented and addressed in a future Work Session to refine at least one and possibly two project areas.

- c. Review and discussion of Riverton City's Strategic Priorities**
- d. Discussion of Broadband Inter-connectivity**
- e. Water Improvement Projects**

Mayor Staggs explained that the previous discussion of the RDA and CDA's related to Strategic Priority No. 3. Create a revitalized, pedestrian-friendly downtown destination. He said that creating a CRA with tax increments could offer funding to do something that indicated that Riverton was a historic place by placing monuments and/or markers, etc.

Mayor Staggs then spoke of Strategic Priorities No. 2 and No. 5 and asked that the Council to review them and prepare for discussion at the next work session. He said that a potential water project involving the Green Well and Broadband Interconnectivity fell under those strategic priorities and would be included in that discussion.

Mayor Staggs reported that a vendor visited the City and presented a concept of moving the I.T. solutions to the cloud, which he said would obviate the need for the City to purchase servers. He said there were other financial benefits and he said it would provide ease of use; however, he said the City first needed to obtain increased broadband. He said this issue would be further discussed at the next work session.

Council Member Wells said that he had private meetings scheduled with residents regarding possible broadband solutions in their area.

Mayor Staggs mentioned that he had met with Scott Crump who had expressed an interest in compiling a second Riverton City history book continuing on from where the first history book left off. Mr. Crump said he would charge \$7,500 for his time, which he said would take approximately two years. Mayor Staggs said the Historic Preservation Commission had expressed interest in the project.

6. City Council/Manager Report

a. Secondary Water Meter Project

Trace Robinson, Public Works Director, reported that 2,100 secondary water meters had been installed to date. He displayed a map of the City divided into areas and explained how the

project would proceed into those areas. He said that 60-70 meters were being installed daily and they were on schedule to complete the project by the targeted deadline of October. In response to Council Member McCay, Mr. Robinson explained that they began the project in the newer residential construction area of the City, knowing what the infrastructure in place would be, prior to installations in the older areas of the City, not knowing for sure what the infrastructure would be. Ms. McCay asked that the Council be able to give their input prior to the starting area selections for next year's project. Mayor Staggs recommended that discussion be held in a work session prior to starting the project next year.

Kevin Hicks, Administrative Services Director, explained that the City had acquired a \$1.5 million dollar grant from the federal government for the secondary water metering project; therefore, he said that Phase 2 of the project could not be started until certain processes had been completed or the grant could be jeopardized.

b. Budget Approval Notice – Moved to Item 12. City Manager Report

c. COVID Mask Distribution - This item was not presented or discussed

7. Adjournment of Work Session

Council Member Stewart **MOVED to adjourn the Work Session**. 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: Council Members Buroker-Yes, McCay-Yes, McDougal-Yes, Stewart-Yes, and Wells-Yes. The motion passed unanimously. The meeting adjourned at 6:58 PM.

8. COUNCIL MEETING – 7:00 PM

9. Call to Order

Mayor Staggs called the Riverton City Council Meeting to order at 7:04 p.m. and conducted a roll call. Council Members Buroker, McCay, McDougal, Stewart, and Wells were present.

10. Prayer / Pledge of Allegiance

Council Member McCay offered the invocation and Chief Hutson led the Pledge of Allegiance.

11. Citizen Comment

Mayor Staggs called for public comments.

Brent Kemp spoke of a residence in his neighborhood that was currently in violation of the Accessory Dwelling Unit (ADU) ordinance. He said that the residence had become an apartment rather than a single-family dwelling. He spoke of a lack of an ADU permit at that location, fencing issues, safety of the neighborhood, property values, etc.

Richard Ludlow also spoke of the ADU violation at the same location and he said there were three rooms being rented in the basement of the home and he was concerned about the safety of the neighborhood.

Austin Freeman said that he enjoyed playing basketball at Morning Cloak Park with his friends; however, he said that the basketball standards there were in need of repair and requested that they be repaired or replaced.

Kim Crandall also spoke of the ADU violation at the same location and said she was concerned about the safety of the neighborhood. She said the property and what was being done at the property went against the spirit of the intent regarding ADU's. She also spoke about the affect the property had on the property values in their neighborhood.

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

12. Mayor/Council Reports

Mayor Staggs – No Report.

