

**Riverton City, Utah
CITY COUNCIL MEETING
Minutes
May 4, 2021**

**Riverton City Hall
12830 South 1700 West
Riverton, Utah 84065**

Attendance:

Mayor Trent Staggs

Councilmembers:

Councilmember Tish Buroker
Councilmember Tawnee McCay
Councilmember Troy McDougal
Councilmember Sheldon Stewart
Councilmember Claude Wells

City Staff:

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

Mayor and Council Informal Meeting 5:00 PM

WORK SESSION – 5:45 PM

Mayor Staggs called the Work Session to order at 5:40 PM and conducted a roll call. Councilmembers Buroker, McCay, McDougal, Stewart, and Wells were present.

Discussion Items

Budget Discussion – Kevin Hicks, Administrative Services Director

Mayor Staggs said that all Councilmembers should have received a copy of his budget and that the budget discussion was the only item on the work session agenda.

Kevin Hicks, Administrative Services Director, explained how the budget process works. He said that each department submits their budget first and they insert the numbers into the budget. He said they do not cut anything at that point. He said that after this, he and David Brickey meet with each department head and talk about their budget needs and talk about balancing the budget. He said that he sent an email to the Councilmembers highlighting the difference in the Mayor's budget versus the City Manager's budget. He said that they should remember the long range plan for the City. He said the strategic planning meeting was very helpful but the budget is still a work in progress.

He explained that the electronic budget was sent to each Councilmember. He said that every column is required by law to produce, for example, audit, current year budget, current year to date, projected finish. He said the actual fiscal 2022 budget includes the City Manager's column

which converts automatically to the Mayor's column unless the Mayor wants to make changes. He said that the Mayor explained why he wanted to change the amount on some line items and they agreed with him and were able to talk to department heads and make the change. He said the City Council column is ultimately what will get approved and that will be the Mayor's budget unless the City Councilmembers make changes.

Ryan Carter said he wanted to clarify that they are adopting the tentative budget which is open ended and nothing is final.

Mr. Hicks said that page 14 was a summary of all of the funds which is an estimate and could come in higher or lower. He said that each fund has a summary of the fund and details for it. He said that he will be the compiler and will answer questions as they come from each of the Councilmembers.

Mayor Staggs explained that he met with Mr. Hicks at least four or five times to go over the budget. He said that they were able to identify many areas that could be cut in the budget. He said that the City Manager's office had a different approach to a few areas and those have been highlighted and emailed to each of the Councilmembers.

Councilmember Buroker asked if there were some areas where the numbers were changed to balance the budget.

Mr. Hicks said that he was referring to the capital project section of the budget. He said that based on the strategic planning meeting, these projects needed to be set up over numerous years. He said that leaving these capital projects all in the upcoming budget year was not feasible unless they wanted to have fee increases or bonds.

Councilmember Buroker asked if the RDA money comes from RDIF for downtown beautification. She asked if the City does not use all of the money in this fund, can it be used in the future or for other projects.

Mr. Hicks said this money was set up as a transfer from RDIF. He said the RDA does not currently have any money but could be used if the RDA generates some increment. He said the Councilmembers would need to decide if they wanted this to be an official loan but recommends not making this an official loan.

Councilmember Stewart said he had three items or questions he wanted to ask. He said he wanted to get more information on the EOC and he would like to tag the Fund 40-330 and 41-330 for EOC training. He said he would like Kyler to apply for grants for UFA and Riverton Police to do training. He said that he would like to put \$20,000 as a line item in Fund 55 for consulting on self-service sanitation. He said that he would like to increase the amount on Fund 45 for improvements along the Rosecreek channel.

Councilmember Buroker said she thought the slurry seal was going to be funded in this fiscal year along the Rosecreek trail.

Mr. Hicks said the only thing he was aware of was the budget for the bridge. He said that he and Trace Robinson will look into this to make sure it is not forgotten.

Councilmember McDougal asked what the plan was for improvements along the Midas Creek trail. He said he would like to have a larger discussion about both of these trails.

Councilmember Buroker said there should be some grant opportunities for improving both of these trails.

Councilmember Stewart said that he was referencing line item 45-69-150.

Mayor Staggs asked Mr. Hicks to find out if there is money in this fiscal year budget to work on the trails.

Mr. Robinson said there is a portion of the Midas Creek trail that the City owns outright.

Mr. Hicks said that Fund 110 is for the bridge and the overlay.

Mr. Robinson said they have completed the bridge and it has been stabilized. He said they had crack sealed the trail as well.

Councilmember Stewart asked to have other parts of the trail sealed.

