

**5:30 p.m. – Work Session**

*No motions or decisions will be considered during this session, which is open to the public.*

**6:00 p.m. – Council Meeting (Council Chambers)**

**A. Welcome & Roll Call**

**B. Pledge of Allegiance** – Steve Hilton, Councilmember

**C. Invocation** – TBA, by invitation

**D. Public Comment**

*(This is an opportunity to address the City Council regarding your concerns or ideas. No action will be taken during public comment. Please try to limit your comments to three minutes.)*

**E. Presentations and Reports**

1. Mayor's Report
2. Council Assignment Reports
3. City Administration Report
  - a. Department Reports October
  - b. November/December Anniversaries Employee Recognition
  - c. Staffing Authorization Plans
  - d. Community Development Report
4. Swearing in of new police officers

**F. Consent Items**

1. [Consideration to approve meeting minutes from:](#)
  - November 1, 2022 Council Work Session
  - November 1, 2022 Council Meeting

**G. Action Items**

1. [Consideration of Resolution #2022-36 amending Personnel Policies Handbook policy 6-5 Dress and Hygiene Standard](#)  
*Presented by Stacey Comeau*
2. Discussion regarding proposed amendments and reallocations to the Riverdale City FY2023 budget
3. a. **Public hearing** to receive and consider comments regarding proposed amendment(s) to the Riverdale City FY2023 budget  
b. [Consideration of Resolution #2022-37 adopting an amendment to the Riverdale City FY2023 budget](#)  
*Presented by Steve Brooks and Cody Cardon*
4. [Consideration of Resolution #2022-38 adopting a contract with Roy City to provide water services to various Riverdale residences.](#)  
*Presented by Steve Brooks*
5. [Consideration of Resolution #2022-39 creating a gym use policy and fees.](#)  
*Presented by Steve Brooks*

**H. Comments**

1. City Council

2. City Staff

3. Mayor

**I. Adjournment**

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In compliance with the Americans with Disabilities Act, persons in need of special accommodation should contact the City Offices (801) 394-5541 at least 48 hours in advance of the meeting.

**Certificate of Posting**

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Riverdale City limits on this 2<sup>nd</sup> day of December 2022 at the following locations: 1) Riverdale City Hall Noticing Board 2) the City website at <http://www.riverdalecity.com/> 3) the Public Notice Website: <http://www.utah.gov/pmn/index.html> and 4) A copy was also provided to the Standard-Examiner.

Michelle Marigoni  
Riverdale City Recorder

\*\*The City Council meeting on December 6, 2022 is viewable electronically and may be accessed by clicking on the link below. The regular City Council Chambers will be available for in person participation with recommended social distancing followed. The agenda for the meeting is also attached above. \*\*

[https://www.youtube.com/channel/UCegcYe-pIXSRZGd5llencvA/videos?view\\_as=subscriber](https://www.youtube.com/channel/UCegcYe-pIXSRZGd5llencvA/videos?view_as=subscriber)

Minutes of the **Work Session** of the **Riverdale City Council** held Tuesday November 1, 2022, at 5:30 p.m., at the Civic Center in the Council Chambers, 4600 S Weber River Dr., Riverdale City, Weber County, Utah.

**Present:**

City Council: Braden Mitchell, Mayor  
Alan Arnold, Councilmember  
Bart Stevens, Councilmember  
Steve Hilton, Councilmember  
Anne Hansen, Councilmember  
Karina Merrill, Councilmember (via telephone)

City Employees: Steve Brooks, City Administrator/Attorney  
Cody Cardon, Business Administrator  
Mike Eggett, Community Development Director  
Scott Brenkman, Police Chief  
Jared Sholly, Fire Chief  
Michelle Marigoni, City Recorder

Excused:

The City Council Work Session meeting began at 5:30 p.m. Mayor Mitchell welcomed all in attendance. It was noted for the record that all Councilmembers were present. Members of city staff were also present.

**Public Comment:**

Mayor Mitchell asked if there was any public comment. No one was aware of any. Mr. Brooks noted that there was a document from Larry Hansen that was submitted as public comment.

**Presentations and Reports:**

**Mayor's Report**

**Council Assignment Reports**

Mr. Stevens reported the Mosquito Abatement has a league-type organization. They had a presentation about the legislation that is currently in committee about public hearings being required to be open for at least an hour, with public being allowed to speak as long as they would like.

**Consent Items**

**Consideration to approve meeting minutes from:**

1. Consideration to approve meeting minutes from:  
October 18, 2022 Council Work Session  
October 18, 2022 Council Meeting

Mayor Mitchell asked if there were any changes to the minutes from October 18. There were no changes.

**Action Items**

1. **Discussion concerning consideration of granting the funding request of the Weber/Morgan Children's Justice Center (CJC) in an amount not to exceed \$62,267.16 to partially fund the construction of a new CJC in Weber County.**

Mr. Brooks explained this is the same funding request that has come up before, but a decision needs to be made. Cody Cardon and Chief Brenkman were present to answer any questions. Mr. Stevens asked if anything was paid annually to the CJC. Mr. Cardon said other funding comes from the state and donations. Mr. Brooks cautioned it may set a precedence for other organizations to ask for funding.

2. **Public hearing to receive and consider comments regarding proposed amendment(s) to the Riverdale City FY2023 budget**

**Consideration of Resolution #2022-34 adopting an amendment to the Riverdale City FY2023 budget granting the funding request of the Weber/Morgan Children's Justice Center (CJC), in an amount not to exceed \$62,267.16 to partially fund the construction of a new CJC in Weber County.**

3. **Consideration of Ordinance #958 to approve proposed rezone request from Regional Commercial (C-3) Zoning to Multiple-Family Residential (R-4) Zoning for property located at approximately the southeast corner of 4400 South 700 West, Riverdale, Utah 84405, as requested by Forza Development group.**
  
4. **Consideration of Ordinance #959 to approve proposed rezone request from Regional Commercial (C-3) Zoning to Multiple-Family Residential (R-4) Zoning for property located at approximately 4450 South 700 West, Riverdale, Utah 84405, as requested by Forza Development group.**

Mr. Eggett went over the executive summary and information in the packet regarding the general plan and zoning regulations for both items 3 and 4. Mr. Stevens said he was disappointed with the lack of discussion in the Planning Commission meeting.

He asked why the future owners, and not the current ones are requesting the rezone. Mr. Eggett explained both have signed and both are on board with the rezone request, and Caron Boswell was present at the Planning Commission meeting. Mr. Stevens asked if Carey's Cycle will be able to operate under the new zoning. Mayor Mitchell said they are planning to close the business.

**5. Discussion and consideration of Ordinance #960 creating city code concerning solicitation rules.**

Mayor Mitchell said he was surprised there was not an ordinance on this and expressed appreciation for Mr. Brooks bringing it up and writing the code. Mr. Brooks said he has looked at it in the past but was never able to find another city's that he liked. Recently, he came across code from Roy City that looked good, so he tweaked and changed some things to make it fit Riverdale. This has been needed for a long time.

**6. Discussion and consideration of Resolution #2022-35 updating Council Rules and Procedures.**

Mr. Brooks explained these are the rules and procedures for council that should be reviewed every two years.

**Comments**

1. City Council
2. City Staff:
3. Mayor:

**Adjournment**

Having no further business to discuss, the Work Session was adjourned at 5:58 p.m.

**Date Approved:**

Minutes of the Regular Meeting of the Riverdale City Council held Tuesday, November 1, 2022, at 6:00 p.m., at the Civic Center, 4600 S Weber River Dr., Riverdale City, Weber County, Utah.

**Present:**

City Council: Braden Mitchell, Mayor  
Alan Arnold, Councilmember  
Bart Stevens, Councilmember  
Steve Hilton, Councilmember  
Anne Hansen, Councilmember  
Karina Merrill, Councilmember (via telephone)

City Employees: Steve Brooks, City Administrator/Attorney  
Cody Cardon, Business Administrator  
Mike Eggett, Community Development Director  
Scott Brenkman, Police Chief  
Jared Sholly, Fire Chief  
Michelle Marigoni, City Recorder

Visitors: Chris Hatch  
Lorene Richards

### **Welcome & Roll Call**

The City Council meeting began at 6:00 p.m. Mayor Mitchell called the meeting to order and welcomed all in attendance, including all Council Members, City Staff, and members of the public.

**Pledge of Allegiance** – Alan Arnold, Councilmember

**Invocation** – Mike Eggett

### **Public Comment**

Loreen Richards, who has lived in Riverdale for 53 years, said she pays her bills through a payment partner. Something happened with some of her bills, and one of them was her Riverdale water bill. She received a double bill, which she paid as soon as she could on October 14<sup>th</sup>. The next day she received a notice that she had a late fee. In 53 years, she has never been late. She called to see if she could get it taken off and was told she had to speak to city council for any relief. It is hard for her to get out, but she came to the meeting to ask to be relieved of the late fee.

Mr. Brooks confirmed that the city has never had an issue with her before, but that there is no authority for the staff to do anything like this. He suggested something be put in place for staff to have the authority if Council wanted. Mr. Hilton agreed that someone at the city should have that authority. Mr. Arnold said there was another incident in the past with another customer and that they should have the ability to take it to the council without attending a council meeting, but that he worries about the staff being able to address the issues. Mr. Brooks added that there could be parameters and rules for staff to make decisions.

Mr. Stevens asked, rhetorically, if Mr. Brooks was suggesting writing an ordinance, and if it would be retroactive. He brought up a policy that should be included in the ordinance. The IRS had a policy where a penalty could be waived if there had not been a problem before and showed a history of compliance.

Councilor Hansen agreed and said the city she worked for gave the staff authority to look back at the customer's history to make the decision without involving administration.

Mayor Mitchell asked for a consensus to add this item to a future agenda. All were in favor. Mayor Mitchell let Mrs. Richards know that bringing this to the council was going to potentially help fix a bigger problem.

### **Presentations and Reports**

#### **Mayor's Report**

- Veteran's Program will be on Friday November 11. Former Mayor Norm Searle is going to conduct the program. The Bonneville choir and band will be performing.

#### **Council Assignment Reports**

#### **Consent Items**

**1. Consideration to approve meeting minutes from:**

October 18, 2022 Council Work Session  
October 18, 2022 Council Meeting

Mayor Mitchell asked if there were any changes to the minutes from the October 18 meetings. There were no changes.

Councilmember Hansen made a motion to approve the minutes from October 18. Councilmember Hilton seconded the motion. All were in favor and the minutes were approved.

**Action Items**

**1. Discussion concerning consideration of granting the funding request of the Weber/Morgan Children's Justice Center (CJC) in an amount not to exceed \$62,267.16 to partially fund the construction of a new CJC in Weber County.**

Mr. Brooks explained the amount came from the CJC's request, and that other cities had been asked how they handled the request (whether they contributed, if it was the full amount, whether they used ARPA funds, and if it was paid all at once). He went over the different cities' responses. He said ARPA funds are available, but that Council needs to decide if, how much, and from where to contribute. ARPA funds are one-time money, and this should be a one-time request.

Councilor Stevens asked if the CJC is a private entity, or if it is a county entity. Mr. Cardon explained it is not a government controlled non-profit entity. The Friends of the Children's Justice Center is their fundraising organization. Councilor Hilton recalled there was a large amount of red tape for the CJC to be a government entity. Mr. Cardon said the CJC is a 501(c)3 so that they are able to accept donations, and that they are closely tied into the county. The building will be turned over to Weber County as the owner once it is built after requests from different cities.

Councilor Hilton said he agrees with using ARPA funds and liked the contingencies that Roy City tied to the agreement to make sure the money went to the new building.