Council Member McDougal spoke in response to the citizen comments regarding the home with an Accessory Dwelling Unit (ADU), which was located in his district. He said it appeared that there may be confusion between ordinances and recommended that the City Council direct the Planning Commission to relook at the ADU ordinance and recommend changes back to the City Council. He said that some of the things that the Council was concerned about happening in regards to ADU's was happening at the previously mentioned home.

City Attorney Ryan Carter referred to RCC 18.225.080 Accessory Dwelling Units, and explained that they were limited to all single-family zones, provided the lot under consideration for an ADU could meet all technical requirements and applicable building/fire codes. He further explained that an ADU may be created through converting an existing living area within a single-family dwelling, as an addition to an existing single-family dwelling, or within a single-family dwelling created as new construction; converting an existing detached accessory building, as an addition to an existing accessory building; or as a newly constructed accessory building.

Mr. Carter further explained that the City could only permit an ADU when an owner occupant lived on the property within either the principal or ADU, and the total number of residents residing in an ADU may not exceed the number allowed for a "family" for the lot on which the ADU was located. He then explained that a "family" means one person living alone or a group of individuals who share ties of blood, marriage, or adoption; a group residing together and consisting of parents, children, and other relatives by blood or marriage; a group of individuals residing together who have consented to an arrangement similar to ties of blood or marriage; or a group not to exceed four unrelated persons living together as a single household unit.

Council Member McCay said that some of the residents in her district requested that building on the east side of Bangerter Highway match the building that was currently being built on the east side of Bangerter Highway, i.e. businesses in Mountain View Village. She suggested that it would be a good time to look at the downtown area along 12600 south, specifically east of Bangerter Highway, and relook at some of those areas and take it to the Planning Commission and see if it needed to be updated. She also recommended upgrading the landscaping on 12600 south in order to beautify properties and match landscaping at Mountain View Village. She then reported on a recent Association of Municipal Councils Meeting wherein Mayor Jenny Wilson reported that Salt Lake County Libraries and Senior Citizen Centers would not be opening until a COVID vaccine becomes available.

Mayor Staggs noted two items to be discussed in the future: Building architectural standards, and Accessory Dwelling Units. Jason Lethbridge, Development Services Director asked the Council to submit pictures and/or ideas for building architecture to him for reference and discussion and ordinance preparation.

Council Member Stewart reported that CARES Act Funding would be coming to the City, which he said allowed for the additional burden placed upon fire and police organizations. He said it was voted on in the UFSA Board Meeting for each city to take their percentage of expenses that UFA had overrun. He said, based on population, Riverton City's portion would be \$66,000. He then explained some points they were working through to try to resolve.

Council Member Stewart then offered some background information regarding UFSA and explained a feasibility study had been completed. However, he said it was clear the consultant did not understand the request because State statute specifies a complete separation, not necessarily a separation of taxing entities. There were a few points that came out through the study, and the Board all agreed that the cost of the study was excessive for what was already understood among one another. He said the Board was now arguing the following points:

1. The return of the stations that Riverton had when entering UFSA;
2. The ongoing bond payment, which Riverton City has an obligation to because they were a part of the entity when the indebtedness occurred. Council Member Stewart said the issue got complicated in relation to Station 124 with the payments and the bond because the station was paid for with cash. He said there had been some discussion but there could not be an argument because the City was continuing with the bond payment and was currently contributing approximately \$275,000 per year. He then spoke of the City's portion of fund balance and he said he was on a UFSA committee with five other members of the UFSA Board, to meet and form a final recommendation within thirty days as to how the fund balance would be distributed. He said they already determined that by the end of the payments of bonds UFSA would be overfunded by approximately \$4 million, minus \$2.7 million that was underfunded, leaving \$1.3 million, so the City pays their bond payment and UFSA would give the City a credit back. Mr. Stewart said there was no argument over the station, the argument was over the fund balance.

Ryan Carter, City Attorney, said the committee should now relay the information to the individual board members and explain the position more thoroughly than could be done in a Board Meeting. It was noted that the City could buy out at any time and the Council asked Mr. Carter to include that option in the proposed agreement. Mr. Carter then explained that every elected official on the UFSA Board needed to know that depending upon the way that Riverton gets treated on their way out would affect the long term relationship with every individual Board Member with the Service Area.