Councilmember Buroker said she would like to split the \$500,000 equally between the Midas Creek Trail and the Rosecreek trail improvements.

Councilmember Buroker said that she doesn't think the Jordan River trail needs improvements but would like to have a budget for weed control of \$7,000.

Mr. Robinson said he would like to have more specifics about the areas of the trail that need improvements.

Councilmember McDougal said that he would like to start at the park and move west with the improvements to the trail. He said the park looks very nice and would like to move out from this area to improve it.

Mayor Staggs asked if this \$500,000 would come from Fund 45.

Mr. Hicks said that it would come from Fund 45.

Councilmember Buroker **MOVED that the City Council approve \$250,000 for Rose Creek improvements and \$250,000 for Midas Creek improvements and that they use the weed abatement budget to ensure that these two trails and the Jordan River trail remain weed free.** Councilmember 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: Councilmembers Buroker-Yes, McCay-Yes, McDougal-Yes, Stewart-Yes, and Wells-Yes. The motion passed unanimously.

Councilmember Stewart said that he wanted the UFA and RFA to go to training at Emmitsburg, Maryland and would like to work on grants for this training.

Chief Hutson said that the federal government already pays for all of the training once the City is part of the program.

Mr. Hicks said that training would be in 10-41-330.

Councilmember Stewart said he would like to create the consultation line item for sanitation in 55-49-310.

Councilmember Buroker said that she would not support adding this line item. She said she thought the presentation was very helpful at the strategic planning meeting.

Councilmember McCay asked if they could review the sanitation presentation at the next Council meeting.

Mr. Hicks said that they would not be able to update the presentation in time for the next Council meeting but can bring the presentation as it is.

Councilmember McDougal said that he has concerns about doing a sanitation study this year. He thinks that the numbers will be skewed because the costs for all supplies is high this year because of COVID. He said that he thinks the City would be better off to wait and let the costs level out next year. He said this would be across the board in all areas of the budget and he thinks that this should be considered with other projects as well.

Councilmember Stewart said that they need to make a decision before next year because the trucks would need to be ordered in January so that when the contract ends in 2023, we would be prepared.

Mayor Staggs said that there were capital expenditures in the budget that included costs for self-providing sanitation and if the Council decided not to go that route then these figures would need to be adjusted. He said that Craig Calvert had indicated during the strategic planning meeting that sanitation costs would go down given the fact that the City will own the cans. He said that he kept the fee increase to \$4 because he thought the City would save money in other areas.

Councilmember Wells said that he had a concern about construction and major equipment costs and wanted to make sure that the numbers are reviewed so that decisions can be made appropriately.

Councilmember Stewart said that the contract for self-providing would still need to come to the City Council on a consent agenda. He said that the market pressures will be in all three categories and the savings and costs will be throughout.

Mayor Staggs said that the consensus from the Council would be to review the numbers for self-providing sanitation at the next City Council meeting.

Councilmember Stewart said that he appreciated all of the hard work on the budget and believes things are looking good from his perspective.

Councilmember McDougal said that he was concerned with culinary lines which were reaching the end of their life. He asked if this budget would handle getting these fixed. He said that he wanted to make sure the existing infrastructure was up to par before starting new projects.

Mr. Robinson said that some of these projects had been pushed because of the Bangerter Highway construction. He said they are planning on fixing these lines next year.

Mayor Staggs said that 1830 West was in the budget for this year but he recommended pushing it off a year so that we could use the HB funds. He said that this year they would be using the

HB funds on Majestic Rise. He said the City will be receiving money every year that can be funded by the HB. He said that adding \$1 to the culinary base rate makes the operating revenues about \$700,000 more than the operating expenditures which he said is good for the City. He said he is hopeful in working with the county to use their ARP funds to fix the Greenwell and the City would not need a rate increase again for a few years.

Councilmember McDougal asked how much of the budget is based on assumption of funds coming in compared to actual. He asked if the City will receive money for the secondary water project.

Mr. Hicks said that the state is not giving the City any money to pay off the secondary water project. He said this debt will be completely off the books in the next year and said they are looking at many new funding sources to pay for this project. He said the City also has more time to get this project done. He said there is nothing in next year's budget for this project. He said they will be looking for other ways to pay for this project. He says that he is confident that the America Rescue Plan funds will come. He said that one of the unknowns in the budget is impact fees because these are tied to construction and development.

Councilmember McDougal said that he believes there are many projects going on that should contribute to the impact fees. He said that he wants to make sure that the City doesn't get into a project that they are unable to finish.