**2. Public hearing to receive and consider comments regarding proposed amendment(s) to the Riverdale City FY2023 budget**

**Motion:** Councilmember Arnold made a motion to open the public hearing.

**Second:** Councilmember Hilton All in favor.

**Public comment:** No public present.

**Motion:** Councilmember Arnold made a motion to close the public hearing.

**Second:** Councilmember Hilton All in favor.

**Consideration of Resolution #2022-34 adopting an amendment to the Riverdale City FY2023 budget granting the funding request of the Weber/Morgan Children's Justice Center (CJC), in an amount not to exceed \$62,267.16 to partially fund the construction of a new CJC in Weber County**

Mr. Cardon explained it needs to be disclosed publicly, but that it would not require a budget amendment if ARPA funds were used.

**Motion:** Councilmember Arnold made a motion to reallocate funds granting the funding request of the Weber/Morgan Children's Justice Center (CJC), in an amount not to exceed \$62,267.16 to partially fund the construction of a new CJC in Weber County, with the same rules that Roy used.

**Second:** Councilmember Hilton

Councilor Hansen: Yes  
Councilor Arnold: Yes  
Councilor Merrill: Yes  
Councilor Hilton: Yes  
Councilor Stevens: Yes

**Motion passes unanimously.**

**3. Consideration of Ordinance #958 to approve proposed rezone request from Regional Commercial (C-3) Zoning to Multiple-Family Residential (R-4) Zoning for property located at approximately the southeast corner of 4400 South 700 West, Riverdale, Utah 84405, as requested by Forza Development group.**

Mr. Eggett went over the executive summary and information in the packet regarding the general plan and zoning regulations for both items 3 and 4. Mr. Stevens said he was disappointed with the lack of discussion in the Planning Commission meeting.

He asked why the future owners, and not the current ones are requesting the rezone. Mr. Eggett explained both have signed and both are on board with the rezone request, and Caron Boswell was present at the Planning Commission meeting. Mr. Stevens asked if Carey's Cycle will be able to operate under the new zoning. Mayor Mitchell said they are planning to close the business.

Councilor Stevens asked Chris Hatch with Forza Development about the current ownership of the corner property, and who would own the Garff property after this. He asked if Mr. Hatch was an owner of H&H. Mr. Hatch said he is a part owner and is representing Forza. The Garff properties made more sense to be consolidated with a swap agreement. Garff has another property on the east side and so the swap agreement would make Garff's property contiguous, and the west side property would be a part of the development group.

**Motion:** Councilmember Arnold made a motion to approve Ordinance #958 for a proposed rezone request from Regional Commercial (C-3) Zoning to Multiple-Family Residential (R-4) Zoning for property located at approximately the southeast corner of 4400 South 700 West, Riverdale, Utah 84405, as requested by Forza Development group.

**Second:** Councilmember Hilton.

Councilor Hilton:	Yes
Councilor Stevens:	No
Councilor Hansen:	Yes
Councilor Merrill:	Yes
Councilor Arnold:	Yes

**Motion passes 4 to 1.**

**4. Consideration of Ordinance #959 to approve proposed rezone request from Regional Commercial (C-3) Zoning to Multiple-Family Residential (R-4) Zoning for property located at approximately 4450 South 700 West, Riverdale, Utah 84405, as requested by Forza Development group.**

Mr. Eggett explained this is the property next to the previous item. This has been historically operated as the Carey's Cycle business. He noted that Caron Boswell, owner of Carey's, was present at the Planning Commission meeting and public hearing.

**Motion:** Councilmember Arnold made a motion to approve Ordinance #959 for a proposed rezone request from Regional Commercial (C-3) Zoning to Multiple-Family Residential (R-4) Zoning for property located at approximately 4450 South 700 West, Riverdale, Utah 84405, as requested by Forza Development group.

**Second:** Councilmember Hilton

Councilor Stevens:	No
Councilor Merrill:	Yes
Councilor Arnold:	Yes
Councilor Hansen:	Yes
Councilor Hilton:	Yes

**Motion passes 4 to 1.**

**5. Discussion and consideration of Ordinance #960 creating city code concerning solicitation rules.**

Mr. Brooks explained he has looked at this in the past but was never able to find another city's that he liked. Recently, he came across code from Roy City that looked good, so he tweaked and changed some things to make it fit Riverdale. This has been needed for a long time.

Councilor Hansen said she had a concern about the no-solicitation notices, but after re-reading it she felt it was written in a way that would not cause problems. Mr. Brooks said it is long and detailed, but that he felt it was a good fit.

Mr. Arnold said he thought it was silly and unenforceable, and it may cause problems during campaign times. He asked who would enforce it. Mr. Brooks said it would be complaint-driven and there shouldn't be too many of them, but this would at least give an option to put a stop to any actions that were not appropriate. The solicitors have rights, but the residents do as well. There needs to be a balance.

Mr. Arnold said he would hate to give the "loonies" more options to make complaints about people and gave an example of when he was invited to someone's home and then reported for trespassing.

Councilmember Stevens said he chose to do the bulk of his campaigning door-to-door. He said only two people referred to their no soliciting signs. Most people thanked him for campaigning the old-fashioned way. Sales companies make more money during the summer soliciting than any other way. He spoke about a conversation he had with a salesperson and asked if they had a problem with the notices, and that only HOA's caused problems.

Ms. Hansen said she likes that it will give an opportunity to educate residents that solicitors should have a license as well as a badge. The residents would appreciate having them identified so they know who is safe.

Councilmember Merrill asked if there is a no trespassing sign, that action could be taken, but a no soliciting sign is not enforceable. Chief Brenkman said the no trespassing sign has more weight, but that if an ordinance is in place a citation could be issued. He said there are calls quite often about these and they deal with them. He likes that an ordinance gives the city the ability to screen the companies that are out in the neighborhoods. Councilmember Merrill said in her previous experience in sales, they were encouraged to knock on doors if there is a sign, but not if there is a no trespassing sign.

Mayor Mitchell and Chief Brenkman discussed how much easier an ordinance would make it when complaints are received. Mr. Brooks said it also states that any violations would revoke rights for solicitors to continue within the city.

**Motion:** Councilmember Arnold made a motion to approve Ordinance #960 creating city code concerning solicitation rules.

**Second:** Councilmember Hilton

Councilor Arnold:	Yes
Councilor Hansen:	Yes
Councilor Hilton:	Yes
Councilor Stevens:	Yes
Councilor Merrill:	Yes

**Motion passes unanimously.**

## 6. Discussion and consideration of Resolution #2022-35 updating Council Rules and Procedures.

Mr. Brooks asked that the section about dismissing members be stricken for now. He said some of the changes are grammatical and that Ms. Hansen had added a section about the packet being provided in advance. Closed meetings need to be addressed for electronic meetings.

Councilor Arnold said he had a problem with the section about a councilmember's pay being docked for not attending meetings, but after hearing about a councilmember from a different city who stopped showing up, he doesn't have an issue with it. Mr. Brooks stressed that councilmembers could still be excused from meetings without any kind of penalty. Mayor Mitchell asked if members would have to be excused by the mayor, or if the city recorder or administrator could excuse them. It is written that councilmembers must be excused by the mayor.

Mr. Brooks went over the other proposed changes. There was discussion about section 7.5 which says tabled items will be removed after 90 days.

**Motion:** Councilmember Arnold made a motion to approve Resolution #2022-35 updating Council Rules and Procedures minus section 1.2(g) about needing a two-thirds vote to remove a member for cause.

**Second:** Councilmember Hilton

Councilor Merrill:	Yes
Councilor Hilton:	Yes
Councilor Stevens:	Yes
Councilor Arnold:	Yes
Councilor Hansen:	Yes

**Motion passes unanimously.**

## Comments

1. **City Council:** Councilor Arnold asked about the new youth home and if there have been any updates. Mr. Brooks said he has received some different reports but there is no new information. If any changes are made in violation of code on the exterior, they would be handled by code enforcement. Councilor Merrill said she saw 14 teens plus staff members dropped off in a van, and that it is operating.
2. **City Staff:**

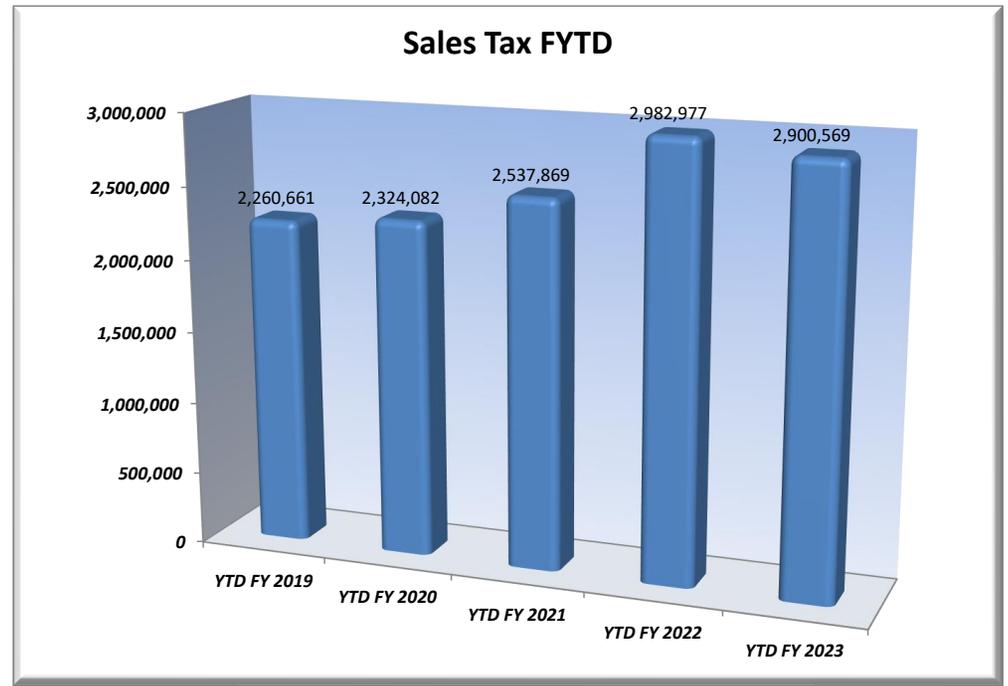
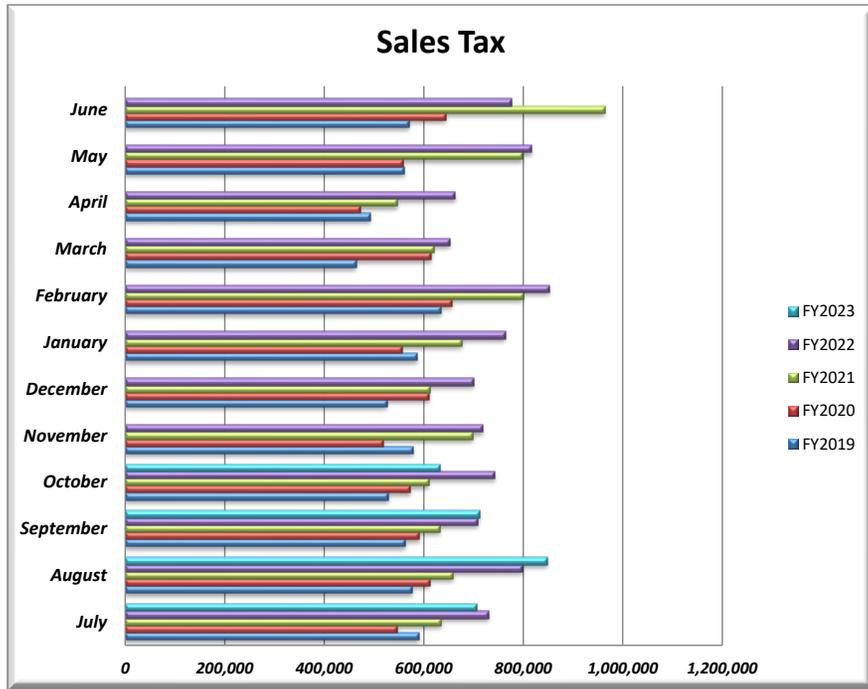
- 3. Mayor:** Mayor Mitchell said the city website now includes a link for the general plan update, which includes a survey and an interactive map for residents to pinpoint and add comments or suggestions. He said he was asked what is considered Riverdale's "downtown" or "main street", and he didn't know how to answer it. He asked on social media and received a different response than expected. He encouraged councilors to look at it, tell people about it, and even add comments if they wish. There was general discussion about the interaction from residents regarding the general plan update.

