

Riverton City, Utah
CITY COUNCIL MEETING
Minutes
May 17, 2022

Riverton City Hall
12830 South 1700 West
Riverton, Utah 84065

Attendance:

Mayor Trent Staggs

Councilmembers:

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

City Staff:

David Brickey, City Manager
Kevin Hicks, Administrative Services Director
Jamie Larsen, City Recorder
Jason Lethbridge, Development Services Director
Cary Necaise, Deputy Public Works Director
Stacie Olson, Water Manager
Chief Don Hutson, Riverton Police Department
Ryan Carter, City Attorney
Casey Saxton, Communications Director
Chief Wade Watkins, Unified Fire Authority
Sheril Garn, Director of Events and Operations

Mayor and Council Informal Meeting – 5 PM

WORK SESSION – 5:45 PM

Call to Order

Mayor Staggs called the Work Session to order at 5:48 PM and conducted a roll call. Councilmembers Buroker, McCay, McDougal, Stewart, and Wells were present.

Mayor Staggs introduced Kaitlyn Braithwaite to the Council. She is the new Business Licensing/Mayor's Executive Assistant.

Casey Saxton, Director of Communications, commented that Nate Slack will be starting on Monday as the Public Relations Specialist.

Discussion Items

Budget Discussion

Mayor Staggs asked the Council to decide how they would like the budget discussion to go. Councilmember McCay asked for a side-by-side comparison of the Mayor's budget to the City Manager's Budget.

Kevin Hicks, Administrative Services Director, explained that fund 10-41-310 includes a request for an Economic Development position. Mayor Staggs removed money for this request because he thought that Mr. Lethbridge could take on this position hire a Planner instead.

Mayor Staggs commented that he meets weekly with Mr. Lethbridge about ongoing projects and development. Mr. Lethbridge said that the Planner position was opened and filled already.

Mr. Hicks explained that the Mayor's budget cut fund 10-43-211 which is the membership to the Utah Leagues of Cities and Towns. Councilmember McCay said that ULCT does a good job lobbying for the cities they represent and provides education benefits, land use academy, training, and networking. She would like to continue to be a member of the league.

Mayor Staggs commented that he feels like the league is always playing defense. After discussion, all Councilmembers agreed to add this line item back in.

Councilmember McCay agreed with Mayor Staggs about the Economic Development position. She thinks that Mr. Lethbridge would do a good job with economic development and does not think a new position is warranted. All Councilmembers agreed.

Mr. Hicks explained that fund 10-43-675 is the City Council contingency fund with \$100,000. The purpose of this fund was to give the City Manager the ability to pay for projects that come up unexpectedly.

Mayor Staggs said he was very much against having this contingency fund because of transparency. He believes that Councilmembers should get support from each other and place any projects they would like into a specific line item in the budget. He believes that this fund causes Councilmember to go and direct staff and does not think this makes for good practice.

Councilmember McDougal asked if there is capability in the budget to handle small item issues that need to be addressed quickly. Mr. Hicks said it depends on the issue and whether there is budget in a particular category. Councilmember McDougal agreed with the Mayor that large projects should be specifically called out in the budget.

Councilmember Buroker said that the amount budgeted in this contingency fund is too high and would like to see it budgeted at \$5,000.

Councilmember Stewart said that he initially thought this line item was necessary and explained that the contingency fund allowed \$10,000 per district. He was an advocate for this contingency fund but is now speaking against it. He would like to see this money used to enhance specific categories in the budget.

Councilmember Wells agreed to cut this line item as long as there was a way to accomplish some of the smaller projects that could come up during the year.

Mr. Hicks explained that fund 10-60-312 designated money for Christmas light metering and fund 10-46-318 budgeted money for the monthly power bill for the Christmas lights.

Mayor Staggs explained that he would like a different solution for Christmas lights including solar or other methods. He does not like that Rocky Mountain Power charges the City for the metering. Councilmember Buroker agrees with the Mayor and wants to see the budget cut for Christmas light metering.

Mayor Staggs said that he doesn't like spending so much money on technical equipment when everything is stored in the cloud.

