

Riverton City
REGULAR CITY COUNCIL MEETING
Minutes
November 19, 2013

Riverton City Hall
12830 South 1700 West
Riverton, Utah 84065

Attendance:

Mayor William R. Applegarth

Council Members:

Council Member Brent Johnson
Council Member Al Leavitt
Council Member Sheldon Stewart
Council Member Tracy Thaxton
Council Member Roy Tingey

City Staff:

Lance Blackwood, City Manager
Ryan Carter, City Attorney
Virginia Loader, Recorder
Jeff Hawker, Asst. City Manager
Jason Lethbridge, Planning Manager
Sheril Garn, Parks & Recreation Director
Rod Norton, UPD Chief
UFA Representative
Lisa Dudley, Finance Director

Citizens: Michael Johnson, Wyoma Darlington, Trent Staggs, Paul Wayman, Boy Scout Troops, Norma Bench, Merillee Booren

1. GENERAL BUSINESS

Call to Order and Roll Call - Mayor Applegarth called the meeting to order at 6:30 p.m. and welcomed those in attendance. He then conducted a Roll Call and Council Members Johnson, Leavitt, Stewart, Thaxton and Tingey were present.

[6:32:55 PM](#) Mayor Applegarth introduced Council Members Elect Paul Wayman and Trent Staggs.

Pledge of Allegiance – Boy Scout Ben Coleman directed the Pledge of Allegiance.

Presentations/Reports

Recognition of Boy Scout Troops –Boy Scout Troops were recognized and members of their Troops and their leaders were introduced.

Council Member Tracy Thaxton introduced Boy Scout Spencer Westenskow, Troop 1117, who presented his Eagle Scout project of approximately 500 small and large cardboard splints to Riverton City for their Emergency Preparedness supplies.

UPD Riverton Precinct Citizen Award

[6:40:32 PM](#) Chief Rod Norton and Mayor Applegarth presented a UPD Riverton Precinct Citizen Award to Vice Principal Curtis Hagan and Hall Monitor Sara Mesker. Chief Norton read a proclamation and presented a Citizen Award, which included a summary of the following Officer's Report:

“On September 27, 2013 while at Riverton High School as a SRO I was advised that one of our students had passed out in class. On arrival I observed student Kambri Hatton on the classroom floor with Vice Principal Curtis Hagan and Hall Monitor Sara Mesker assisting and giving first aid to her.

Kambri suffers from Migraine Headaches and has passed out while in school several times this year. The staff is aware of her circumstances and medical condition and was advised to contact her mom when this occurs and assess her condition to see if medical (Fire Department) needs to respond. While Mr. Hagan and Mrs. Mesker were monitoring her pulse, Kambri stopped breathing. Mr. Hagan conducted a sternum rub, which she responded to and started breathing again.

At that time I requested fire to respond to our location. Kambri stopped breathing on three other occasions before medical arrived, which Mr. Hagan had to do a sternum rub each time to revive her. Just prior to the arrival of the Fire department, Kambri had a seizure, which lasted approximately one to two minutes. Mr. Hagan and Mrs. Mesker were able to keep Kambri focused and calm during this time while waiting for the Fire department to arrive.

After the Fire department arrived, a medical assessment was conducted and Kambri was transported to Riverton Medical Hospital. Kambri's mother was advised of the situation and informed that Kambri was being transported to the Hospital. Kambri's teachers and counselors were also informed. Kambri will have a series of medical testing to hopefully determine the cause of her migraines, fainting and recent seizure.

As a first responder, I was extremely impressed with Mr. Hagan and Mrs. Mesker's quick response and first aid training. Mr. Hagan and Mrs. Mesker were professional during the incident and were clam and caring towards the student, which seem to help her stay focused, calm and awake. This response is a good example of what Riverton High School staff does on a daily basis with the students they are in care of.”

[6:45:12 PM](#) Mayor commended their training and bravery in this life saving event.