**Adjournment**

Having no further business to discuss, Councilmember Arnold called to adjourn the meeting. Councilmember Hilton seconded. The meeting was adjourned at 7:26 p.m.

**Date Approved:**

**RIVERDALE CITY  
SALES TAX REPORT  
AS OF OCTOBER 31, 2022**



Sales Tax	July	August	September	October	November	December	January	February	March	April	May	June	Totals
FY2019	591,419	576,907	563,499	528,836	578,794	526,228	586,556	634,811	464,253	493,348	560,967	571,607	6,677,225
FY2020	546,902	612,157	591,696	573,327	519,064	610,719	556,867	657,308	615,264	472,239	559,456	644,897	6,959,896
FY2021	635,065	659,853	632,737	610,213	698,778	612,021	676,337	799,676	619,991	547,110	799,140	963,922	8,254,844
FY2022	731,834	799,292	708,575	743,276	718,470	701,211	763,681	853,569	653,055	663,354	816,853	777,539	8,930,709
FY2023	706,230	848,891	712,030	633,418									2,900,569

Sales Tax FYTD	YTD FY 2019	YTD FY 2020	YTD FY 2021	YTD FY 2022	YTD FY 2023
	2,260,661	2,324,082	2,537,869	2,982,977	2,900,569

**RIVERDALE CITY  
MONTHLY UTILITY REPORT  
FOR MAYOR & CITY COUNCIL  
OCTOBER 2022**

Water Fund

	Total Gallons Used (in thousands)	Total Billings	Total Customers Billed	Average Gallons used Per Customer (in thousands)	Average Bill Per Customer
Residential	23,416	\$ 62,071	2,192	11	\$ 28.32
Commercial	19,600	\$ 48,282	259	76	\$ 186.42

Sewer Fund

	Total Billings	Total Customers Billed	Average Bill Per Customer
Residential	\$ 61,737	2,170	\$ 28.45
Commercial	\$ 51,695	229	\$ 225.74

Storm Water Fund

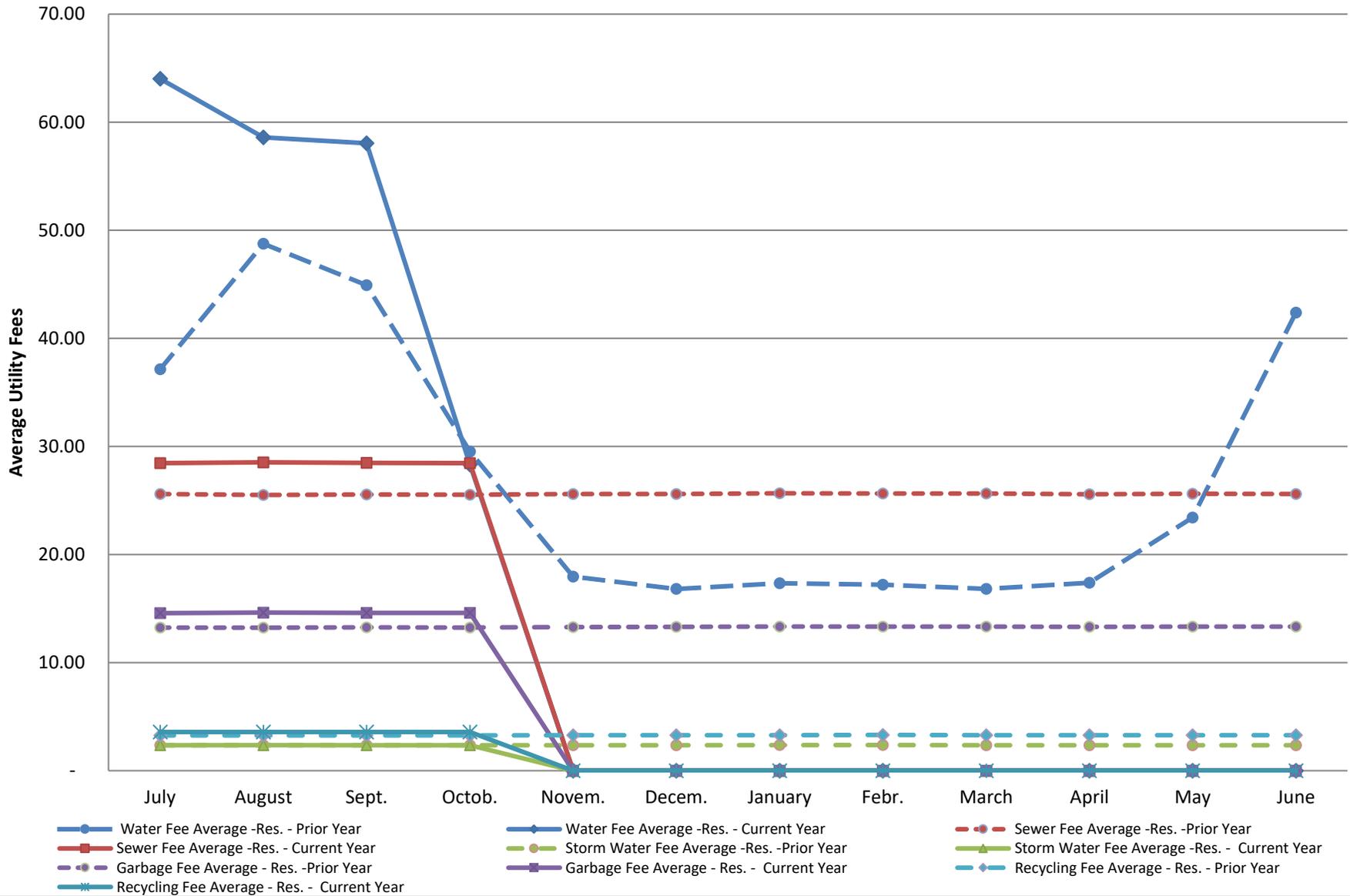
	Total Billings	Total Customers Billed	Average Bill Per Customer
Residential	\$ 5,155	2,188	\$ 2.36
Commercial	\$ 14,208	200	\$ 71.04

Garbage Fund

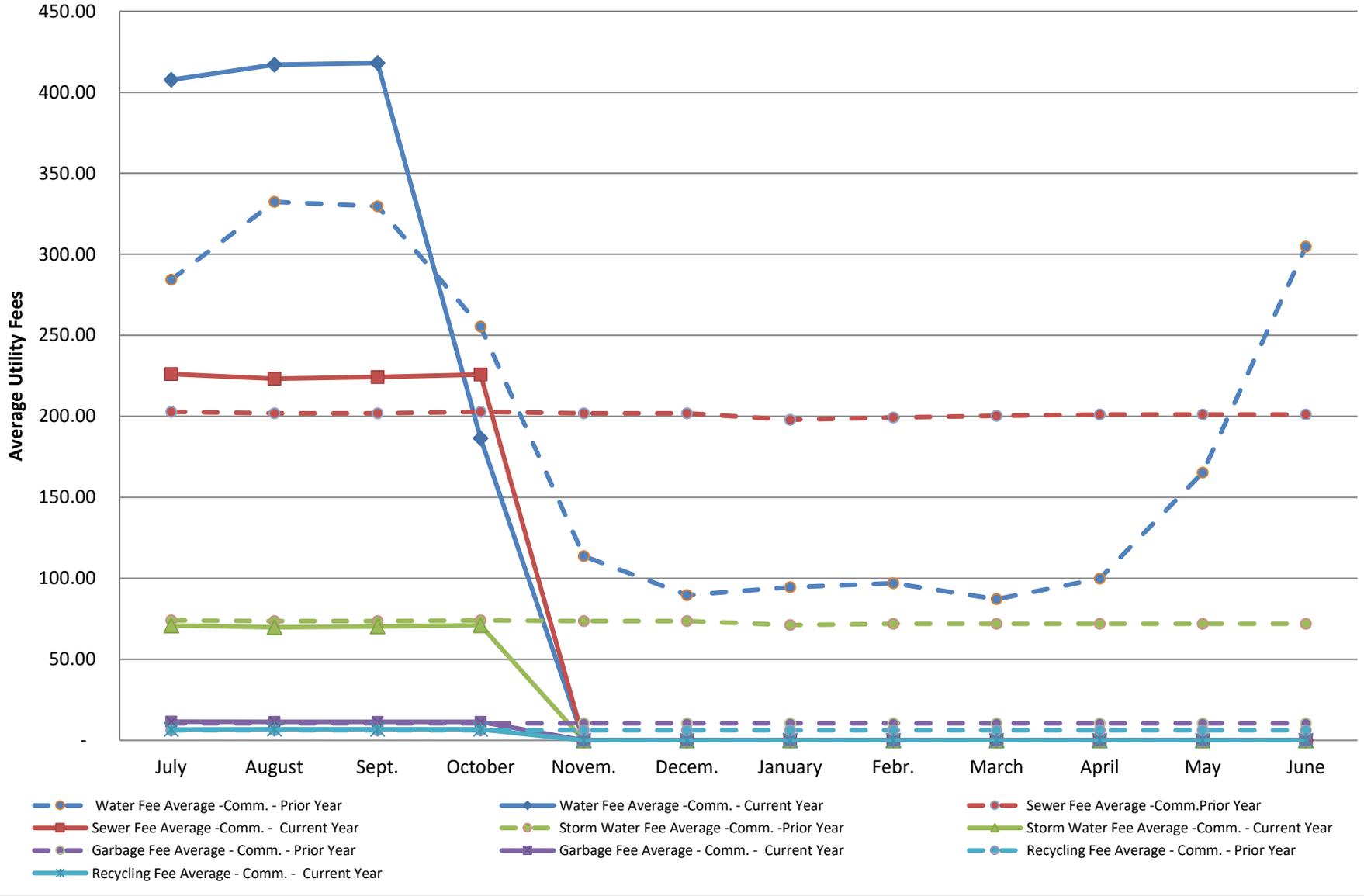
	Total Billings	Total Customers Billed	Average Bill Per Customer
Residential - Garbage	\$ 31,444	2,155	\$ 14.59 *
Residential - Recycling	\$ 6,581	1,845	\$ 3.57
Commercial - Garbage	\$ 23	2	\$ 11.47 *
Commercial - Recycling	\$ 20	3	\$ 6.80

\* Some garbage utility customers have more than one garbage can, this is an average of all customers.

## Residential Average User Fees Fiscal Year 2022 & 2023



## Commercial Average User Fees Fiscal Year 2022 & 2023



## **Business Administration:**

Cody Cardon:

- Routine phone & computer problem resolution throughout the city.
- Routine management issues and resolution.
- Various meetings and trainings attended.
- Working on Monthly Accounting.
- Working on Year End Accounting.
- Working on budget amendments for public safety.