Mr. Hicks said that costs are skyrocketing but that is the nature of budgeting. He said that whenever the budgets are established, the Council has to decide what to do if a project comes in over that budget.

Councilmember McDougal said that he would like to budget more than needed for projects. He said that he would rather push the pickle ball courts into another year.

Mayor Staggs said even with paying off the bonds, the City will have a RDIF balance of \$6.3 million. He said that CenterCal phase 2 is planning to open in May of 2022. He said that the impact fee assessment is the biggest question mark and the impact fees.

Mr. Hicks said that he has anticipated these fees very conservatively.

Mayor Staggs said that ARP funds are to be used for water, sewer and broadband. He said that the state is optimistic they will pay for this mandate because it is an unfunded mandate.

Mr. Hicks said that the City has to spend impact fee money within 6 years of collection.

Mayor Staggs said that this applies to pickle ball courts because they are coming out of Impact 41. He said these courts would not come out of the capital improvement funds. He said that he is also planning to use park impact fees for the lights on field 6 and some drainage issues at the baseball fields. He said that even after these two projects, the park impact balance will still be \$1.4 million.

Mr. Hicks said this balance would be anticipating that they adjust what comes in for parks to shift to secondary water which would be a bigger balance if we don't amend this part of the budget.

Councilmember Wells said that he feels comfortable that the City will pull back on any projects that come in higher than what was budgeted.

Mr. Hicks said this was actually done this year on the fuel trucks. He said that the bid came in a lot higher than anticipated and they pulled back.

Councilmember McDougal asked if the City fronted the money for roads on the SLR development and asked if this money would come back to the City in impact fees.

Mr. Hicks said that specifically for roads there is not an impact fee that will come back to the City for the SLR development. He said those roads were funded by legislative appropriations and other funding mechanisms. He said that the City is being paid back each year for those road bonds from road impact to RDIF. He said that the secondary water system in SLR was put in using bonds and the impact fees could be paid back from the developers.

Councilmember McCay asked if the ARP funds could be used to pay for 1830 West.

Mr. Hicks said yes and he would ask Kyler for more guidance on this.

Councilmember McCay asked if the Council would have more input or would this come back as an amendment once they received the money.

Mr. Hicks said that the City has until December 31, 2024 to spend the money. He said he is anticipating receiving the first payment in June and the second round will come 12 months after that.

Councilmember McCay said that she would like to have a discussion on what projects the City feels are important and prioritize these items. She said on the City manager's budget versus the Mayor's budget, she was curious about moving the 10th wheeler \$80,000 cost from Fund 45 to the C-roads fund and why there was a disagreement.

Mr. Hicks said that historically staff has tried to be reasonable and make the budgets fit where they truly belong. He said that a good portion of the C-roads pays for snow removal. He said they asked staff to give an estimate of what percentage the 10th wheeler was used for snow removal compared to other uses.

Councilmember McCay asked Sheril Garn what has been requested more between pickle ball and tennis courts.

Sheril Garn said that the Council should refer back to the recreation master plan. She said there is a limited amount of tennis courts, however the increase in requests comes for pickle ball courts.

Mayor Staggs said that he wanted to use impact fees to pay for the courts to be added to the park. He said that Trace Robinson had recommended pairing the water expansion and the road expansion so that they are done at the same time. He said that if the Council wanted to not direct HB funds to Majestic Rise then the City would have a lower fund balance in RDIF. He said that in the next year the City is running higher in operation revenue and expenditures. He said that he would like to see the ARP funds utilized for broadband or the Greenwell project or secondary metering project. He said that transportation funding should be in good shape for the next several years. He said that there was a recommendation made that the City does not need

to meet every month for RFSA and RLESA and there has been a new schedule which will have quarterly meeting for these entities.

Adjournment of Work Session

Councilmember McCay **MOVED to adjourn the Work Session.** Councilmember Stewart **SECONDED** the motion. Mayor Staggs called for a vote; the vote was as follows: Buroker-Yes, McCay-Yes, McDougal-Yes, Stewart-Yes, and Wells-Yes. The motion passed unanimously. The Work Session adjourned at 7:00 PM.

COUNCIL MEETING – 7:00 PM

Call to Order

Mayor Staggs called the Riverton City Council Meeting to order at 7:08 PM and conducted a roll call. Councilmembers Buroker, McCay, McDougal, Stewart, and Wells were present.

Prayer / Pledge of Allegiance

Sheril Garn offered the invocation and Chief Hutson led the Pledge of Allegiance.

Citizen Comment

Mayor Staggs called for public comments; there being none, he closed the Public Comment period.

Mayor/Council Reports

Councilmember McDougal – No report.

