

**Riverton City, Utah
CITY COUNCIL MEETING
Minutes
August 2, 2022**

**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
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

WORK SESSION – 5:45 PM

Call to Order

Mayor Staggs called the Work Session to order at 5:47 PM and conducted a roll call. Councilmembers Buroker, McCay, McDougal, Stewart, and Wells were present.

Discussion Items

Home Occupation Conditional Use Permit

Jason Lethbridge, Development Services Director, explained the current home occupation ordinance and exceptions.

Ryan Carter, City Attorney, said he had received an email that was sent from Commissioner Cluff to Mayor Staggs. He said that a conditional use permit or home occupation is something that can be done outside of the dwelling of the home. This must be designated and must go through the approval process. He doesn't see any part of the ordinance that would prohibit any type of agricultural type home occupation.

Mr. Carter explained there is an application fee for a home occupation. This is a one-time fee, not an annual fee. His biggest concern is short term traffic coming in and out of neighborhoods

for a home occupation. He doesn't believe anything in our City code is prohibitive or difficult to overcome.

Mayor Staggs said that the examples cited show that home occupation permits are allowed but must go through an application process. He asked the Council if they had heard from constituents that this process is too burdensome.

Councilmember McDougal said he had heard just the opposite from his constituents and that residents are using their homes as a retail business. Mr. Lethbridge said this is why the permitting process is essential because the City can establish the conditions upfront. Councilmember McDougal would like these permits regulated so that they do not expand beyond the control of the City.

Mr. Carter said there are a couple of ways to approach the problem and asked the Council if they would like more or less latitude for agricultural uses. He also asked if the City has set the bar too high or too low for home occupations without distinguishing between the two types of uses.

Councilmember McCay said she hadn't had any complaints in her district. She asked why the business licensing fee was zero and the home occupation fee was \$175. She would support decreasing the home occupation fee from \$175 to \$100.

Councilmember Stewart asked if there is a difference in the application process for different production levels for agricultural uses. Councilmember Buroker agrees with Councilmember McCay about the fee for \$175 for conditional use permits being reduced.

Mayor Staggs said the fee for the home occupation covers staff time, time in front of the Planning Commission and mailing and noticing. Mr. Carter agreed that the City has out-of-pocket costs for these home occupation permits, especially staff time and mailings. He believes the City may be losing money on these applications. Mr. Lethbridge said the \$175 application fee is for conditional use permits that must come before the Planning Commission. A significant number of home business license applications are not charged a fee.

Strategic Plan Review

Mayor Staggs reviewed the Strategic Plan and asked the Council to assess how the City is doing on each objective.

Councilmember McDougal would like to discuss how to approach properties that are not being maintained within the City. He would like to address these issues quickly. Mayor Staggs said this issue will be discussed during the work session on August 16.

Councilmember McCay said she would like to look at projects to improve the trails and then budget and apply for TRCC Grants for these improvements. Mayor Staggs suggested inviting the Parks and Trails Committee to participate in a work session to discuss improvements that could be made on the trails.

Councilmember Stewart asked for an update on the Tyler Technology software. Mr. Hicks said this is a big project and will take at least a year to get the GL up and running. He said Utility Billing would start their training on August 18.

Mayor Staggs said the Water Agreement with Salt Lake County is on the Consent Agenda for approval. Mr. Brickey will take this agreement to Salt Lake County so the City can receive the \$3 million check for the Green Well.

Councilmember Buroker asked that street lighting be part of the strategic plan. Mayor Staggs said that he met with Rocky Mountain Power and expects them to grant the City a grant to fund 20-30% of the cost to replace street lighting with LED lights.

Councilmember McCay asked Stacie Olson, Water Manager, about the secondary water shut off date. Ms. Olson said there should be enough primary rights to meet the October 1 date. However, if the state does not get enough rainfall, this may be shut down sooner. Councilmember McCay asked if it was possible to obtain water rights at the Jordan River. Ms. Olson said there are no water rights available to purchase for the Jordan River.

Discussion of Eliminating Legal Nonconforming Use Rights Under Utah Code 10-9a-511(2)(b) and Other Fee Corrections

Mayor Staggs explained that the Council has determined that pawn shops and title loan businesses can only have one location per 10,000 residents and must be in commercial regional zones. Some of these businesses are not in commercial regional zones but have been grandfathered in, even though ownership has been transferred multiple times. Mayor Staggs asked Mr. Carter to look into this problem and let the Council know if there are any options for eliminating nonconforming use rights.

Mr. Carter explained the legislature had created a pathway to which cities can consider the termination of legal nonconforming use rights. He gave the example of Provo City and its failure to require owner occupancy for home rentals. Provo City created a formula to allow owners to amortize out the properties that were not owner-occupied.

Mr. Carter further explained that the formula for eliminating legal nonconforming use must be sound and the calculation must give the benefit of the doubt to the property owner.

Mayor Staggs asked the Council to determine what uses and locations they would like to amortize out. Mr. Carter recommended targeting nonconforming uses in the downtown area. All Councilmembers agreed with this recommendation.

Mayor/Council/Manager Reports

David Brickey, City Manager, said the City had purchased a generator to be used for City Hall. Since the purchase of the generator, installation costs have gone up considerably.