Stacey Comeau:

New Hires: Dirk Playle Fire

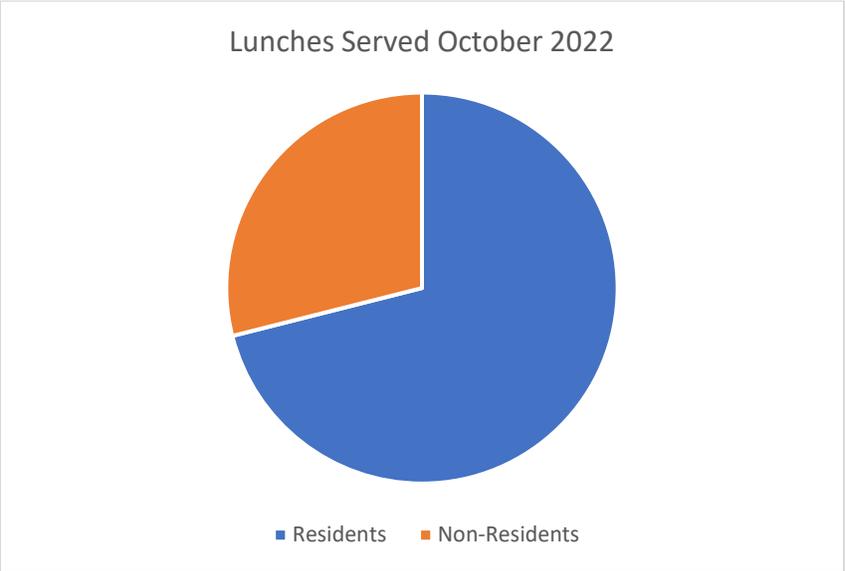
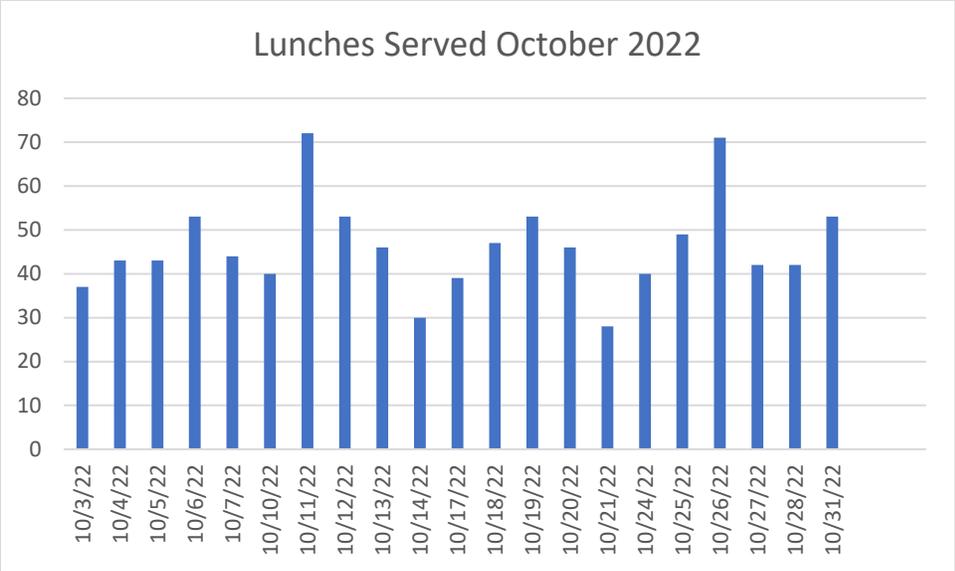
Promotions:

Terminations: Jake Roberts Community Services  
Jake Henstra Community Services  
Jeff Woody Community Development  
Clyda Xidis Police

- Random drug testing for the month
- Attended Wasatch Compensation Group Annual Meeting
- Processed semimonthly payroll
- Responded to job inquiries
- Updated Staffing Authorization Plan
- Prepared Employee Recognition
- Completed monthly payroll reconciliation
- Conducted exit interview with terminating/retiring employees
- Prepared ACH files for Rent, RDA, and Early Retiree payments
- Notarized various documents
- Responded to requests for RDA loan payoff and verification of employment, both verbally and in writing
- Prepared RDA loan disbursements
- Responded to inquiries on Purchase Assistance Program and RDA Loan Program
- Worked with various personnel to resolve issues and concerns

Chris Stone:

- Attended Maverik grand opening, took pictures, and posted to social media.
- Set up for employee training meeting.
- Set up council/court room for various meetings and court.
- Cleaning of the Veterans Memorial.
- Order and pick up of custodial supplies.
- Covered for part-time custodial staff off sick or on vacation.
- Various updates to the city website and social media sites.
- Completed the city newsletter for November.
- Completed the employee newsletter for November.



- Attended staff meetings
- Held monthly departmental staff meeting
- Created monthly issue of Riverdale Connections
- Attended city council meeting
- Covered for Miranda at the Senior Center
- Submit monthly report the Bonneville CTC
- Senior Housing duties
- Planned and held the Fall Halloween Carnival
- Completed employee evaluations
- Attended Maverik Grand Opening
- Attended NURPA meeting



Mayor & City Council Monthly Summary Report  
October 2022

**Community Development Department:**

- La-Z-Boy small addition – Sheetrock inspection
- Royal Aesthetics – Framing and final inspections
- Home Goods – Above grid inspection
- Take 5 – Light poles and power inspections
- Bath and Body Works – Final and re-final inspections
- Super Chix – Ceiling and insulation inspections
- Chick-Fil-A remodel – Framing, electrical, plumbing, gas, insulation, lath, and weather barrier inspections
- Generator Supercenter – Framing, plumbing, and power inspections
- JDawgs – Framing, electrical, mechanical, plumbing, and sheetrock inspections
- Fiiz Drinks – Footings, foundation, and plumbing inspections
- H&P Flex Building #2 – Power, footings, and foundation inspections
- Pacific Treatment Center – Final and re-final inspections
- Home inspections for various projects on residential lots
- Inspection of solar panel and equipment installation
- Inspection of telecommunications tower equipment alteration and installation
- Meeting with property owners, contractors, and developers to discuss project plans
- Building plan drawings and documents review
- Fire inspections, sprinkler inspections, fire investigations, and associated fire checks for various businesses
- Pick-up of various signs in violation of sign ordinance
- Preapplication review meeting re: Hammart small subdivision concepts
- Meetings with Jason Bullock re: Building permitting and inspections
- Meeting with Brent Hill re: Property development concepts
- Meeting with UDOT team re: UDOT roads, South Weber Drive, and further planning
- Meeting with Tom Freeman and development group re: West Bench Development ideas
- Department heads meetings attendance by department member
- Staff Quarterly Training participation by department members
- Weber County Emergency Managers meeting attendance by department member
- Local Emergency Planning Committee participation by department member

Fire Inspection / Code Enforcement Report: **see attached**

## Public Works Monthly Report October 2022

- Continued work with Weber Basin to discuss alternatives for them providing additional water, instead of drilling well.
- Continued Storm Water review to meet new state regulations.
- Continued design work on 1050 W Ritter Dr. Roundabout.
- Continued Weber Basin Water connection project.
- Continued inspections on Cheddard's
- Completed city wide fall clean up.
- Continued inspections on AFCU Campus.
- Continued inspections on Fiiz.
- Continued 4600 S Road Project.

- Continued Take 5 inspections.
- Continued reviews on Riverdale Townhomes.
- Continued inspections on Riverdale Flex 2.

**Fire Department:**

Chief Jared Sholly

*159 Calls for Service and 256 Vehicle Movements*

**Fires**

- 2 Building Fires
- 1 Chimney Fire, Contained to Chimney
- 1 Vehicle Fire
- 2 Bruss Fire

Total: 6

**Rescue & Emergency Medical Service Incidents**

- 66 EMS Call, Excluding Vehicle Accident with Injuries
- 12 Motor Vehicle Accidents with Injuries
- 1 Motor Vehicle Accidents without Injuries
- 1 Extricated from Vehicle

Total: 86

**Hazardous Condition**

- 2 Gas Leak
- 1 Vehicle Accident Clean-Up

Total: 3

**Service Call**

- 1 Ring Removal
- 4 Assist Citizen
- 2 Assist Police

Total: 7

**Good Intent Call**

- 1 Good Intent
- 41 Cancelled Enroute
- 3 No Incident Found
- 3 Smoke Scare

Total: 48

**Fire Alarm**

- 4 Municipal Alarm Sounded, Malicious False Alarm
- 1 Alarm System Sounded due to Malfunction
- 1 CO Detector Activation
- 1 Unintentional Transmission
- 2 Detector Activation, No Fire

Total: 9

**Department Report:**

- **F-35 Jet Crash**
  - Approximately 15-acre Brush Fire on North Bench of South Weber Drive
  - Structural Protection Set-Up for Three Homes in the Area
  - Crews Possibly Exposed to Hazardous Material
  - Meeting Scheduled with Hill Air Force Base to Discuss Incident (Nov 7<sup>th</sup>)
    - Decontamination of crews
    - Decontamination of equipment and out of service
    - Decontamination of the brush truck
- Crews changed out smoke detectors and batteries at numerous homes for our elderly residents
- Significant
- Fallen Firefighter Remembrance
- Training Officers Meeting
- Ogden Regional EMS Case Review
- EMS Committee Meeting
- Weber County Heavy Rescue Meeting
- City Staff Meeting
- (Randy) Emergency Management Meeting
- Weber County Fire Chiefs Meeting
- Operational Dispatch Committee
- Fire Sub Meeting with County Chiefs and Dispatch
- Fire Training
  - Confined Space
  - Structural Collapse
  - Flashover
  - Turnout/SCBA Drills
  - Highway Safety
- Medical Training
  - Physical Exam
  - Traction Splint
  - Oral Glucose
  - Patient Assessment



**Staffing Report:**

Month	# Of Days Staffed at 3 Firefighters	Short Staffing Percentage
August	16	52%
September	21	70%
October	18	58%

## Patrol Report October 2022

**Family Fight-** Officers responded to a family fight. A female and her mother were involved in an argument with the daughter's husband. All parties were contacted and no crimes were found to have been committed.

**Suspicious Vehicle-** Officers found a male camping out of his vehicle in the Walmart Parking lot. The male had been warned about this before. An odor of marijuana was detected and marijuana was found. The male had a medical cannabis card, but was using a pipe to combust the marijuana and had it stored in an unapproved bag in violation of the medical marijuana act. The male was cited.

**Burglary-** A female reported a burglary in progress at her residence. The suspects fled and were located in the area. Officers interviewed suspects and learned they were responsible. Further follow up was completed and the suspects were charged with burglary.

**Overdose-** Police responded to Motel 6 for an overdose complaint. A male overdosed on an unknown opiate. Narcan was administered by officers. The male refused transport to the hospital.

**Overdose-** This report is in reference to a male being taken to McKay Dee Hospital after taking an excessive amount of insulin in an apparent attempt to harm himself at his residence. The male was found unconscious in his bed by family who called dispatch. They reported that the male has been struggling with depression for the last year after a bad breakup with his former fiancé. They reported that he has taken an excessive amount of insulin for several days and when confronted about this he made the statement "why don't you take the hint and just let me die." The male was transported to McKay Dee Hospital by ambulance and left in the care of hospital staff.

**Traffic Stop-** Officers arrested a female pursuant to a traffic stop for multiple warrants, narcotics and paraphernalia. The female was booked into the WCJ.