Government Finance Officers Association (GFOA) Comprehensive Annual Finance Report (CAFR) Award and Popular Annual Finance Report (PAFR) Award

[6:45:53 PM](#) Mayor Applegarth prefaced the following presentation and said that Riverton City has the finest Finance Department of any city in the state of Utah.

[6:46:49 PM](#) Danyce Steck, Utah Chapter-GFOA Immediate Past President, representing the National Government Finance Officers Association, presented a Certificate of Achievement for Excellence in Financial Reporting to Riverton City from the Government Finance Officers Association of the United States and Canada (GFOA) for its Comprehensive Annual Financial Report (CAFR), which is the City's 4th year for receiving the award. She explained that the

Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by the City and its management. She then presented the Popular Annual Finance Report (PAFR), which is the City's 2nd Year for receiving the award.

[6:50:11 PM](#) Lisa Dudley, Finance Director, then commended the Finance Department for their excellent work, which includes staff members Steve Elms, Treasure; Jim Proctor, Accountant; Trish Dixon, Accountant; and Kevin Hicks, Accounting Services Manager.

Mayor Applegarth commended Lisa Dudley and the Finance Department for their excellent work; he and the Council Members congratulated each recipient in the Finance Department.

Riverton Choice Awards for Excellence in Education – Riverton Elementary School

[6:58:47 PM](#) Council Member Brent Johnson presented the Riverton City Choice Awards for Excellence in Education to the following individuals selected from Riverton Elementary School:

Adriana Stout – At Riverton Elementary we have implemented the “Leader in Me” program as a resource for teaching The 7 Habits of Happy Kids. Adriana exemplifies each of the 7 Habits of a Leader. She is Proactive, has goals, works before play, thinks win win, listens to others, and has team work and balance in her life. Adriana strives to do her best in everything; she is a delightful young woman.

Logan Wren – Logan Wren is a sixth grade student at Riverton Elementary. He does many duties for the school, including the morning announcements and the “Raccoon Report” newscast. Logan helps in the office as a runner and he is the C track Student Council President. To be on the Student Council you must be a good student and get your work done on time. Logan has worked very hard as the C Track Student council President.

Ms. Marcia Newbold- Kindergarten – Marcia is an excellent educator; she works hard to make sure each of her students become successful. Marcia gets along well with parents, teachers, and students. She is always smiling and is a concerned, loving, teacher who is willing to help her students. She is very interested in working with parents and has many classroom volunteers. Marcia is an excellent example of a wonderful Kindergarten teacher and we are grateful to have her at Riverton Elementary.

Public Comments

[7:06:33 PM](#) Mayor Applegarth explained the public comment procedure and welcomed public comments.

[7:07:11 PM](#) **Kevin Jacobs**, Riverton resident, introduced himself and said that he was recently appointed to the position of Salt Lake County Assessor and he offered his services to the City.

[7:08:56 PM](#) **Norma Bench** spoke of the 150th Year Anniversary of the Gettysburg Address. She then encouraged the City Council to reinstate prayer back into their City Council Meetings.

There were no further comments and Mayor Applegarth closed the Public Comment period.

2. STAFF REPORTS

[7:11:42 PM](#) **Lance Blackwood, City Manager**, presented information regarding recent employee changes wherein Trish Dixon moved from Payroll Clerk to HR Technician and Laura Bown was hired as Payroll Clerk. He then reported that the City's official Emergency Operations Center (EOC) was located at the Public Works Facility located at 12526 South 4150 West.

[7:13:54 PM](#) Chief Rod Norton announced a groundbreaking for the new Riverton Precinct Building on December 2, 2013 at 1:00 pm.

In the absence of Asst. Erik Sandstrom, UFA Representative announced the UFA Awards Banquet will be held on March 8, 2014.

[7:14:45 PM](#) **Safety Training**, City Attorney Ryan Carter reported that Riverton City is keeping up with changing hazard communication protocol and various training topics were presented by Utah Local Governments Trust to City Staff earlier in the day.

3. PUBLIC HEARINGS

There were no Public Hearings scheduled.