Mr. Hicks explained that fund 10-64-700 is for capital outlay and included lighting for Tithing Hill Park parking lot. He said that staff had determined that the parking lot lights were not needed.

Councilmember Stewart said the bollards on 4600 West 12600 South on the trail had issues for years. He would like to use this money to replace these lights with in-ground lighting or find another solution. Mr. Necaise said this money would be used to take out the bollards and put in a street light that points down. Councilmember Stewart would like in-ground lighting. Councilmembers directed staff to look at alternate lighting for these trails.

Mr. Hicks said that fund 10-65-225 was for hospitality overage and the Mayor cut this because other areas in the budget were increased for hospitality.

Mr. Hicks explained that line item 10-65-350 for community events was increased because the Mayor wanted more money for Hope Week and the Live in Real Life Event. Councilmembers supported this.

Mr. Hicks explained the request for a part-time court clerk in the judicial wages and benefits category. The Mayor does not want to include this position because the court is in transition right now. Judge Bown will be retiring as of July 1. He would like to wait and see if there is a need once the court transitions.

Mr. Hicks explained that the public works line item includes seasonal employees and the new full-time positions. He said that the Mayor would like to keep the FTE count relatively flat. Mr. Hicks explained that each department was asked to "sharpen the pencil" and determine what seasonal positions were necessary especially since it is difficult to hire seasonal employees right now.

Councilmember McDougal expressed concern about weed abatement if some of the positions were eliminated. He wanted to know if the City can handle weed control issues. Mr. Hicks explained that weed control was shifted to part of the contract along with cleaning the bathrooms. Mr. Necaise said that they are meeting with contractors to make sure they get caught up on all of the weeds.

Councilmember Stewart asked about weeds and upkeep along Midas Creek. Mr. Necaise said that a seasonal position was still included in the budget for this area.

Mayor Staggs said the grounds maintenance line item has been used for general grounds upkeep along the Jordan River Trail and was told that the budget was sufficient. Councilmember Stewart explained that Riverton City is assigned part of the wildland costs within the UFA budget and he would like Mr. Necaise to work with Chief Watkins to use the Fuels Mitigation crew.

Councilmember Buroker said that in the past the City has received grants to manage weed control along the Jordan River Trail and she wants to make sure there are sufficient funds to address the weeds. Mr. Necaise said that there is adequate money to handle this.

Councilmember McCay asked about the night ranger position. Mr. Necaise said that this person would clean and lock the restrooms and this position has been eliminated because of the contract.

Mr. Hicks explained that fund 10-90-665 was cut in relation to a full-time facility maintenance worker. Councilmember Buroker asked if this was a new position and if facilities has enough employees to cover. Sheril Garn, Director of Events and Operations, said that with the new staff member that was hired, they do not need another full-time maintenance worker. They do need another part-time night position and this is still included in the budget.

Mr. Hicks explained that fund 25-54-140 for police uniforms was cut by the Mayor and budgeted for \$1,000 per officer. Chief Hutson said that he was comfortable with reducing this line item.

Mayor Staggs said he is worried about the police budget for the next five years and believes there will need to be a tax increase. Mr. Hicks said that rationale is based on what was spent in this fiscal year.

Chief Hutson expressed concerns about the Mayor cutting other parts of the police budget. He said that he was okay with the K-9 budget being cut. He was concerned about the guns/ammo line item, the fuel cost line item and the capital outlay line item all being cut and explained his reasoning. Councilmembers agreed to budget guns/ammo and the fuel costs up to the Chief's request and to budget \$20,000 for capital outlay. Councilmember Stewart asked about the 4-seater and Councilmember Buroker said she would like more education before she approves this purchase.

Mayor Staggs explained that he had cut \$125,000 from fund 45-69-153 for the Jordan River Trail Improvement because he thought this was rollover from the previous year. Councilmember Buroker agreed that this was rollover money.

Mr. Necaise explained that the \$125,000 is not rollover. He said that \$44,000 was spent on writing grants and consulting and he estimates it will cost about \$150,000 to \$180,000 for construction costs. Mr. Brickey said the City would see the product of the design in the next few weeks.