**Pedestrian Stop-** Officers attempted to stop a pedestrian for several pedestrian violations. He was walking into traffic on Riverdale Rd. causing danger to himself and motor vehicle traffic. The male refused to stop and cooperate and was aggressive towards officers when contacted. The suspect was placed on the ground where he resisted further and a taser was used. The suspect was booked into Weber County Jail on numerous charges.

**Trespassing-** Officers responded to Motel 6 where a male was trespassing. Upon contact, the male began making suicidal statements and was involuntarily committed at McKay Dee. He was issued a citation for paraphernalia and trespassing.

**Warrant-** Riverdale PD was contacted by Rich County who had a male detained for a felony warrant out of Riverdale. Rich County transported the suspect to Ogden where Riverdale Officers took him into custody and booked him at the jail.

**Family Fight-** Officers responded to a residence where a male and female were involved in an argument. Both denied any physical fighting occurring and neither party had visible injuries. The parties separated for the time being.

**DV Assault-** Riverdale Police responded to Motel 6 for a disturbance complaint. The complainant reported that a female was banging on the motel door and she wanted him to leave. It was discovered that the complainant and the woman banging on the door were involved in an argument earlier that day at the Motel 6, and the complainant allegedly scratched the other woman's face. The complainant was cited for DV assault and left to stay with a family member.

**Disturbance-** Riverdale Police responded to Target on a disturbance in the parking lot causing customers to fear going to their cars. The suspect was shouting obscenities and waving a large stick around. The suspect was said to have stabbed himself with the stick, but this was found to be incorrect. The suspect was located and had no injuries. Once contacted the suspect was belligerent with officers and threatened them. He was booked at the jail for disorderly conduct and trespassing.

**Disturbance-** Officers responded to Burger King on a report of a female yelling. She was found near Chick Fil A where she had entered the gated area despite the no trespassing signs. She was cited and released for the trespass.

**Theft by Deception-** Officers took a report from Wal-Mart where two known suspects tricked cashiers into giving them an extra \$100 dollars by stating the cashier never gave it to them. This occurred twice on this day and the two suspects have been doing this in numerous states.

**Sex Offense-** Officers responded on a report of a sex offense where a mother reported her 4 and 5 year old children were inappropriately touched by a 12 year old suspect who lives in the neighborhood. Further investigation will be conducted.

**DV/Drugs-** Officers were patrolling the parkway when they encountered a disturbance between a male and female in the woods. The male was taken into custody for DV assault along with drug charges. He was booked into the jail.

**Disturbance-** A male was having a mental episode and was yelling at himself inside Walmart. He was contacted in the parking lot and was very argumentative but ultimately calmed down. He is mentally unstable.

**Warrant/Drug Violation-** Officers responded to a residence on a child abuse complaint and took the mother and father into custody for child endangerment. The father had drug paraphernalia on his person at the time of the arrest. They were both booked into the jail.

**Lewdness-** Officers responded to Riverdale Park on a report of a male that exposed himself to a juvenile. The male was not located. Further investigation is being conducted.

**Harassment-** Officers took a report from a female who reported that her ex-boyfriend keeps contacting her through various methods after being asked to stop. Contact with the boyfriend was attempted but unsuccessful. Further follow up will be conducted.

**Threatened Suicide-** Officers responded to Motel 6 in response to the WCSO receiving a report that a male was threatening suicide. Contact with made with the male in his room where he stated he was suicidal. The male was involuntarily committed at Ogden Regional.

**Weapon Disturbance-** A female reported a male pointed a handgun at her during a road rage incident near 4060 Riverdale Rd. The complainant provided a description of the suspect and vehicle but was not

able to provide the suspect vehicle license plate. An ATL for the suspect vehicle and driver was broadcasted county wide. The suspect and vehicle were not located.

**Warrant-** Officers contacted a male behind Maverik. The male was found to have a no bail warrant for aggravated robbery and possession of a weapon by a restricted person. The male was booked into jail on the warrant.

**Trespass-** Officers responded on a trespass. A male and female were found squatting inside. The home has been empty for the past year. A property manager found a car and Halloween decorations there. The male and female tried to flee out the back of the property but were caught. Both were cited for trespassing.

**Child abuse-** Officers were dispatched to contact a male in regard to a child abuse complaint involving his three-week-old grandson. The father posted a Facebook video of him slapping a piece of cheese on the baby's face causing the baby to cry intensely. DCFS was contacted and the case will be screened for child abuse charges.

## **Investigations Report October 2022**

**Retail Theft-** Detectives followed up on a retail theft that occurred at Best Buy. The driver of the vehicle involved in the theft was identified and interviewed by detectives. The driver stated he assisted with the theft and then pawned the stolen property for cash. The suspect was cited for retail theft and theft by deception.

**Sex Abuse-** Detectives followed up on a report of a female claiming she was sexually assaulted while working at a fast food restaurant. The victim advised she reported the incidents to her employer and they subsequently terminated the suspect. After reviewing the employee records, it was found the suspect quit and was not terminated and nothing was disclosed during the employee interviews. This case will be screened by Weber County Attorney's Office for charges.

**Assault-** Detectives followed up on an assault that occurred at a clothing store. A male and female were exiting the store when the male's ex-girlfriend confronted the male and female. The suspect grabbed the female by her hair and shoved her. The suspect then threw the female's phone on the ground in the parking lot. The suspect was cited for assault and criminal mischief.

**Retail Theft-** Detectives followed up on a retail theft where a male stole ammunition from Sportsman's Warehouse. Detectives identified and interviewed the suspect who confessed to the theft. The suspect was cited for retail theft.

**Retail Theft-** Detectives followed up on a retail theft that occurred at Best Buy. Detectives interviewed the suspect who confessed to the theft. The suspect was cited for retail theft.

**Retail Theft-** Detectives followed up on retail theft that occurred at Walmart. The suspect was interviewed and confessed to committing the theft. The suspect was cited for retail theft.

**Vehicle Burglary/Credit Card Fraud-** Detectives followed up on a vehicle burglary where a credit card was stolen and used by the suspect. Detectives interviewed the suspect who confessed to the burglary and the credit card fraud. The suspect was charged with vehicle burglary and credit card fraud.

# ***RIVERDALE POLICE DEPARTMENT***

## ***CRIME BULLETIN***

November 2022  
Report #22-11

### ***October Police Calls***

- **1168 Calls for Service**
  - **34 Animal Complaints**
  - **282 Crime Reports Written**
    - **10 Forgery/Fraud**
    - **1 Assault / Fights**
    - **11 Retail Thefts**
    - **4 Sex Offenses**
    - **13 Family Offenses**
    - **18 Disturbances**
    - **14 Burglary/Theft Complaints**
    - **50 Arrests**



The remainder of calls involved Welfare Checks, Disorderly Conduct, Suspicious Activities, Citizen Assists, Lost/Found property, Trespassing, Medical Assists, Warrant Services, etc.

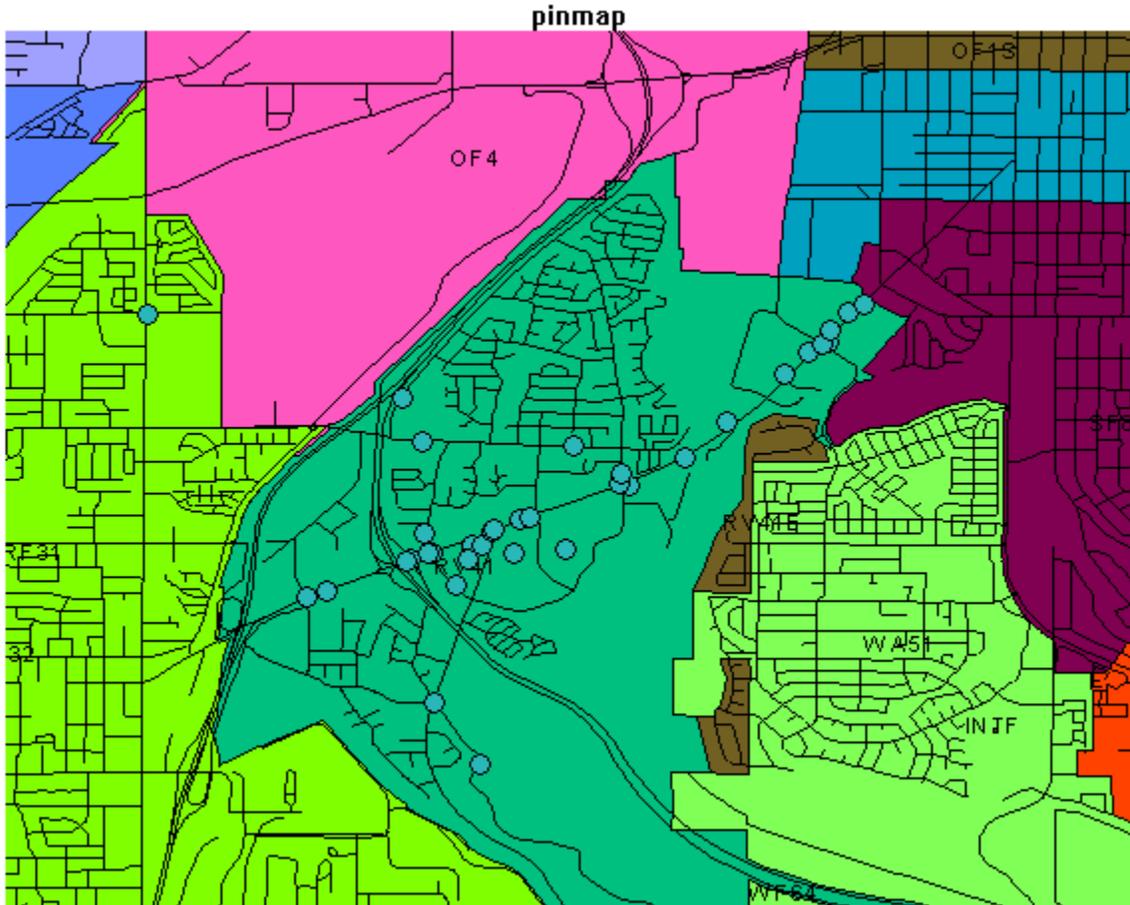
### ***Traffic Patrol and Enforcement***

- **208 Traffic Stops resulting in:**
  - **154 Citations**
  - **230 Total Violations**
  - **76 Warnings Issued**

# ***RIVERDALE POLICE DEPARTMENT CRIME BULLETIN***

November 2022  
Report #22-11

## ○ **51 Traffic Accidents**



- **27 New Cases sent to Investigations**
- **31 Investigative Cases Closed**

POLICE LINE - DO NOT CROSS

POLICE LINE - DO

**FOR LAW ENFORCEMENT USE ONLY!**

## Monthly report - October, 2022

### Legal Dept., City Attorney, City Admin. - Steve Brooks:

- Resolutions/Ordinances work-
  - Work concerning - Slopes, Gen. plan, HAFB matters, West Bench, Grand openings, Shake shack, Senior housing, HR matters, Evaluations, Leslie's, Fee schedule, Water, Veterans, GRAMMA, UMA, Atkin, Staff meetings, Dev. Agreements, Yates prop., Des. Review, Grant workshops, RSAC, Justice court, Legis. Audit, late fees, RR property, ETS K, Municipal vacancy, Reconveyances, Rules & Procedures, Solicitors, CJC, HR.
- Legal research/review -
- Legal Department meetings/work -
- Planning commission review/ordin/mtgs/minutes
- Walk-ins/Police reviews/Court/Court screenings/Court filings
- Formal training attended- ULCT convention
- RSAC- Drug Court -
- Legal reviews of minutes/resolutions/ordinances
- Records request reviews