Councilmember McCay said that the Utah League of Cities and Towns conference was really good. She said they talked about broadband and she recommended that if the City was going to do broadband that they get at the top of the list. She said they talked about using the America Rescue Plan money for emergency management supplies, training and salary. She said she would like to make a plan for how the funds would be spent in the coming years. She said she would like the Council to read the book by Arthur Brooks titled Love Your Enemies.

Councilmember Stewart said that the UFA budget was presented in the last UFA meeting. He said that each department would be presenting on Thursday and anyone is welcome to attend. He said that KSL has updated that the requirements of HB 294 have been met. He said that he would like to discuss more police enforcement on 13400 South with Chief Hutson.

Mayor Staggs said that all of the requirements of HB 294 had been met. He said the requirements were a 14 day case count of 163 per 100,000, under 15% ICU utilization, and over 1.6 million doses of the vaccine administered. He said that the Local First Riverton initiative that was started yesterday received over 295 entries and he explained the program. He said this program was started to help Riverton businesses continue to recover.

Councilmember Buroker said that wearing a mask was a personal choice and that she was wearing a mask because she had a respiratory virus. She said that she had received a request

from a resident to review the fireworks policies in the City.

Councilmember Wells said that he echoed Councilmember McCay's comments about the ULCT conference. He said that he enjoyed getting to know other Councilmembers and other mayors and to hear the issues that they are working on.

Presentations/Recognitions

Mayor's Budget Presentation

Mayor Staggs said that he had served on the Council for four years and as mayor for 3 years and that he appreciates the staff and all of the time they have put into this budget. He said that there have been a lot of challenges in the last year because of the pandemic. He said the Council directed that staff have some rate studies done across the various enterprise funds. He said that HDR was one of the firms conducting the rate studies and they recommended doubling the culinary and secondary rates over the next five years. He said this was a difficult budget to try to put together. He said that in spite of the challenges, the City has demonstrated a lot of resilience and been able to maintain AAA credit rating. He said that sales tax revenues have doubled in the last couple of years. He said that eight years ago, the sales tax revenue was \$4.5 million and today is \$9.2 million.

Mayor Staggs said that the City offered retirements for staff and were able to restructure departments which resulted in a savings of 6.5 employees. He said that Riverton has 3.49 employees per 1000 residents. He said that Riverton is the lowest of surrounding cities and believes that the City can do more with fewer employees.

Mayor Staggs said that given the savings in the general fund, there is an opportunity to move Stormwater operations into the general fund. He said for residents this means that instead of a \$6 ERU charge, they will be charged \$1 for Stormwater. He said that the \$5 savings will be moved to sanitation and water funds.

Mayor Staggs said that the America Rescue Plan will give \$350 billion to state and local governments. He said that Riverton will receive about \$5 million which can be spent for COVID expenses along with broadband, water and sewer infrastructure investments. He said that he has been a big proponent of improving broadband. He said the City could spend about \$1 million to build the backbone infrastructure for broadband and this would save the City about \$100,000 in annual expenditures. He said this backbone infrastructure would improve connectivity to City assets and provide the opportunity for broadband throughout the City.

Mayor Staggs said that House Bill 244 will give Riverton \$700,000 every year for 15 years for roadway infrastructure. He said the Riverton Economic Development Infrastructure Fund will have \$6 million at year end even after paying off \$4 million in water bonds which will help reduce the costs on the secondary water fund. He said he would like to see the \$5 savings from Stormwater fees applied \$1 to culinary and \$4 to sanitation. He said that the average annual utility fees per household is \$756 which is below any surrounding cities.

Mayor Staggs said that the secondary water fund has fallen short because of stalled development and new legislation in SB199 which requires all secondary water lines to be metered. He said he has proposed a \$2.50 increase to each residential connection for secondary water which is lower than staff recommended. He said that ARP funds can be

used for this debt and future secondary water metering.

Mayor Staggs said that self-providing police has been a great move for Riverton City. He said not only do we have fantastic officers but the City has been able to save over \$4 million which is about \$178 annual savings per household.

Mayor Staggs read the last paragraph of the Mayor's letter. He encouraged everyone to read through the budget and provide feedback. He said that the final budget will be adopted on June 15, 2021.

Councilmember McCay said that she appreciates all of the dedication of Mayor Staggs and appreciates him being conservative.

Mayor Staggs said that he appreciates all of the Councilmembers and their service and hard work.