Councilmember Buroker apologized that the numbers were not correct and said they gave their best estimate. In defense of the project, she said the bank is eroding and had sloughed off even more since last year. Mr. Necaise agreed that the trail will be wiped out if these improvements are not made. Mr. Necaise also said they will look for grants to help pay for the costs.

Mayor Staggs asked for input from the Council. Councilmember McCay asked if the trail could be moved. Councilmember Stewart explained that on the Midas Trail they had to do a similar project and this project was crucial to this area to avoid 13400 South being completely wiped out. Councilmember Buroker said the trail could be moved, however, this area provides access to the Jordan River. Councilmember Stewart would like to budget \$100,000 and try to obtain grants for the remaining costs.

Councilmember Buroker said she is confident that the company will be able to get grants. Councilmember McCay suggested waiting on this project until they could go there as a Council and walk the area. Councilmember McDougal said that if they are going to do this project, he

will like to budget for it now. Riverton residents want walking trails and would like the trails nicer and more accessible.

Mr. Hicks explained that the expense still needs to be budgeted. The grants will come in as intergovernmental revenue but the City still has to pay for the project and it must be budgeted.

After this discussion, Councilmembers agreed to leave this line item in the budget for the Jordan River Trail Improvements.

Mayor Staggs excused himself at 6:45 pm.

Councilmember McCay expressed concern that residents were not using the Jordan River Trail and asked if there could be activities along the trail. Councilmember Buroker said there is an event called “Get to the River” in the fall. Councilmember McDougal noted that many residents in his area use the Jordan River trail.

Mr. Hicks explained the Mayor recommended the City abandon the Garamandi Well which affects fund 51-71-655. The Mayor would like this on a future year so there is time to speak with authorities about this particular well.

On the long-range plan in fund 51-71-711, Mr. Hicks said there was a need for an inventory building to house equipment because the City is running out of space. Mayor Staggs asked that the inventory building be pushed out to a future year.

Councilmember McCay asked Mr. Brickey which items the Mayor cut were items he was most concerned about. Mr. Brickey said that he would put together an email and send it out to all the Councilmembers.

Mr. Hicks said the public hearings for the budget would be held on June 7 and June 21. On June 7, the public hearing will address the fee schedule and compensation. On June 21, the public hearing will address the City not charging itself for utilities and the actual budget. He would like the budget to be ready by June 7 and asked Councilmembers to communicate with him before then.

Councilmember McCay asked how much is paid annually to the Chamber of Commerce. Mr. Hicks said the City pays \$20,000 annually.

Discussion Regarding Code Amendment Enhancing Water Conservation

Councilmember McDougal explained that staff looked at the cost of removing sod from park strips and converting it to concrete. After financial analysis, it would take 75 years for a return on investment. Currently, the City is only paying for maintenance on the park strips. He asked if the City should make it a requirement for new development on major roads to install concrete. He would like to discuss this at a future date and believes water will continue to be a long-term problem.

Councilmember McDougal asked if there should be an ordinance related to park strips. Councilmember McCay said she thought this requirement was in the proposed plan from Jordan Valley Water Conservancy. Jason Lethbridge, Development Services Director, said the

proposed plan does not specifically address this but language could be added. The proposed plan will come before the Council in June.

Councilmember Buroker said that the City should encourage residents to flip the strip. Councilmember McDougal said there will not be money in the budget for flip the strip incentives next year. Councilmember Buroker said that water rates will continue to increase each year based on the amount of water that the City uses.

Adjournment of Work Session

Councilmember McCay **MOVED to adjourn the Work Session.** Councilmember McDougal **SECONDED** the motion. Mayor Pro Tem Stewart 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 6:58 PM.

COUNCIL MEETING – 7:00 PM

Call to Order

Mayor Pro Tem Stewart called the Riverton City Council Meeting to order at 7:03 PM and conducted a roll call. Councilmembers Buroker, McCay, McDougal, Stewart, and Wells were present. Mayor Staggs was excused.