Council Member Wells reported that he witnessed the monster paver in action on Old Liberty Way and said it was very interesting and impressive. He then reported on some of his visits to local businesses

Council Member Buroker requested an update on the microtransit study regarding busing and projects within Riverton City. She then reported on property in her district located north of 11800 South that was slated for a four-story business building and expressed her concern regarding other opportunities for four story buildings along Redwood Road. Jason Lethbridge, Development Services Director, said the reason that was possible was because the City's ordinance defines that along major transit corridors taller buildings could be built. Council Member Buroker said there would be an ordinance presented to the Council within a month restricting buildings larger than four stories; she said they could only be two stories along

Redwood Road. She then reported that she had been working with Brook Bowen in the Communications Department and he had created an excellent sign denoting the history of the bridge on the Jordan River. She said the City received a small grant of \$1,500 from the Jordan River Commission to have the sign installed on the Riverton side of the bridge by sometime in September. She said she talked to Draper City representatives and they were excited about the project with the expectation that they would pay for a sign on the Draper side of the bridge. She then requested an update regarding the court and how processes were being controlled.

b. Budget Approval Notice – Moved from the Work Session

Kevin Hicks, Administrative Services Director, reported that, in accordance with state law, a notice stating that the FY 2020-2021 Budget had been approved was included in the month's utility bills.

13. Recognitions/ Presentations

a. Riverton Police Department Report

Chief Hutson reported that Officer Kevin Salmon attended a White House event on July 4th honoring police officers injured by protestors across the country. Chief Hutson then reported that experienced Officer Zach Hutto was a newly hired police officer.

Chief Hutson reported that in the month of June there had been a slight increase in the number of vehicle burglaries in the city during the previous month, which prompted the initiation of a program of reminding citizens about the dangers of leaving valuable items in their vehicle, specifically where potential vehicle burglars could see them. He said they were targeting parking lots in the major retail areas and placing pamphlets on windshields of all the cars in the lot with a message reminding people to secure their belongings in a safe place. Also, he said they were partnering with some of the businesses to place a pamphlet in their business to remind customers to lock their cars and hide their valuables.

Chief Hutson said that they were continuing their efforts to keep the streets safe by focusing on DUI enforcement and that resulted in 17 DUI arrests for drugs and alcohol, thus keeping the roadways more safe. Additionally, he said their call volume seemed to be increasing as they emerge from the pandemic and slowly work toward more normalcy.

Chief Hutson then expressed appreciation to the citizens of Riverton who have gone out of their way to show their support for the RPD by writing letters, personally stopping by and bringing gifts, and offering words of encouragement. He said that it had really helped their morale and boosted their spirits.

Chief Hutson then reviewed the June 2020 Patrol Activity Report Riverton Police Department.

Chief Hutson explained their "Smash & Grab" cards that the police officers use to inform citizens of their vulnerability of someone breaking into their parked car to grab their personal items that were left in sight. He then expressed his appreciation for the generosity and support that the Police Department had received over the past month from the citizens of Riverton.

14. Consent Items

Mayor Staggs presented the following Consent Agenda:

- a. Minutes: WS.CCM 06-16-20, WS.CCM 06-29-20
- b. Warranty Bond Release – Nelson 2 Lot Subdivision
- c. Performance Bond Release – Copper View Animal Hospital
- d. Performance Bond Release – Norman Estates
- e. **Resolution No. 20-50** – Approving CARE's Act Funding Agreement for Governmental Entities (Salt Lake County)
- f. **Resolution No. 20-51** - Authorizing the Mayor to Execute the Rocky Mountain Power Community Performance Plan 2020
- g. **Resolution No. 20-52** – Declaring the Stormwater Vector Truck, Vehicle No. RSV-1, as Surplus and Authorizing the City Manager to Dispose of as Deemed Appropriate
- h. Approving Riverton City's Entry into Amendment No. 1 of an Interlocal Agreement with Salt Lake County for the Transfer of County Tourism, Recreation, Cultural, & Convention Funds (Development of a Dog Park)

Council Member Stewart **MOVED** that the City Council approve the Consent Agenda as listed. Council Member Buroker **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, McCay-Yes, McDougal-Yes, Stewart-Yes, and Wells-Yes. The motion passed unanimously.