Consent Items

Mayor Staggs presented the following Consent Agenda:

- a. Minutes: April 20, 2021;
- b. Set Public Hearing Dates regarding the Tentative Budget for Fiscal Year 2021-2022 - (June 1, 2021 and June 15, 2021 at 7:00 PM);
- c. Set Public Hearing Date regarding the proposed Municipal Fee Schedule for Fiscal Year 2021-2022 - (June 1, 2021 at 7:00 PM);
- d. Set Public Hearing Date regarding the proposed Compensation for Elective and Statutory Officers for Fiscal Year 2021-2022 - (June 1, 2021 7:00 PM);
- e. Set Public Hearing Date regarding the City's intent not to charge itself for any Riverton provided utility services (Culinary Water, Secondary Water, Sanitation, and Stormwater) used for municipal purposes - (June 15, 2021 at 7:00 PM);
- f. Set Public Hearing Date regarding a transfer of funds from Culinary Water Fund to Secondary Water Fund - (June 15, 2021 at 7:00 PM); and
- g. Set Public Hearing Date regarding the Final Amended Budget for Fiscal Year 2020-2021 (June 15, 2021 at 7:00 PM).

Councilmember Stewart **MOVED that the City Council approve the Consent Agenda.** Councilmember Wells **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: Councilmembers Buroker-Yes, McCay-Yes, McDougal-Yes, Stewart-Yes, and Wells-Yes. The motion passed unanimously.

Public Hearing(s) / Action Items

General Plan Amendment & Rezone, 3.9 Acres Located At 13040 S Redwood, Amending the General Plan from Estate Density Residential to Low Density Residential, and Rezoning The Property From RR-22 To R-3, Ryan McDougal, Applicant

Jason Lethbridge, Development Services Director, said that there had been several meetings on this topic and said the details are very familiar to everyone. He said this piece of land is at the intersection of Riverton Ranch Road and Redwood Road. He said this property had been

sold along with other properties in the area when Redwood Road was widened. He said the proposed amendment to the general plan is 1/3 acre low density housing and that currently the general plan allows for ½ acre estate lots.

Mr. Lethbridge said that the proposed zoning is R-3 with minimum 1/3 acre lots and that currently it is zoned RR-22 ½ acre lots. He said that the general plan has broad designations and zoning has specific requirements. He said the Planning Commission's recommendation is denial of both the general plan and the zoning.

Ryan McDougal, Applicant, said that he understands that this is a contentious topic for the neighbors and appreciates the dialogue he has been able to have with neighbors. He said that when he originally purchased this area, he knew that it was zoned for ½ acre and thought that the zoning would change because the land is surrounded by 1/3 acres lots that UDOT sold during the Redwood Road widening.

Mr. McDougal said that his new plan is for larger lots and that he may want to build his own house on this land. He presented the new plan to neighbors which is a 7 lot concept plan and includes a small piece of land that is owned by Cynthia Brown. He said that he had met with Cynthia Brown and has signed a contract with her that allows her to purchase his land to make her lot meet the minimum 1/3 lot requirement. He said that he had met with neighbors and tried to weigh everyone's opinions in coming up with a design.

Mayor Staggs called for public comments.

Blaine Withers commented that one of the residents in the area could not come and he brought a letter from this resident. The letter is included in the packet and is from Mike Gallenberger.

Sherrie Withers said she wanted to thank everyone for all the work they do for the City. She said that UDOT had left the neighborhood with a mess including pieces of land that don't have access to Redwood Road. She said that the RR-22 zoning was put in place years ago and there was a plan for how that community should look. She said she attended a planning commission for the development north of the golf course and the tone of that meeting was totally different. She said the applicant was willing to work with the neighbors.

Stewart Grow said he was a resident of the neighborhood east of this development and he has tried to activate the community on this issue. He said that he prompted over 45 pages of emails and petitions. He said that he wants the land developed but wants it to look like their own property. He said his main concern is the precedence this sets because the rezoning of this property will affect the attitude of the developers in other areas that are undeveloped. He said that he met with the developer and presented a compromise. He said his proposal was for the remnant property that fronts Redwood Road to be R-3 and that the back half of the area would be ½ acre lots. He said he has spoken with quite a few of the neighbors and a lot of them are in agreeance with the compromise.

Allison Grow said that Ryan McDougal presented a lovely plan but it does not fit the surrounding area. She said they have been open to discussing other ideas but their primary objective is to keep it ½ acre lots.

Wendy Naylor said that she lives in the surrounding neighborhood and wanted to voice her objection to this rezone. She said that the compromise is a good option. She said that Mr.

McDougal has shown up with a soccer ball to play baseball and that didn't work and now he has shown up with to play baseball with a softball and it still will not work.