Prayer / Pledge of Allegiance

Pastor Borchert, Holy Trinity Utah, offered the invocation and Chief Hutson led the Pledge of Allegiance.

Citizen Comment

Mayor Pro Tem Stewart called for public comments;

Cambriella Trickett read a statement about their success as students at Oquirrh Hills Middle School and appreciates the support of teachers and members of the community.

Donna Hunter, Oquirrh Hills Middle School principal, commented that she is proud of the students at her school and is grateful to be a part of this community.

Councilmember Buroker thanked Ms. Hunter.

Mayor Pro Tem Stewart called for additional public comments; there being none, he closed the Public Comment period.

Mayor/Council Reports

Mr. Brickey reported that the Council of Mayors recently met and is scheduled to meet again in four weeks. He will share with Councilmembers the information that the Council of Mayors is seeking.

Councilmember Wells thanked Unified Fire Authority for the fire school that he was able to attend. He said it was incredible and he learned a lot and he has even more respect for

firemen. He reported that there continues to be theft and said it happens mostly when people leave things unlocked.

Councilmember Buroker – No report.

Councilmember McCay – No report

Councilmember McDougal explained that he met with the Jordan Valley Water Conservancy District Manager and he mentioned that through the efforts of citizens there was a 10% reduction in water usage last year. He also said that JWCD was offering a \$50,000 grant to assist cities in modifications to conserve water but didn't give specifics. Mr. Necaie said they are aware of these grants and would like to discuss this in the future.

Councilmember Stewart said they approved the tentative budget in the UFA meeting. He said that UFA maintained a 6% COLA adjustment and had a fraud discussion relating to the capital replacement fund. He reported that each city has a design patch that will be placed on the shoulder of the uniform for UFA firemen.

Presentations/Recognitions

National Police Week Proclamation

Mayor Pro Tem Stewart presented the National Police Week proclamation and encouraged citizens to honor and support the Riverton Police Department for their service.

Riverton City Choice Awards for Excellence in Education – Rosamond Elementary

Councilmember Buroker recognized students Eloise Newton and Toffer Chase and Jennifer Egan as a teacher receiving the Choice Awards for Excellence in Education from Rosamond Elementary.

Riverton Police Department Presentation

Chief Don Hutson presented the Riverton Police Department presentation which is included in the packet. Chief Hutson reported that they would be celebrating National Police Week. He expressed his appreciation for the engagement that the Riverton Police Department has with local schools.

Chief Hutson said they had the fewest vehicle burglaries reported last month since they became a police department.

He reported that one of his officers was able to administer CPR while he was off duty to a man who was lying on the side of the road. The man had a history of cardiac issues and Officer Mosher was able to save his life.

Chief Hutson is planning on creating an award system for his officers and he will present these to the Council once those awards are given.

Councilmember McCay reported that she saw signage at VASA Fitness about theft and making sure that valuables are locked up. Chief Hutson said he was excited that VASA was educating its customers.

Councilmember Wells said that he would like citizens to do their part in preventing theft and appreciates the police department's efforts.

Chief Hutson invited Councilmembers to the National Police Week celebration barbeque. He also reported that Officer Huffaker was involved in a traffic accident where a car ran a red light and rolled several times and landed in the back of his truck.

Consent Items

Mayor Pro Tem Stewart presented the following Consent Agenda:

- a. Minute Approval: May 3, 2022;
- b. **Resolution No. 22-35** – Appointing Volunteer Members to the Riverton City Economic Development and Transportation Committee;
- c. **Resolution No. 22-36** – Authorizing the Mayor to enter into a Software as a Service Agreement with Tyler Technologies for the Munis Software Package;
- d. **Resolution No. 22-37** – Authorizing the Mayor to enter into an Agreement with M&M Asphalt Services for the completion of the 2022 Crack Seal Project;
- e. **Resolution No. 22-38** – Authorizing the Mayor to enter into an Agreement with Newman Construction for the completion of the Rose Creek Trail Improvement, as designed; and
- f. **Ordinance No. 22-16** - Adopting the Reformatted, Indexed, and Republished Riverton City Code.