Mr. Hicks said this would be a rollover and a budget amendment. The City has gone out to bid to have the generator installed in two different areas. He asked the Council to determine if they would like to install the generator or sell it and what location to install it, by the police generator or behind the court area.

Mayor Staggs said putting the generator behind the court area is cheaper. Councilmember Stewart said that separate locations are better and voted to install the generator behind the court area. All Councilmembers agreed to install the generator behind the court area.

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 6:58 PM.

COUNCIL MEETING – 7:00 PM

Call to Order

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

Prayer / Pledge of Allegiance

Bishop Gray offered the invocation and Chief Hudson led the Pledge of Allegiance.

Mayor/Council Reports

Councilmember Wells thanked staff for Friday Fun Nights.

Councilmember Buroker – No Report.

Councilmember Stewart said he is getting positive feedback on the signs that have been installed.

Councilmember McCay thanked staff for all of the summer activities.

Councilmember McDougal looked into recycling and said there is a market for glass and plastic but there is not a market for cardboard. He said there is no recycle value in e-recyclables and they just go into the landfill.

Mayor Staggs explained that Councilmember McDougal represents Riverton on the Transjordan Landfill Board and each of the Councilmembers represents the City on various boards. He reported that the City had been awarded \$3 million from Salt Lake County for the Green Well and that the City has applied to the State for money for secondary water meters.

Citizen Comment

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

Presentations/Recognitions

South Valley Chamber of Commerce: Introduction of Don Willie

Jay Francis, President and CEO of the South Valley Chamber of Commerce, introduced Don Willie as the Chief Operating Officer and VP of Marketing.

Mr. Francis presented the year in review slide show which is included in the packet.

2021-2022 Riverton Youth Council Appreciation

Mayor Staggs recognized the 2021-2022 Riverton Youth Council and thanked them for their service.

Water Supply Issues – Report by Sherrie L. Ohrn of a proposed property tax Increase by Jordan Valley Water Conservancy District for Water Service Purposes

Sherrie L. Ohrn, Jordan Valley Water Conservancy District, reported that Jordan Valley Water Conservancy will be having a tax increase this year and will have a truth in taxation hearing on August 10 at 6 PM at the district offices. They will use the additional tax money to build new infrastructure to accommodate the growth in the valley.

Ms. Ohrn said that residents need to start conserving water. She said the park strips and big lawns need to go away. She asked that cities look at ordinances and standards to encourage water conservation.

Mayor Staggs told Ms. Ohrn that Riverton City had adopted the water conservancy standards. He also wanted the conservancy district to know that 100% of Riverton residents are connected to secondary water and that the City has already installed 1/3 of the secondary water meters.

Councilmember Wells asked whether car washes recycle their water. Ms. Ohrn said that she believes they do and that cities need to ensure their ordinances include water conservancy standards for these types of uses.

Councilmember McDougal expressed frustration for the water conservancy messaging. He said there is water for the existing population but not for the increased growth. He believes the infrastructure costs should be passed on to the new growth. Ms. Ohrn said she will pass this information on to the Jordan Valley Water Conservancy District.

Consent Items

Mayor Staggs presented the following Consent Agenda:

- a. Minute Approval: July 19, 2022;
- b. **Resolution No. 22-48** – Cooperative Agreement Between Utah Division of Forestry, Fire and State Lands and Riverton City;
- c. **Resolution No. 22-49** – Authorizing the Mayor to Enter Agreement Between Riverton City and Salt Lake County for Water Service;
- d. **Resolution No. 22-50** – Declaring the identified equipment as surplus and authorizing the City Manager to dispose of the items as he deems appropriate;
- e. **Resolution No. 22-51** – Authorizing the Mayor to Execute an Agreement with Total Water Management for the Completion of Phase 2 of a Water Treatment Facility at the Green Well;
- f. **Resolution No. 22-52** – Approving a Lease Agreement with Bank to Lease (12) Police Vehicles; and
- g. **Resolution No. 22-53** – Authorizing Purchasing to order the Fiscal Year 2023-2024 Police Vehicles.

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. The vote was as follows: Buroker-yes, McCay-yes, Stewart-yes, McDougal-yes, and Wells-yes. The motion passed unanimously.

Public Hearings – N/A

Discussion/Action Items – N/A

Upcoming Meetings

- a. August 16, 2022 - Work Session & City Council Meeting
- b. September 6, 2022 - Work Session & City Council Meeting
- c. September 20, 2022 - Work Session & City Council Meeting
- d. October 4, 2022 - 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.

At 8:03 PM, Councilmember Stewart **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 Stewart also **MOVED** to adjourn the City Council meeting at the conclusion of the Closed Session. 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.**

The City Council meeting resumed in a Closed Session at 8:16 PM. Minutes for the Closed Session were taken and recorded and are now on file as a Protected Record.

Councilmember McDougal **MOVED** to adjourn the Closed Session at 9:26 PM. Councilmember Stewart **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, Stewart-yes, McDougal-yes, and Wells-yes. **The motion passed unanimously.**

Adjournment

As previously noted, Councilmember Stewart **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 9:26 PM.

Approved: CCM 8.16.22