Blaine Withers said thank you to the employees of the City and for the City Council. He said he would like this land to remain zoned to the RR-22 and 1/3 acre lots. He said he does not want to open Pandora's box.

Kerry Page, President of Riverton Ranch, said thank you to the Councilmembers. He said that he sent an email to the Council, Mayor and Mr. Lethbridge and explained the situation with their disabled daughter. He said that smaller lots mean more homes and more traffic. He said he knew that access from this new development will not be on Redwood Road and that will create a lot more traffic in the neighborhood. He said that the increased traffic from additional homes will make the neighborhood more dangerous for his daughter. He said it is not the City's responsibility to help this developer if he made a bad investment. He said the City should adhere to the master plan.

Lee Brown said he lives in the estate area and has a lot of livestock. He said that an issue he is concerned about is that people will move into the neighborhood and complain about the noise, flies and odors that come from livestock in surrounding properties. He asked if there was a connection between Councilmember McDougal and the Applicant.

Councilmember McDougal said there is no personal relationship with Ryan McDougal.

Gary DeRose said he owns two properties surrounding the development. He said that he picked this location to live because it has big lots and he can own livestock. He said he would like this new development zoned for ½ acre lots.

Craig Robbins said that he agreed with all of the comments already spoken. He said he would like to keep the master plan and if it is rezoned then they want the ½ acre lots towards the neighborhood and 1/3 acres on Redwood Road. He said he would like a bridge that crosses over Redwood Road.

Mayor Staggs said that UDOT is considering a signal on Riverton Ranch Road.

Mayor Staggs called for any additional public comments; there being none, he closed the Public Comment period.

Ryan McDougal thanked staff and all of the neighbors for their comments. He said his intent was not to come in and bulldoze people's lifestyles or disrupt the neighborhood. He thinks his plan will fit well in the neighborhood. He said he came up with the newest plan because ½ acre lots would not be feasible on this land and they would create odd shaped lots and then he would still have to contend with the small lot on the corner. He said he has sympathy for the neighbors but does not think there is another plan that will work as well. He said that the lots he is planning to develop have a lot of space and setback and he believes will be an asset to the neighborhood.

Councilmember Stewart asked Jason Lethbridge and Ryan Carter if the plan that Stewart Grow presented was adopted then would ½ acre lots in the RR-22 have similar fencing requirements. He asked if a R-3 zoning was adopted then would solid masonry fencing apply. He asked if the south piece of land owned by Cynthia Brown could be included in this rezone. Jason Lethbridge said that zoning ordinances would always apply to the smallest lots. He

said the zoning would need to be R-3 throughout. He said that a half acre lot would not have animal rights.

Ryan Carter said that the small lot owned by Cynthia Brown was not part of this rezone. He said the City could not get involved in the details of McDougal's contract with Cynthia Brown. He said that the City could incentivize if this development was tied to the small lot on the south.

Councilmember McCay thanked the residents for their emails and comments and said she values their input. She said during the ULCT conference affordable housing was a huge issue because the larger the lot, the larger the home price. She said that demand for housing is very high right now and the City should work to make lots available. She said that she believes most residents will exit onto Redwood Road and will not drive on Riverton Ranch Road to get out of the neighborhood. She said the City has other remnant lots that are not built on and this becomes an eyesore. She said she had contacted Ryan McDougal and asked if he could work with Cynthia Brown as part of his development. She said she appreciated the developer being willing to sell 0.12 acres to Cynthia Brown. She said that she would like animal rights to be included in the ½ acre lots.

Mr. Lethbridge said that the Council could stipulate that animal rights be included in the ½ acre lots.

Councilmember Wells thanked citizens and said he appreciates citizen engagement. He said that America has a representative democracy where people are elected by the citizens. He said his job is to listen to the citizens and act upon what their interest is on issues like the one tonight. He said that someone had called Riverwood Estates a defunk neighborhood, but now it has ½ acres built and had no problem selling them. He doesn't think someone should be able to dictate what is going to happen in the neighborhoods. He said that not everyone will ever be satisfied. He said that ½ acre lots sell and 1/3 acre lots sell and that everything sells in Riverton. He said that he believes people will drive through the neighborhood to avoid Redwood Road.

Councilmember Buroker asked if setbacks are different for a ½ acre compared to a 1/3 acre.

Mr. Lethbridge said no they are not different other than in the RR-22 structures such as barns have different setback restrictions.

Councilmember Buroker said that because UDOT refused to sell ½ acre lots the City has recognized that it would have to make changes to the general plan. She said that the Council has identified numerous remnant parcels and would like to clean these areas up because UDOT will not help. She appreciates Ryan McDougal working with Cynthia Brown on the remnant piece she owns.