Councilmember Buroker **MOVED that the City Council approve the Consent Agenda.** Councilmember Wells **SECONDED** the motion. Mayor Pro Tem Stewart 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, Stewart-yes, McDougal-yes, and Wells-yes. The motion passed unanimously.

Mayor Pro Temp Stewart invited Sarah Greer, new member of the Economic Development and Transportation Committee to introduce herself.

Public Hearings

Ordinance No. 22-15 – Kunz Rezone, General Plan Amendment & Rezone of Approximately 3.25-Acres Located at 11944 South 3600 West from the General Plan Designation to Low Density Residential to Medium-High Density Residential, and Zoning from R-3 to RM-6

Jason Lethbridge, Development Services Director explained this was a public hearing for a General Plan Amendment and Rezone application brought by the applicant for three adjoining parcels totaling 3.25-acres located near 11944 South 3600 West. The subject property sits on the west side of 3600 West on the north bank of Midas Creek. To the north of this property is the recently approved Ivory development "Harvest Gardens". Ivory Homes rezoned the property that makes up Harvest Gardens to RM-6 SD. During the rezone hearing it was mentioned that the Kunz property may also want to develop in the near future. Part of Ivory's approval was to include a stub road south to Kunz property, but the Kunz property was not a part of the Ivory rezone, or the Harvest Gardens development. The subject property is currently zoned R-3, which is a single-family residential zone, with 14,000-sf lots. The same R-3 zoning applies to the subdivision to the west, and the next few parcels to the south. To the north is the RM-6 SD mentioned above. To the east across 3600 West Street the Zoning is RR-22 and R-2 both single-family residential zones with large lots over 20,000-sf.

Councilmember McCay asked if there was an elderly housing overlay. Mr. Lethbridge said no.

Councilmember Wells asked if there were any issues with Midas Creek being part of the rezone. Mr. Lethbridge said that because the rezone is not density-based, it will not add additional units to the property.

Mayor Pro Temp Stewart called for public comments;

Nathan Kunz said that him and his wife, Lori Kunz arrived in Riverton in 1989. About 3-4 years ago, their long-time neighbor moved and they quit claimed everything on their side of Midas Creek to them and they quit claimed everything on the other side to the Kunz's. He does not have plans to do anything different with his property. They just want the zoning similar to what was granted to Ivory Homes on the north of them.

Mayor Pro Tem Stewart called for additional public comments; there being none, he closed the Public Hearing.

Councilmember McDougal said that when Ivory Homes came in asking for a zone change, the Council talked about having this parcel receive the same zoning. However, this would have been inappropriate at this time. Now, they are just trying to rezone this parcel and residents are comfortable with single-family detached units.

Councilmember McDougal **MOVED that the Riverton City Council adopt Ordinance No. 22-15 – Kunz Rezone, General Plan Amendment & Rezone of Approximately 3.25-Acres Located at 11944 South 3600 West from the General Plan Designation to Low Density Residential to Medium-High Density Residential, and Zoning from R-3 to RM-6.** Councilmember McCay **SECONDED** the motion. Mayor Pro Tem Stewart 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.

Discussion/Action Items

Ryan Carter, City Attorney, explained that HB 313 was adopted and changes election laws, specifically to the ballot box. This bill requires that ballot boxes have video surveillance and a camera will be attached to the box and will run off of solar.

Budget Discussion

Mayor Pro Tem Stewart said that he would like to paint the Riverton logo on different trails within the City that reference $\frac{1}{4}$ mile, $\frac{1}{2}$ mile, etc. Mr. Saxton said that he would like to have signage on all of the trails but there is nothing in the budget for the coming year.

Councilmember Buroker expressed concern about marking distance on the trails because different race groups use the trail and start in various locations. She is supportive of the trails having signage in the future. Councilmember McDougal would also like to look at additional signage on the trails in the long-range plan.