### COURT MONTHLY REPORT

433 Total traffic cases	YTD 4401 (Jan. 1, 2022 to December 31, 2022)	
1 DUI	311 Moving violations	0 FTA
0 Reckless/DUI red.	90 Non-moving violations	0 Other
29 License violations	2 Parking	

54 Total Misdemeanor cases	YTD 509 (Jan. 1, 2022 to Dec. 31, 2022)		
1 Assault	0 Ill. sale Alc.	1 Dom. animal	5 Dom. violence
13 Theft	4 Other liq. viol.	0 Wildlife	17 Other misd./infrac
0 FTA	13 Contr. subst vio	0 Parks/rec.	
0 Public intox	0 Bad checks	0 Planning zon./Fire/Health	

380 Total cases disposed of this month	3828 Total number of cases disposed of for the year (Jan. 1, 2022 to Dec. 31, 2022)
487 Total offenses this month	4909 Total offenses for year (Jan.1, 2022 to Dec. 31, 2022)

Small Claims	Total number of cases for the year (Jan. 1, 2022 to Dec. 31, 2022) -- Filed=9 Settled/Dismissed=3	
1 Cases filed	0 Trials	
1 Settled/dismissed	0 Default judgment	

<b># CITATIONS BY AGENCY</b>	<b>YTD (July 1, 2022 to June 30, 2023)</b>	
Riverdale City	131	387
UHP	246	804

### REVENUE/MISC. YTD (June 1, 2021 to May 31, 2022)

Total Revenue collected	\$ 70,943.88	\$ 395,132.88
Revenue Retained	\$ 42,488.39	\$ 226,518.02
Warrant Revenue	\$ 41,044.00	\$ 121,661.00
Issued warrants	82	554
Recalled warrants	80	867

### RSAC MONTHLY REPORT N/R

10 participants	19 drug tests given	0 walked away/warrants issued
0 orientations	0 in jail/violations	0 ordered to inpatient
0 new participant	5 positive UA's/tests/dilutes	0 other
1 graduates	4 incentive gifts	
0 terminated/quit	0 spice tests given	

## Employee Recognition – November 2022 Anniversaries

Years	Employee	Department
18		Steve Brooks City Administration
17		Joan Dailey Court
12		Derek Engstrom Police
10		Nate Tracy Fire
3		Marcus Garcia Community Services

## Employee Recognition – December 2022 Anniversaries

Years	Employee	Department
30	 Chris Stone	Business Administration
17	 Matthew Hennessy	Fire
1	 Angela Choate	Community Services



# Riverdale City

## Staffing Authorization Plan

As of December 31, 2005		
Department	FTE Authorization	FTE Actual
City Administration	3.00	3.00
Legal Services	5.50	5.50
Community Development	3.50	3.50
Bus Admin - Civic Center	5.75	5.50
Bus Admin - Comm Services	10.00	6.75
Public Works	12.00	11.00
Police	26.00	26.00
Fire	11.50	12.75
Total	77.25	74.00

As of November 30, 2022		
Department	FTE Authorization	FTE Actual
City Administration	2.00	2.00
Legal Services	4.50	3.50
Community Development	3.00	2.00
Business Administration	6.25	6.25
Community Services	9.00	7.50
Public Works	11.00	11.00
Police	24.75	22.75
Fire	16.50	14.25
Total	77.00	69.25

Staffing Reconciliation - Authorized to Actual		
Department	FTE Variance	Explanation
City Admin	0.00	
Legal Services	(1.00)	City Administrator/City Attorney
Community Development	0.00	
Community Services	(1.50)	Recreation Assistants
Business Administration	0.00	
Public Works	0.00	
Police	(2.00)	Officers hired starting 12/1
Fire	(2.25)	Firefighters unfilled
Totals	(6.75)	Staffing <u>under</u> authorization

Actual Full Time Employees 57.00  
 Actual Part Time Employees 45.00  
 Seasonal Employees 0.00

\* 2 part time FTE can not be converted to 1 full time FTE



## **COMMUNITY DEVELOPMENT PROJECTS STATUS REPORT**

**December 1, 2022**

### **OPEN FOR BUSINESS**



Super Chix celebrated their opening with a ribbon cutting on Nov. 19<sup>th</sup> for their new location at 1140 W. Riverdale Road, Unit G.



Five Star Bath Solutions held a ribbon cutting on Nov. 11<sup>th</sup> to open their new location at 5187 S.1500 W. # 4



Bath and Body Works has opened for business at 4205 S. Riverdale Road.

### **ONGOING DEVELOPMENTS**



Cheddar's Scratch Kitchen has started construction on their new restaurant located at 4171 S. Riverdale Road.



Take 5 Oil Change has started construction on their new location at 4021 S. Riverdale Road.



FIIZ Drinks has started construction of their new location at 4023 S. Riverdale Road.



J.Dawgs has started construction on their new location in the building at 4104 S. Riverdale Road next to Starbucks.



Home Goods has started construction on their new store at 1101 W. Riverdale Road in a section of the former Gordmans building.



Sierra Trading Post has started construction at 1101 W. Riverdale Road in a section of the former Gordmans building.



Chick-Fil-A has commenced the remodeling and redesign of their location at 4067 S. Riverdale Road.



The Generator Supercenter has started construction on their new store at 708 W. Riverdale Road next to Zeppe's.



Twisted Sugar has started construction on their new location at 4139 S. Riverdale Road in the former Bombay Bites site.



Buckway Flooring & Design is moving to their new location in the old RC Willey Warehouse building at 4040 S. Pacific Ave.

**RIVERDALE CITY  
CITY COUNCIL AGENDA  
December 6, 2022**

**AGENDA ITEM: G1**

**SUBJECT:** Consideration of Resolution #2022-36 amending Personnel Policies Handbook policy 6-5 Dress and Hygiene Standard

**PRESENTER:** Stacey Comeau, Human Resources

**INFORMATION:**

- a. [Executive Summary](#)
- b. [Resolution #2022-36](#)
- c. [Policy 6-5 Dress and Hygiene Standards](#)

**[BACK TO AGENDA](#)**



## City Council Executive Summary

For the Council meeting on:  
December 6, 2022

Petitioner:  
Human Resources – Stacey Comeau

### Summary of Proposed Action

Motion to approve resolution 2022-36 amending Personnel Policies Handbook policy 6-5 Dress and Hygiene Standard.

### Summary of Supporting Facts & Options

In an effort to keep the city as an open employment option to as many people as possible who want to serve the citizens of Riverdale, this policy change allows a greater number of talented individuals the opportunity.

### Legal Comments – City Attorney

\_\_\_\_\_  
Steve Brooks, Attorney

### Fiscal Comments – Business Administrator/Budget Officer

\_\_\_\_\_  
Cody Cardon,  
Business Administrator

### Administrative Comments – City Administrator

\_\_\_\_\_  
Steve Brooks,  
City Administrator



**RESOLUTION NO. 2022-36**

**A RESOLUTION ADOPTING AN AMENDMENT TO THE RIVERDALE CITY PERSONNEL POLICIES & PROCEDURES HANDBOOK**

**WHEREAS**, Riverdale City has previously adopted a Personnel Policy Handbook which includes Employee Personnel Policies and Procedures; and

**WHEREAS**, it is necessary, from time to time, to make amendments to the Personnel Policy Handbook to supplement, change, clarify, or revise certain sections of the Handbook; and

**WHEREAS**, the City Council has reviewed the affected sections of the Personnel Policy and has determined a need to amend said sections; and

**WHEREAS**, the City finds the amendment of this policy to be in the best interest of Riverdale City and the employees of Riverdale City; and

**WHEREAS**, this amendment to the Personnel Policy Handbook will be made available to all City employees.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the City Council of the City of Riverdale that the amendment to the Riverdale City Personnel Policies Handbook as set forth in the attached Exhibit A (Chapter 6 - Employee Conduct, Section 5 - Dress and Hygiene Standard), is hereby adopted and the Policy Handbook shall be amended with these changes incorporated therein and now read as outlined in said Exhibit A, as an amendment to the policy.

All other title, chapters, sections, and terms in the Personnel Policy Handbook shall remain the same, in full force and effect, unless specifically amended hereby.

This resolution shall take effect immediately upon its adopting and passage.

**PASSED AND ADOPTED** this \_\_\_\_ day of December, 2022

\_\_\_\_\_  
Braden Mitchell, Mayor

Attest:

\_\_\_\_\_  
Michelle Marigoni, City Recorder

**VOTE:**

Alan Arnold	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Bart Stevens	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Steve Hilton	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Anne Hansen	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Karina Merrill	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent

## Exhibit A

### 6-5 Dress and Hygiene Standard

Riverdale City considers it very important that you are well groomed, neat, and dress appropriately for your job function and, while we trust each employee's common sense and good judgment, a dress code must be followed that is appropriate to the work environment. The City has adopted a business casual dress code but emphasizes some positions occasionally may call for dressier attire. Appropriate dress and hygiene are important in promoting a positive image to our customers, both internally and externally. We want to stress a Business Casual Dress Code Policy is a benefit and must be adhered to in order to be retained.

#### General Guidelines for Everyone

The City wishes to provide a work environment that is free of safety hazards, offensive behavior and harassment of any kind. Therefore, the following clothing is NOT ACCEPTABLE: spandex; bare feet; pants, shorts, or skirts worn below the waistline; sexually provocative clothing; clothing with profanity, nude or semi-nude pictures; sexually suggestive slogans, cartoons, or drawings; the observable lack of undergarments and exposed undergarments and/or any item of clothing or hair that would be a distraction or reflect poorly on the City.

For all employees, professional appearance also means that the organization expects you to maintain good hygiene and grooming while working. Facial hair is permitted as long as it is neat and well trimmed. Earrings Piercings worn in the ears and nose are acceptable and should be an appropriate size and number as to not cause a distraction or safety hazard. Rings and piercings through the nose, eyebrow, tongue, or body parts other than the ear lobe that are visible to the public may not be worn while working. All tattoos must be small in size or covered at all times and may not be offensive in nature. No visible tattoos are allowed above the shoulders (except tattoos for natural looking cosmetic enhancements, such as eyebrows, lips, and eye liners) or below the wrist. The only exception to this is a ring tattoo, one per hand. Tattoos that contain offensive words, messages, slogans, or pictures, including but not limited to those depicting or displaying nudity, sexual acts, tattoos that may reasonably be perceived as disparaging to gender, race, religion, disability, or national origin, or may be perceived to be gang related, or which depict an attitude which the public may reasonably find offensive or unprofessional, shall be covered and not visible while on duty. (This list is illustrative and not exhaustive.) Employees are expected to be conservative in the wearing of makeup, scented products, hair styles and hair colors.

If employees require a reasonable accommodation regarding their dress for bona fide health and/or religious reasons, they should contact their supervisor or Human Resources to discuss an exception to the personal appearance guidelines. Unless it would constitute an undue hardship or safety hazard, Riverdale City will consider such requests.

All employees should practice commonsense rules of neatness, good taste, and comfort. Riverdale City reserves the right to determine appropriate dress at all times and in all circumstances and may send employees home to change clothes should it be determined their dress is not appropriate. Non exempt employees will not be compensated for this time away from work.