Councilmember McDougal said that he realizes this process has been tough and emotional. He said he moved out to Riverton 25 years ago looking for a rural feel. He said that he knows that growth is coming and he wants to manage it so that everyone ends up with a good product. He said there is a lot of pressure from the state for affordable housing. He said there is also a water problem with bigger lots using more water. He said that the size of the lot is not the biggest issue but he would like to keep the density as low as possible. He said there are limited abilities with this property because roadways and other development issues must be considered. He said he does not believe anyone driving by would ever realize that

these lots are smaller than ½ acre.

Councilmember Stewart said he has been pushing commercial along Redwood Road. He said that the goal for this area is residential, however. He said that property owners have rights to use their land the way they would like and to discuss the impacts.

Councilmember Wells **MOVED** that the City Council adopt Ordinance No. 21-12, amending the General Plan designation of the 3.09 acres of land located at 13040 S Redwood from Estate Density Residential to Low Density Residential, And Rezoning the property From RR-22 To R-3 SD with the following SD designations: 1. All lots directly adjacent to Redwood Road with a minimum of 14,000 square feet; 2. All other lots within development with a minimum of 21,780 square feet; and 3. A maximum of 7 lots is permitted within the property area. Councilmember Stewart **SECONDED** the motion. Mayor Staggs called for discussion on the motion.

Councilmember Stewart asked Councilmember Wells to change item #3 in his motion to include a maximum of 8 lots so that there would be a possibility for the parcel at 13037 South Redwood Road to be included in the development.

Mr. Carter and Mr. Lethbridge clarified Councilmember Stewart's amendment to the motion.

Councilmember Wells said he would be okay to add the following language to his motion: **"or 8 maximum lots if the parcel at 13037 South Redwood Road is included."**

Mayor Staggs called for a roll call vote and the vote was as follows: Councilmembers Buroker-No, McCay-No, McDougal-No, Stewart-Yes, and Wells-Yes. The motion was denied.

Councilmember McDougal **MOVED** that the City Council adopt Ordinance No. 21-12, amending the General Plan designation of the 3.09 acres of land located at 13040 S Redwood from Estate Density Residential to Low Density Residential, and Rezoning the property from RR-22 To R-3 with the following SD designations: 1. A maximum of 7 lots are permitted within the property area and 8 lots if including the parcel at 13037 South Redwood Road. Councilmember Buroker **SECONDED** the motion. Mayor Staggs called for discussion on the motion.

David Brickey said they had a question as to whether they could go with another motion once the original motion is denied.

Ryan Carter said that the Council can make motions all night long if they would like.

Mayor Staggs called for a roll call vote and the vote was as follows: Councilmembers Buroker-Yes, McCay-Yes, McDougal-Yes, Stewart-Yes, and Wells-No. The motion passed 4 to 1.

General Plan Amendment & Rezone, 8.9 Acres Located At 11850 S 3600 W, Amending the General Plan from Low Density Residential to Medium Density Residential, And Rezoning The Property From C-N To RM-6/EHOV, Bryon Prince Representing Ivory Development, Applicant

Jason Lethbridge said this rezone was for property on the southwest corner of 11800 South and 3600 West. He said the applicant is asking for a change from low density residential or

1/3 or larger to medium density. He said the zoning currently is commercial neighborhood and this zoning designation dates back to before Bangerter Highway was built. He said the applicant is requesting zoning RM-6 with the elderly housing overlay. He said that the elderly housing overlay allows the Council to make recommendations about the number of units per acre.

Councilmember McDougal asked if the single family detached units would only be required on the west side.

Mr. Lethbridge said that was correct.

Councilmember McDougal asked if the Council could stipulate that these be rambler units.

Mr. Lethbridge said that all of the standards from the elderly housing overlay would be required. He said that concerns were expressed at the Planning Commission about the construction process and the roadway in and out of the neighborhood. He said this would be appropriate during the site plan approval process.

Councilmember Buroker asked for clarification about the SD designation. She said that she thought that the SD designation required all units to be rambler style.

Mr. Lethbridge said that the only recommendation the Planning Commission had was that the units adjacent to the west property line be single family detached units.

Brad Mackay, Ivory Homes, said that Ivory Homes thought this property would be a good location for elderly housing because this is a need in Riverton. He said he appreciates the Planning Commission's willingness to address the plan amendment and the zoning in the same meeting. He said the Planning Commission recommended capping it at 6 units per acre. He said the underlying setbacks for this zone are actually very large and is meant for a multi-family condo or platting. He said they tried to do a curved linear road to control traffic. He said they are bound on the north side because it lines up with the Maverick drive approach. He showed various options for homes that may be built on this property and said they had built these same type of homes in Lehi, Sandy and Orem.