Mr. Brickey reported there is a wide range in what percentage municipalities are giving for merit increases. Park City is considering a 10% increase, some cities are considering 9% and some as low as 5%. Councilmember McCay asked what is currently budgeted for the increase. Mr. Brickey said there is a base increase of 4% with another 2% if the employee meets expectations.

Councilmember Stewart said that Unified Fire Authority ended up at a 6% merit increase and he is good with this amount.

Councilmember McDougal said he is unsure how to move forward with the budget discussion. He would like to receive additional information from Mr. Brickey before he is comfortable with additional discussion.

Councilmember Stewart said he was comfortable with the budget and believes that the budget is very lean. Councilmember McDougal said he was also comfortable with the budget and likes focusing on the three major projects including secondary water, Greenwell and broadband. Councilmember Buroker agreed with Councilmember McDougal.

Councilmember Stewart asked about the motion made at a previous meeting regarding the strategic initiatives dedicating 50% of excess revenue to paying down debt. Mr. Hicks said it doesn't need to be a separate line. He said the language was changed to net revenue and his intent is around October of every year, he will see if the City brought in more than what was anticipated then he will come with a proposed budget amendment for whatever bond this money will be paid towards.

Councilmember McDougal expressed concern with long-term planning for water shares. He would rather use excess revenue to purchase water shares because water shares will continue to increase.

Councilmember McCay said that water shares could only be purchased when they are available. She is glad that the ULCT membership was added back in and appreciated Chief Hutson letting the Council know his concerns.

Councilmember Wells agreed with Councilmember McDougal about purchasing water shares. Councilmember Stewart said a fund is building up for water shares that developers pay in lieu of purchasing water shares. Mr. Hicks said it is not a separate fund. It is a revenue stream that is sitting in the fund balance and is dedicated to purchasing water shares.

Mr. Necaie said this fund is dedicated to future development but the City is actually behind on the number of water shares that are needed. The City is behind by 920 water shares.

Councilmember McDougal said that the City could passively look for water shares. However, he believes the City should be actively trying to purchase water shares. Mr. Brickey and Stacie Olson said they are actively searching for water shares to purchase and they are grateful to have Mr. Butterfield on the canal board as an advocate for this purpose.

Councilmember Stewart said that both he and the Mayor will be gone for the June 7 City Council meeting and the Council will need to select a temporary Mayor Pro Tem.

Upcoming Meetings

- a. June 7, 2022 - Work Session & City Council Meeting
- b. June 21, 2022 - Work Session & City Council Meeting
- c. July 19, 2022 - Work Session & City Council Meeting
- d. August 2, 2022 - Work Session & City Council Meeting

At 8:28 PM, Councilmember Wells **MOVED** to suspend City Council meeting and move into the RLESA meeting and then resume City Council at the close of the RLESA meeting. Councilmember McCay **SECONDED** the motion. All voted in favor and the motion passed unanimously.

At 8:40 PM, City Council meeting resumed.

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.

At 8:40 PM, Councilmember McCay **MOVED** to convene in a Closed Session to discuss the character, professional competence, or physical or mental health of an individual, to discuss pending or reasonably imminent litigation, and to discuss the sale, purchase, exchange or lease of real property, including any form of a water rights or water shares. Councilmember McCay also **MOVED** to adjourn the City Council meeting at the conclusion of the Closed Session. Councilmember McDougal **SECONDED** the motion. Mayor Pro Tem Stewart 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.**

The City Council meeting resumed in a Closed Session at 8:51 PM. Minutes for the Closed Session were taken and recorded and are now on file as a Protected Record.

Councilmember Buroker **MOVED** to adjourn the Closed Session at 10:43 PM. Councilmember McDougal **SECONDED** the motion. Mayor Pro Tem Stewart 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, Stewart-yes, McDougal-yes, and Wells-yes. **The motion passed unanimously.**

Adjournment

As previously noted, Councilmember McCay **MOVED** to adjourn the City Council Meeting at the conclusion of the Closed Session. Councilmember McDougal **SECONDED** the motion. All voted in favor and the motion passed unanimously. The meeting adjourned at 10:43 PM.

Approved: CCM 6.7.22