**RIVERDALE CITY  
CITY COUNCIL AGENDA  
December 6, 2022**

**AGENDA ITEM: G2/G3**

**SUBJECT:** Discussion, Public Hearing, and Consideration of Resolution #2022-37 adopting an amendment to the Riverdale City FY2023 budget

**PRESENTER:** Steve Brooks, City Administrator and Cody Cardon, Business Administrator

**INFORMATION:**

- a. [Executive Summary](#)
- b. [Resolution #2022-37](#)
- c. [Budget Reallocation Form](#)

**[BACK TO AGENDA](#)**



## City Council Executive Summary

For the Council meeting on:  
December 6, 2022

Petitioner:  
Cody Cardon, Business Administrator

### Summary of Proposed Action

Allocate resources to hire two additional Firefighter/AEMT positions with increased property tax funding.

### Summary of Supporting Facts & Options

In August the City Council completed the Truth in Taxation process and ultimately increased the City's property taxes to address growing needs associated with public safety within the City. This budget amendment reallocates these additional property tax revenues to facilitate the hiring for two additional firefighter/AEMT positions.

Please see attachment "A" for the details on this reallocation.

Additional budget amendments/reallocations will be forth coming for remaining increase in property taxes as the City and its departments are ready to allocate those resources.

### Legal Comments – City Attorney

\_\_\_\_\_  
Steve Brooks, Attorney

### Fiscal Comments – Business Administrator/Budget Officer

\_\_\_\_\_  
Cody Cardon, Business Administrator

### Administrative Comments – City Administrator

\_\_\_\_\_  
Steve Brooks, City Administrator



**RESOLUTION NO. 2022-37**

**A RESOLUTION REALLOCATING MONEY IN THE BUDGET FOR THE CITY OF  
RIVERDALE  
FOR FISCAL YEAR 2023 (JULY 1, 2022- JUNE 30, 2023)**

**WHEREAS**, the City of Riverdale has previously adopted a budget for Fiscal Year 2023 (July 1, 2022 – June 30, 2023) including an adjustment of revenues through a Truth in Taxation process for the same year and budget; and

**WHEREAS**, the administration has presented a proposed reallocation to the 2023 fiscal year budget to make adjustments of the funds within said budget which recognize anticipated revenue, adjustments to expenditures and/or funding alternatives, to the Council for their consideration; and

**WHEREAS**, said budget adjustment presents itself because of the Truth in Taxation funds and where and how they are being used; and

**WHEREAS**, for the purpose of amending the Fiscal Year 2023 Budget, a public hearing was scheduled and notice thereof published in the Standard-Examiner, a newspaper of general circulation in the City of Riverdale, at least seven (7) days prior to the time of said hearing, describing the proposed budget and providing the time and place for such public hearing. A public hearing was duly held at the time and place provided in said notice (September 20, 2023) and all said proceedings were duly and regularly conducted; and

**WHEREAS**, the City Council received all competent evidence offered in support of and opposed to said proposed budget amendments and it appearing that the proposed budget is in accordance with the provisions of Section 10-6-101 et seq., Utah Code Annotated (1953) and it also appearing that the adoption of said proposed budget amendment is in the best interest of the citizens and will promote the health, safety and general welfare of the community; and

**WHEREAS**, the City Council recognizes the importance of having qualified and professional firemen and the costs associated with the hiring of the same. This amendment will shift funds from the current line item(s) to one that can be used to hire the officers (from the Truth in Taxation property tax increase funds).

**NOW, THEREFORE**, be it hereby resolved by the City Council of the City of Riverdale, Utah, that:

**Section 1.** Purpose. The purpose of this Resolution is to amend the budget of Riverdale City, as approved and finalized previously by the City Council.

**Section 2.** Authorization. The Mayor is authorized to sign any agreements to implement the budget reallocations adopted by this Resolution.

**Section 3.** The budget for the 2023 fiscal year is hereby amended to include an expenditure for the hiring of two additional firemen (from the Truth in Taxation property tax increase funds) that were unforeseen at the time the original budget was approved and adopted previously by the City Council.

**Section 4.** Adoption of Amendment/reallocation. The budget amendment/reallocation attached hereto and made a part of this Resolution shall be, and the same hereby are adopted and incorporated into the budget of Riverdale City, Utah for the fiscal year beginning July 1, 2022, and ending June 30, 2023, in accordance with the requirements of the Utah Code Annotated.

**Section 5.** Filing of copies of the Budget Amendments. The Budget Officer is authorized and directed to certify and file a copy of said budget amendments in the office of the City Recorder which amendments shall be available for public inspection.

**Section 6.** Severability. If any section, part, or provision of this Resolution is held invalid, or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts, and provisions of this Resolution shall be severable.

**Section 7.** This Resolution shall take effect immediately upon its adoption or as otherwise allowed by law.

**PASSED AND ADOPTED** this \_\_\_\_ day of December, 2022.

Attest:

\_\_\_\_\_  
Braden Mitchell, Mayor

\_\_\_\_\_  
Michelle Marigoni  
City Recorder

VOTE:

Alan Arnold	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Bart Stevens	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Steve Hilton	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Anne Hansen	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Karina Merrill	<input type="checkbox"/> Yea	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent

**RIVERDALE CITY  
ATTACHMENT A  
BUDGET REALLOCATION - GENERAL FUND  
FISCAL YEAR 2023**

<b>NON DEPARTMENTAL</b>		<b>ADOPTED BUDGET</b>	<b>PROPOSED REALLOCATION</b>	<b>REALLOCATED BUDGET</b>	<b>EXPLANATION</b>
10-49-4760	ARPA/CLFRF EXPENDITURES	986,000	-	986,000	
10-49-4810	TRANSFER TO OTHER FUNDS	1,500,000	-	1,500,000	
10-49-5600	INFO TECHNOLOGY PAYMENTS	79,996	-	79,996	
10-49-5900	CITY-WIDE EXPENDITURES	267,616	(135,363)	132,253	To allocate out two new Firefighters/AEMT's
10-49-9000	INCREASE IN RESERVES	12,937	-	12,937	
		-	-	-	
<b>TOTAL NON DEPARTMENTAL EXPENDITURES</b>		<b>2,846,549</b>	<b>(135,363)</b>	<b>2,711,186</b>	

<b>FIRE DEPARTMENT EXPENDITURES</b>		<b>ADOPTED BUDGET</b>	<b>PROPOSED REALLOCATION</b>	<b>REALLOCATED BUDGET</b>	<b>EXPLANATION</b>
10-57-1100	SALARIES/WAGES - FULL TIME	824,724.00	104,497	929,221	To fund out two new Firefigths/AEMT's
10-57-1110	SICK LEAVE PAID	3,208.00	-	3,208	
10-57-1150	OVERTIME WAGES	101,425.00	-	101,425	
10-57-1200	SALARIES/WAGES - PART TIME	47,191.00	-	47,191	
10-57-1250	SHIFT COVERAGE WAGES	125,892.00	(42,292)	83,600	Reduced part time wages from 24 hour shift to 12 hour shift
10-57-1300	BENEFITS	471,420.00	69,358	540,778	Net change in benefits
10-57-1400	CLOTHING ALLOWANCE	13,951.00	-	13,951	
10-57-1500	PERFORMANCE INCENTIVES	9,483.00	-	9,483	
10-57-2100	SUBSCRIPTIONS AND MEMBERSHIPS	4,615.00	-	4,615	
10-57-2300	TRAVEL AND TRAINING - EMS	2,350.00	-	2,350	
10-57-2301	TRAVEL AND TRAINING - FIRE	8,350.00	1,500	9,850	Additional Training for two new positions
10-57-2400	OFFICE SUPPLIES	2,200.00	-	2,200	
10-57-2500	EQUIP OPERATION	26,800.00	-	26,800	
10-57-2501	HR41 MAINTENANCE AND OPERATION	7,000.00	-	7,000	
10-57-2510	VEHICLE MAINTENANCE	25,000.00	-	25,000	
10-57-2600	BLDG AND GROUNDS MAINTENANCE	5,760.00	-	5,760	
10-57-2700	UTILITIES	11,000.00	-	11,000	
10-57-2800	TELEPHONE	8,000.00	-	8,000	
10-57-2900	FUEL	25,000.00	-	25,000	
10-57-3300	PROFESSIONAL SERVICES	9,000.00	-	9,000	
10-57-4100	INSURANCE	4,500.00	-	4,500	
10-57-4200	UCAN	-	-	-	
10-57-4500	SPECIAL DEPARTMENT EXPENSES	5,200.00	-	5,200	
10-57-4520	PROTECTIVE EQUIP	15,000.00	2,000	17,000	Limited PPE for two new positions
10-57-4530	AMBULANCE SUPPLIES	14,000.00	-	14,000	
10-57-4540	UNIFORM ALLOWANCE - FULL TIME	-	-	-	
10-57-4550	UNIFORM ALLOWANCE - PART TIME	-	-	-	
10-57-4600	MISCELLANEOUS	10,200.00	-	10,200	
10-57-4700	AMBULANCE FEES	60,000.00	-	60,000	
10-57-4750	COVID-19 EXPENDITURES	-	-	-	
10-57-5000	GRANT EXPENDITURES	1,500.00	-	1,500	
10-57-5500	PUBLIC EDUCATION	1,000.00	-	1,000	
10-57-5510	FIRE PREVENTION OPEN HOUSE	1,000.00	-	1,000	
10-57-5600	INFO TECHNOLOGY PAYMENTS	6,324.00	300	6,624	Office licensing for two new positions
10-57-5700	MOTOR POOL PAYMENTS	118,920.00	-	118,920	
10-57-6200	CAPITAL OUTLAY	-	-	-	
	<b>TOTAL FIRE EXPENDITURES</b>	<b>1,970,013</b>	<b>135,363</b>	<b>2,105,376</b>	

**RIVERDALE CITY  
CITY COUNCIL AGENDA  
December 6, 2022**

**AGENDA ITEM: G4**

**SUBJECT:** Consideration of Resolution #2022-38 adopting a contract with Roy City to provide water services to various Riverdale residences.

**PRESENTER:** Steve Brooks, City Administrator

**INFORMATION:**

- a. [Resolution #2022-38](#)
- b. [Roy Water Contract for West Bench residents.](#)

**[BACK TO AGENDA](#)**



**RESOLUTION NO. 2022-38**

**A RESOLUTION OF RIVERDALE CITY APPROVING A CONTRACT BETWEEN RIVERDALE CITY AND ROY CITY, TO PROVIDE CULINARY WATER TO RIVERDALE RESIDENTS LIVING IN AND AROUND 5100 SOUTH 1700 WEST; AUTHORIZING THE MAYOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, recently the Riverdale City water line that passes under I-15 and serves Riverdale residents on the west side of I-15, broke and began to leak under the interstate; and

**WHEREAS**, because of the leak, the City was forced to terminate the water line service that supplied water to the residents located in or around 5100 South 1700 West; and

**WHEREAS**, the City contacted our neighboring city, Roy City and requested a temporary hook-up in an effort to provide uninterrupted water service to those residents and Roy City was willing to allow a temporary hook-up; and

**WHEREAS**, the Public Works Department has reviewed the matter and concluded that the costs to replace the line going under I-15 for such a small number of residents is costs prohibitive at this point; and

**Whereas**, the City again reached out to Roy City and inquired if a more long-term solution could be reached, and Roy City agreed; and

**WHEREAS**, the parties desire to enter into a contract between Riverdale City and Roy City, to provide treated water to the Riverdale residents and businesses located in or around 5100 South 1700 West, so long as surplus water is available to Roy City; and

**WHEREAS**, the City Council of Riverdale City, Utah has reviewed the attached Agreement between Riverdale City and Roy City and agrees to all the terms and conditions contained therein and finds it to be in the best interests of the City; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE RIVERDALE CITY, UTAH:**

Section 1: That the City Council of Riverdale City does hereby approve the contract between Riverdale City and Roy City, attached hereto as Exhibit A.