4. DISCUSSION/ACTION ITEMS

1. Comprehensive Annual Finance Report (CAFR) for Fiscal Year Ended June 30, 2013 Hansen, Bradshaw, Malmrose & Erickson

[7:16:05 PM](#) Rob Wood, Hansen, Bradshaw, Malmrose & Erickson, commended the City's Finance team for their work and understanding of the budget and audit process and her ability to provide accurate records. He also commended Purchasing Manager Craig Calvert for the purchasing process he has in place. He then said that the following audit opinion is the best opinion that can be given:

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

Mr. Wood reviewed the Statement of Revenues, Expenditures, and Changes in Fund Balances Budget and Actual – General Fund and complimented the City on how well they keep within their budget.

[7:20:45 PM](#) Mr. Ed Erickson reviewed the Report on Internal Control and Compliance and State Legal Compliance, which stated that they “did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above.” He then reviewed the report regarding their responsibility in relation to the Financial Statement Audit and reported that nothing came to their attention that caused them to believe that such information, or its manner of presentation, is materially inconsistent with the information, or manner of its presented, appearing in the financial statements.

[7:21:07 PM](#) Mr. Erickson said that it was a pleasure working with the Finance Department, Administrative and Senior Staff Members and commended the Mayor and City Council for setting their “tone at the top” for good business practices.

Resolution No. 13-54 – Accepting the Fiscal Year Comprehensive Financial Year (CAFR) for Year Ended June 30, 2013

Council Member Sheldon Stewart **MOVED** the Riverton City Council approve **Resolution No. 13-54 - Accepting the Fiscal Year Comprehensive Financial Year (CAFR) for Year Ended June 30, 2013.** Council Member Brent Johnson **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Leavitt-Yes, Stewart-Yes, Thaxton-Yes and Tingey-Yes. **The motion passed unanimously.**

2. UDOT Study at the Redwood Road and Bangerter Highway Intersection

[7:26:24 PM](#) Troy Peters, UDOT Project Manager, explained that as part of a proactive effort to address the immediate and long-term traffic needs on Bangerter Highway, the Utah Department of Transportation (UDOT) is currently in the design phase for improvements at Bangerter and Redwood Road. The project will include a grade-separated interchange similar to the interchange of 7800 South and Bangerter Highway.

Mr. Peters further explained that, as the community surrounding Bangerter and Redwood Road continues to grow, the improvements are part of a long-range plan that will accommodate immediate and long-term traffic demands and increase mobility. In addition, the grade-separated interchange will improve safety for those commuting through the area by reducing conflict points. Construction will begin in spring 2014 and is expected to last one construction season. UDOT is committed to completing the project with as little inconvenience to the public as possible.

Mr. Peters invited the public to attend an informational open house on Wednesday, Nov. 20, 2013, from 5-7 p.m. at the Bluffdale City Council Chambers wherein UDOT will explain anticipated impacts and give the public a platform to provide feedback.

Mayor Applegarth requested that UDOT also hold an Open House at Riverton City Hall at some future date and he thanked Mr. Peters for UDOT’s work in the south end of the valley.

[7:41:23 PM](#) Mr. Peters addressed questions and comments from the City Council.

3. Final Site Plan – Sparkles Express Car Wash 2, 13326 S Market Center Dr, C-R Zone, Dan Driggs, Applicant

[7:42:48 PM](#) Jason Lethbridge, Planning Manager, explained that Dan Driggs submitted an application requesting final commercial site plan approval for a full service car wash facility to be located at 13326 South Market Center Drive in the Home Depot development. The property is currently zoned C-R (Commercial Regional) as are all of the surrounding properties.

Mr. Lethbridge explained that the parcel the applicant was proposing for development was the last available parcel in the Home Depot Subdivision. All roadways providing access and utilities are constructed and in place; only Market Center Drive is a public roadway, all other roads providing access to the site are privately maintained internal roads. No new accesses onto Market Center Drive are being proposed.