15. Public Hearing(s) / Action Items – There were no Public Hearings Scheduled

16. Discussion/Action Items

- a. **General Plan Amendment, Land Use Map, a Proposed City-wide Amendment to the Land Use Map of the Riverton City General Plan**

Jason Lethbridge, Development Services Director, explained that Riverton City had for some time been moving forward with a scheduled amendment to the Land Use Map of the Riverton City General Plan. He said the Land Use Map indicated projected future land uses for property within the City, and served as a guide for development, and re-development of property. He said the City Council and the Planning Commission had met to discuss land uses, and several public open-house style meetings had been held.

Mr. Lethbridge said that the Planning Commission, following public hearings, forwarded a recommended draft Land Use Plan to the City Council. He explained that the Planning Commission and the City Council differ in two areas of the General Plan map, which he presented and explained as follows:

1. The Autumn Hills area along 13400 South and 5600 East. The recommendation to the Planning Commission was Community Commercial; however, the Planning Commission did not include that in their recommendation forwarded to the Council; they recommended 13400 South frontage only be designated Community Commercial.

Council Member Stewart said that he had met with two remaining residents that front 13400 south and he said there was possibly one resident that did not want this in the General Plan. He said that since three lanes had been added to 13400 south, those residents would like to see options. He said he would like to see this back in the draft and spoke in favor of the designating the entire block Community Commercial, which would provide the option of

combining lots for future use. He also said that by having this in the General Plan, any proposed change to that area would have to go through the zoning process.

Council Member McDougal spoke of his concern for the adjoining property owners and their investment in a single-family neighborhood and protecting their property rights. He spoke against designating the entire block Community Commercial and recommended that only the lots facing 13400 south be designated. Council Member Buroker said she agreed with Council Member McDougal and said that it had been the Council's goal for the Zoning Map and the General Plan to mirror each other as closely as possible. She said she agreed with the designation on 13400 south but had difficulty with the entire area. Council Member McCay expressed her opposition to designating the entire block Community Commercial and proposed having 13400 south facing lots, as well as the lots that directly back the 13400 south lots, designated Community Commercial.

2. The Downtown Area. Mr. Lethbridge described various designated Elderly Housing Overlays and the Planning Commission expressed their concern with timing of the designations and recommended eliminating them until after they had reviewed the Elderly Housing Zone, to which the Council agreed.
3. The property north and east of Stampin' Up. Mr. Lethbridge said the property was discussed at the Planning Commission Meeting. He said that representatives of Stampin' Up were in attendance and voiced their support in regards to the use of the surrounding property. The Planning Commission then forwarded their recommendation to maintain the Light Industrial designation in the General Plan at that location.

Council Members Buroker and McCay spoke in favor of the above two designations.

Mr. Lethbridge presented a map that showed undeveloped areas where the General Plan and the underlying zoning map differ.

Discussion was again held regarding the Autumn Hills area along 13400 South and 5600 East. It was the consensus of the Council to designate the entire parcel as Community Commercial and delete properties if needed once a Public Hearing had been held.

17. Upcoming Meetings

- a. August 04, 2020-5:00 PM-Work Session & City Council Meeting
- b. August 18, 2020-5:00 PM-Work Session & City Council Meeting
- d. September 01, 2020-5:00 PM-Work Session & City Council Meeting
- e. September 15, 2020-5:00 PM-Work Session & City Council Meeting

18. Closed Session

- a. Discussion of the Character, Professional Competence, or Physical or Mental Health of an Individual
- b. Strategy session to discuss pending or reasonably imminent litigation
- c. Strategy session to discuss the sale, purchase, exchange or lease of real property, including any form of a water rights or water shares

Council Member Stewart **MOVED to suspend the City Council Meeting move into the RLESA Meeting and at the conclusion of that meeting meet in a Closed Session for a strategy session to discuss the sale, purchase, exchange or lease of real property, including any form of a water rights or water shares.** 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: Council Members Buroker-Yes, McCay-Yes, McDougal-Yes, Stewart-Yes, and Wells-Yes. The motion passed unanimously.

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

19. Adjournment

Council Member Stewart **MOVED to adjourn.** Council Member McDougal **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, McCay-Yes, McDougal-Yes, Stewart-Yes, and Wells-Yes. The motion passed unanimously. The meeting adjourned at 9:04 p.m.

Approved: CC 08-18-2020