Councilmember McDougal said that he met with residents and he is proposing that all the units are rambler single style. He said he would also like all of the units on the west property line to be single units detached and that the resident prefer an access street to the south.

Mr. Lethbridge asked the Council to specify if the rambler style house could include a bonus room.

Councilmember McDougal said he would be comfortable with a bonus room. He said that he was concerned with parking, however.

Mr. Mackay said that he agrees that there would need to be additional parking and he believes that flexible setbacks would help with parking. He said that they are planning to have a stub road to the Kunz family.

Mr. Carter said that he wanted the Council to give him a list of wants. He asked if the Council wanted all single level, all rambler with bonus rooms above and a stub road to the south, all detached units adjacent to the property on the west and south, and appropriate guest parking.

Councilmember McDougal said that was correct.

Mr. Carter gave the Councilmembers instruction on how to word the motion. Mayor asked a clarifying question about the setbacks on the property. Mr. Lethbridge said that the Council could stipulate to a setback requirement.

Mayor Staggs called for any public comments;

Nathan Kunz said thank you to the Council for their time and also thanked the Planning Commission and staff. He said that he likes Ivory Homes' plan. He said that he had the pumpkin farm for 20 seasons and has loved being part of the community. He said that he would like to have a stub road.

Marina Rogers said that her house is on the west side of this development. She said that she supports rambler style houses and is concerned about the parking. She said there is already a lot of traffic in her neighborhood and there are no speed bumps.

Alan King said that he lives behind the Kunz family and would like to have a stub road on both sides of the property. He is concerned about traffic in the neighborhood and about parking.

Mayor Staggs called for any additional public comments; there being none, he closed the Public Comment period.

Brad Mackay said that a rear setback could be considered and that he would provide a stub road for the Kunz family if that was their desire.

Councilmember Stewart suggested an idea for guest parking. Mr. Lethbridge said that parking was also a concern of the Planning Commission. Councilmember McDougal said that the developer would still need to bring a site plan to the Planning Commission and he thanked the Kunz family for their service over the years.

Councilmember McDougal **MOVED** that the City Council approve General Plan Amendment & Rezone, 8.9 Acres Located At 11850 S 3600 W, Amending the General Plan from Low Density Residential to Medium Density Residential, And Rezoning The Property From C-N To RM-6/EHOV. Councilmember 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: Councilmembers Buroker-Yes, McCay-Yes, McDougal-Yes, Stewart-Yes, and Wells-Yes. The motion passed unanimously.

Discussion Item

Resolution No. 21-31 - Adopting Tentative Budgets for the 2021-2022 Fiscal Year

Councilmember Stewart **MOVED** that the City Council adopt the tentative budgets for the **2021-2022 fiscal year**. Councilmember Wells **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: Councilmembers Buroker-Yes, McCay-Yes, McDougal-Yes, Stewart-Yes, and Wells-Yes. The motion passed unanimously.

David Brickey talked about the logistics of the UTA Micro Transit Tour that the

Councilmembers would be participating in.

Upcoming Meetings

- a. May 18, 2021 - 5:00 PM – Work Session & City Council Meeting
- b. June 1, 2021 - 5:00 PM – Work Session & City Council Meeting
- c. June 15, 2021 - 5:00 PM – Work Session & City Council Meeting
- d. July 20, 2021 - 5:00 PM – Work Session & City Council Meeting

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.

Councilmember Stewart **MOVED to convene in a Closed Session to discuss the sale, purchase, exchange or lease of real property and to suspend the Closed Session/City Council Meeting until after the Riverton Redevelopment Agency Board Meeting.** Councilmember 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: Councilmembers Buroker-Yes, McCay-Yes, McDougal-Yes, Stewart-Yes, and Wells-Yes. The motion passed unanimously. The City Council meeting was suspended at 9:37 PM.

The City Council meeting resumed in a Closed Session at 9:45 PM. Minutes for the Closed Session were taken and recorded and are now on file as a Protected Record.

Adjournment

Councilmember McCay **MOVED to adjourn the Closed Session and City Council Meeting** at 10:14 PM. Councilmember McDougal **SECONDED** the motion. Mayor Staggs called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Buroker-yes, McCay-yes, McDougal-yes, Stewart-yes and Wells-yes. The motion passed unanimously.

Approved: CCM 5.18.21