Mr. Lethbridge said the building was proposed to be located at the center of the site with an access onto the private road to the south, as well as connection to the Jiffy Lube and Training Table Restaurant sites to the north. The building will house various types of car wash elements such as hand wash bays, a car wash tunnel, detail bays and a buffing conveyor. The car wash tunnel has a vehicle stacking lane that extends west along the southern façade of the building and has enough stacking area for 22 vehicles. Detail bays provide enough vehicle stacking space for two cars per bay. Vacuum bays are located on the west side of the site.

Mr. Lethbridge said that on November 14, 2013, the Planning Commission voted to recommend approval of the proposed final site plan application with the following conditions:

1. Storm drainage systems and accommodation comply with Riverton City standards and ordinances, and with the recommendations of the Riverton City Engineering Division.
2. An interim storm drainage and erosion control plan and an access management plan be approved by the City prior to any construction or grading on the site.
3. The site and structures comply with any and all applicable Riverton City standards and ordinances, including the International Building and Fire Codes.
4. Any and all rooftop equipment shall be screened from view with parapet walls.
5. Masonry be added to areas on the façade where glass extends to ground level.

[7:46:33 PM](#) Council Member Al Leavitt **MOVED the Riverton City Council approve the Sparkles Express Car Wash 2 final commercial site plan, application number PL-13-8008, located at 13326 South Market Center Drive with the conditions outlined in the Staff Report.** Council Member Roy Tingey **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Leavitt-Yes, Stewart-Yes, Thaxton-Yes and Tingey-Yes. **The motion passed unanimously.**

4. Amended Site Plan - ABC Great Beginnings Daycare, Perimeter Fencing, 12523 South 4150 West, C-R Zone, Johnny Anderson, Applicant

[7:47:42 PM](#) Jason Lethbridge, Planning Manager, explained that Johnny Anderson submitted an application requesting amendment of the previously approved ABC Great Beginnings, a commercial daycare located at 12523 South 4150 West. The project was approved on January

15, 2013 and is currently under construction. The property is currently zoned C-R (Commercial Regional) and is vacant ground. To the east property is zoned R-1 (Residential 1 acre lots) but is utilized as a church meetinghouse and ball field. To the south property is zoned C-R and is utilized as a fire station. To the west property is zoned C-R and PU (Public Utility) and is occupied by an existing bank / office building and the new Riverton City Public Works facility. To the north property is zoned C-R and is currently utilized as agricultural.

Mr. Lethbridge explained that Condition 8 of the original approval required the applicant to install six (6) foot high, precast masonry fencing on the north, east, and south property lines. The applicant was not present at the City Council Meeting, and following approval, the applicant requested reconsideration by the Council and proposed the use of wrought iron fencing in place of solid masonry. The City Council agreed to reconsider the item and amended their approval to allow wrought iron on all sides, *except* the north property line where the requirement for solid masonry fencing was left in place.

Mr. Lethbridge said the applicant has made application for an amendment to that action, requesting again that wrought iron be allowed in place of the required masonry fencing on the north property line.

Mr. Lethbridge said that on November 14, 2013, the Planning Commission voted to recommend denial of the proposed amended site plan application.

[7:49:32 PM](#) The Applicant spoke and explained that they are appealing the decision of the City Council made in February for a requirement of the solid masonry fence on the north side of the property. She explained that after that decision of the City Council, the City required a retention pond be installed on their property. She said a retention pond was built and they are now requesting that a wrought iron fence be installed on the property on the south side of the retention pond rather than a solid masonry fence on the north side of the property. They said they felt that the retention pond provides a substantial barrier on the property line and a fence is no longer needed on the north side.

[8:04:55 PM](#) City Attorney, Ryan Carter, gave an explanation of city ordinances related to this fencing issue.

[8:15:14 PM](#) Council Member Sheldon Stewart **MOVED the Riverton City Council deny the Amended ABC Great Beginnings commercial site plan, located at 12523 South 4150 West, requesting wrought iron fencing on the north property line in place of the required precast solid masonry fencing.** Council Member Al Leavitt **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; [8:15:56 PM](#) Council Member Roy Tingey and Mr. Lethbridge conducted a brief discussion regarding various types of fencing. Mayor Applegarth called for a Roll Call Vote. The vote was as follows: Johnson-No, Leavitt-Yes, Stewart-Yes, Thaxton-Yes and Tingey-No. **The motion passed 3 to 2.**

5. CONSENT AGENDA

Mayor Applegarth presented the following Consent Agenda:

1. **Minutes:** RCCM 10-15-13
2. **Bond Releases:**
 1. Intermountain Rose Canyon Clinic – 100% Warranty
3. **Resolution No. 13-55** – Authorizing a the City to issue a Purchase Order to Think Architecture for Construction Management Services on the Main Park Renovation Project
4. **Resolution No. 13-56** – Authorizing the City to enter into a contract with Consolidated Engineering Laboratories for Comprehensive Material Testing Evaluation and Special Construction Inspection Services on the Main Park Renovation Project
5. **Resolution No. 13-57** – Authorizing the City to enter into a contract with Peck Ormsby for the construction of the Police Precinct Project
6. **Resolution No. 13-58** – Authorizing a purchase order to Gexpro for the purchase of LED Replacement Lamps and LED Photo Controls

[8:22:12 PM](#) Council Member Sheldon Stewart **MOVED to approve the Consent Agenda as presented.** Council Member Roy Tingey **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Leavitt-Yes, Stewart-Yes, Thaxton-Yes and Tingey-Yes. **The motion passed unanimously.**

6. ELECTED OFFICIAL REPORTS

Mayor Bill Applegarth – [8:22:42 PM](#) reported that, in preparation of 150th Celebration, he has asked Joy Johnson, Deputy Recorder, to be the City Historian in addition to her other duties. He said the appointment would not conflict with Langford Lloyd who serves as the Riverton Historical Society, which is independent from the City. He also reported that one or more persons has been going into the cemetery and removing a substantial amount of grave decorations and UPD is providing increased patrol of the cemetery.

Council Member Brent Johnson – volunteered his personal property for placement of a camera if needed to video the cemetery.

Council Member Al Leavitt – [8:28:37 PM](#) spoke of using the Fire Station as an additional EOC. He reported that Riverton Hardware has had problems with break ins and he then thanked Chief Norton for the great job on the recent Holiday Heroes 5K Race.

Council Member Sheldon Stewart – [8:33:16 PM](#) thanked Recreation Director Sheril Garn for helping Boy Scouts with their Eagle Projects. He then reported that residents that live near Foothills Elementary have approached him with their concerns of speeding traffic and he requested more police presence near that school.

Council Member Tracy Thaxton – [8:35:38 PM](#) No Report.

Council Member Roy Tingey – [8:35:48 PM](#) reported that, as a result of the recent election, Taylorsville City has now joined the Unified Fire Service District.

7. UPCOMING MEETINGS

[8:36:49 PM](#) Mayor Applegarth reviewed the following upcoming meetings:

1. December 3, 2013 – Regular City Council Meeting – 6:30 p.m.
2. December 17, 2013 – No Meeting Scheduled
3. January 7, 2014 – Oath of Office Ceremony – 6:00 p.m.
4. January 7, 2014 – Regular City Council Meeting – 6:30 p.m.

8. CLOSED SESSION

Strategy session to discuss the purchase of real property

[8:38:16 PM](#) Council Member Al Leavitt **MOVED to meet in a Closed Session for a strategy session to discuss the purchase of real property.** Council Member Roy Tingey **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Leavitt-Yes, Stewart-Yes, Thaxton-Yes and Tingey-Yes. **The motion passed unanimously.**

The City Council Members convened in a Closed Session at 8:45 p.m. Minutes for the Closed Session were taken and recorded and are now on file as a Protected Record.

9. ADJOURN

Council Member Brent Johnson **MOVED to adjourn.** Council Member Tracy Thaxton **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a vote. The vote was as follows: Council Member Johnson-Yes, Leavitt-Yes, Stewart-Yes, Thaxton-Yes and Tingey-Yes. **The motion passed unanimously.** The City Council Meeting adjourned at 9:01 p.m.



Virginia Loader, MMC
Recorder

Approved: CC 12-03-13