Section 2: That the Council hereby authorizes the Mayor, or his designee, to execute the appropriate and necessary documents.

Section 3: This Resolution shall become effective immediately upon its passage.

**RESOLVED AND ADOPTED** by the City Council of Riverdale City, Utah, on the \_\_\_\_ day of December, 2022.

---

Braden Mitchell  
Mayor, Riverdale City

Attest:

---

Michelle Marigoni  
City Recorder

VOTE:

Alan Arnold	___ Yea	___ Nay	___ Absent
Bart Stevens	___ Yea	___ Nay	___ Absent
Steve Hilton	___ Yea	___ Nay	___ Absent
Anne Hansen	___ Yea	___ Nay	___ Absent
Karina Merrill	___ Yea	___ Nay	___ Absent

**Exhibit A**

**SURPLUS WATER SALES AGREEMENT**

This SURPLUS WATER SALES AGREEMENT ("Agreement") is made and entered into by and between the City of Roy, a municipal corporation organized under the laws of Utah ("Roy City") and the Riverdale City ("RIVERDALE CITY"), a municipality of the State of Utah.

RECITALS

A, **WHEREAS**, Roy City owns and operates a water distribution system and is empowered to acquire water and water rights and to construct the necessary facilities to produce, treat, store and distribute its water and enter into contracts with public and private entities for the purchase and delivery thereof; and

B. **WHEREAS**, Roy City provides water service to its inhabitants and has surplus water (as described in UTAH CODE ANN. §10-8-14, as amended) from water sources within its ownership or control that is available for purchase by RIVERDALE CITY; and

C. **WHEREAS**, a municipality may sell and deliver "surplus" water not required by the municipality or its inhabitants to others beyond the limits of the municipality as provided in Utah Code Annotated §10-8-14; and

D. **WHEREAS**, Roy City is willing to make surplus water available to RIVERDALE CITY for purchase by RIVERDALE CITY for sale and delivery to its residents for municipal, domestic and other beneficial uses.

**NOW THEREFORE**, for the mutual promises herein contained and for good and valuable consideration herein described the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

### **AGREEMENT**

1. Sale of Surplus Water. After satisfaction of the conditions stated in paragraphs 2, 3 and 4 of this Agreement, Roy City will annually make surplus culinary water available to RIVERDALE CITY in an amount not to exceed 50 acre feet per year, and RIVERDALE CITY will purchase from Roy City so much of the available surplus culinary water as may be required to serve RIVERDALE CITY for its municipal, domestic and other beneficial uses. Nothing in this Agreement shall be construed to preclude or limit the ability of Roy City to make additional surplus culinary water, in excess of the amount stated above, available to RIVERDALE CITY should the parties agree to do so.

2. State Engineer Approval. Roy City must obtain final non-appealable approval from the State Engineer of Utah for Roy City's surplus water to be sold to RIVERDALE CITY for its beneficial use.

3. Delivery Line Construction. RIVERDALE CITY shall purchase, construct, operate, maintain, repair and/or replace, at its sole expense and without any cost or other obligation to Roy City any delivery lines, appurtenant fixtures, or other facilities involved in making surplus water available to RIVERDALE CITY from the Roy City detention basin located at approximately 5100 South 1700 West.

4. Metering Station. RIVERDALE CITY shall purchase and construct, at its sole expense and without any cost to Roy City a metering station at approximately 5100 South 1700 West. After Roy City's final acceptance as determined by Roy City's engineer, Roy City shall own, operate and maintain the metering station.

5. Contractor Selection. RIVERDALE CITY shall get Roy City's concurrence in the selection and hiring of a contractor to perform any work required under this agreement.

6. Place of Delivery. Roy City will deliver surplus water to RIVERDALE CITY at the point of delivery located at the outlet side of meter at approximately 5100 South 1700 West.

7. Terms of Payment.

(a) RIVERDALE CITY shall pay to Roy City \$150.00 per acre foot for surplus culinary water delivered to West Haven. The per-acre-foot rate charge shall be subject to adjustment annually for increases in utility fees. Roy City shall also make adjustments for decreases in utility fees, but the adjustments shall never result in charges less than \$150 per acre foot. Adjustments shall be made by Roy City beginning July 1, 2023 and every year thereafter for life of this Agreement. The parties acknowledge that the citizens of Roy subsidized water rights and water facilities of Roy City and that RIVERDALE CITY will serve West Haven residents who have not participated in such subsidy. In the event that any Court having jurisdiction declares or rules that the rates charged herein are not reasonable, Roy City may terminate this Agreement.

(b) All charges shall be billed monthly and RIVERDALE CITY shall pay in full the undisputed portion of the charges within 30 days of the billing statement date. Roy City may assess interest or late payments at an annual interest rate of twelve percent (12%) (based on a 360 -day year comprised of twelve 30-day months.) Should RIVERDALE CITY in good faith dispute the amount of any billing, RIVERDALE CITY shall notify Roy City of the disputed portion of the bill and of the basis for the dispute on or before the due date of the subject billing statement. Roy City and RIVERDALE CITY agree to attempt in good faith to resolve billing disputes and RIVERDALE CITY agrees to pay any unpaid amount due Roy City promptly after resolution of the disputed amount.

(c) Should RIVERDALE CITY question the accuracy of the meter that measures the amount of water delivered to RIVERDALE CITY, the meter shall be tested by an expert that is mutually acceptable to Roy City and RIVERDALE CITY. If the meter is found to be inaccurate by more than 5%, bills for the current billing period shall be adjusted accordingly and the meter shall either be repaired and retested, or replaced and the replacement meter tested, at the sole cost of Roy City. Before the repaired meter or the new meter maybe placed into service, however, they must test to an accuracy of no more than plus or minus 3%. If the test shows the meter to be accurate within 5%, the cost of the test shall be paid by RIVERDALE CITY. If the test reflects that the meter is inaccurate by more than 5%, the cost of the test shall be paid by Roy City. RIVERDALE CITY may not request that the meter be tested more than twice during any calendar year. Roy City may, at its cost, test the accuracy of the meter as frequently as Roy City may desire.

8. Water Shortage. If it appears that because of water shortages Roy City cannot make available to RIVERDALE CITY each month surplus culinary water upon 180-day notice to RIVERDALE CITY Roy City may terminate such water sales. In the event of an emergency resulting in temporary interruptions in water deliveries, such as a break in the main line, etc., Roy City may reduce water deliveries to RIVERDALE CITY upon providing reasonable notice to RIVERDALE CITY.

9. Change Applications. Roy City shall make any change application or other filing required by Utah law or the State Engineer concerning the water covered pursuant to this Agreement, and any Change Application or other filing made pursuant to this paragraph shall be in Roy City's name, and at Roy City's sole expense, except for payments identified herein. RIVERDALE CITY shall cooperate with and support Roy City in filing and prosecuting such Change Applications. Such cooperation and support shall include, but not be limited to, not protesting the Change Applications, requiring that its members not protest such Change

Applications, testifying in support of such Change Applications, and providing all information necessary to Roy City for the filing and prosecution of such Change Applications.

10. Use of Water. The water made available each year under this Agreement shall be used by RIVERDALE CITY solely for municipal, domestic and other beneficial uses.

11. Effective Date and Term of Agreement. This Agreement shall be effective \_\_\_\_\_ and shall continue for 30 years. The parties, however, may terminate this at any other time upon their mutual and written consent. Also, Roy City or RIVERDALE CITY shall have the right to terminate this Agreement upon thirty (30) days' prior written notice if: (1) either party breaches any material provision of the Agreement and fails to cure the same within the said thirty (30) days, or (2) if due to circumstances beyond the breaching party's control the cure cannot be reasonably effectuated within the said thirty(30) days and the breaching party fails to cure the same within a reasonable period working with due diligence. Either party may terminate this agreement for convenience upon two years' prior written notice.

12. Sale to Third Party. Should Roy City enter into an agreement to sell or otherwise supply water for use outside of the incorporated limits of Roy City to any third party after the effective date of this Agreement, the rights of said third party under that agreement shall be junior and inferior to the rights of RIVERDALE CITY under this Agreement.

13. Ownership. RIVERDALE CITY will own any delivery lines, appurtenant fixtures, or other facilities downstream from the metering facility.

14. Indemnity. Each party agrees to defend, pay on behalf of, indemnify, and hold harmless the other party, its elected and appointed officials, employees, agents and volunteers against any and all claims, demands, suits, or loss, including all costs connected therewith, and for any damages which may be asserted, claimed or recovered against or from the other party, its elected and appointed officials, employees, agents, or volunteers for injury or damage of any kind which arises out of or is in any way connected or associated with this contract and the negligent conduct of the offending party.

15. Insurance. Without limiting Roy City's right to indemnification as set out above in section 14, and notwithstanding the mutual indemnification provisions therein, RIVERDALE CITY shall require its contractor to secure prior to commencing any work under this Contract, insurance coverage as follows:

- (1) Worker's Compensation insurance: in addition to other required insurance, the Contractor shall obtain and maintain during the life of the Construction Contract, worker's compensation insurance as required by the State of Utah for all Contractor's employees employed at the site of the work. If any work is subcontracted, the Contractor shall require the subcontractor similarly to provide worker's compensation insurance for the latter's employees, unless such employees are otherwise covered and protected as required by Laws and Regulations.
- (2) Commercial General Liability Insurance (CGL): Contractor shall secure and maintain during the life of the Construction Contract and at all times thereafter when Contractor may be correcting, removing or replacing Defective Work, a Commercial General Liability Insurance policy. This policy shall be at least as

broad as the Insurance Services Office Commercial General Liability coverage ("Occurrence" form). The policy shall protect the Contractor, the City, the Engineer, and any subcontractor performing work covered by the Construction Contract form claims for damages for personal injury, including accidental death, and from claims for property damage which may arise from Contractor's operations under this Construction Contract, whether such operations be by the Contractor, by any subcontractor, or by Any one directly or indirectly employed by either of them. Unless specified otherwise in the Supplementary Conditions, the minimum amounts of such insurance for each occurrence shall be the greater of either the minimum amounts stated in Section 63-30-34 Utah Code Annotated, or \$1,000,000 combined single limit per occurrence \$4,000,000 aggregate, for bodily injury, personal injury and property damage. If State of Utah limits are increased or limits are declared to be unconstitutional, policy limits shall be increased to new State of Utah limits or, in the event it of unconstitutionality, \$4,000,000.

- (3) Business Automobile Liability Insurance: Whenever Contractor or any subcontractor shall use or operate automobiles, trucks or other vehicle on public streets and highways in complying with the terms and conditions of the Construction Contract, Contractor or each Subcontractor shall carry business liability insurance with limits of not less than the greater of either \$1,000,000 combined single limits per accident for bodily injury and property damage or, in the minimum amounts of coverage stated in Section 63-30-34, Utah Code Annotated. If State of Utah limits are increased or limits are declared to be unconstitutional, policy limits shall be increased to new State of Utah limits, or in the event of unconstitutionality, \$2,000,000.
- (4) RIVERDALE CITY shall also maintain for the entire term of this agreement a Commercial General Insurance policy with an insurance company and in amounts that are acceptable to Roy City. Both RIVERDALE CITY and its contractors or subcontractors' insurance policies should list Roy City and its officials, employees, agents and volunteers as additional insureds. All Commercial General Liability Insurance, Business Automobile Liability Insurance, as described above, shall include an endorsement stating the following: "Sixty (60) days advance written notice of cancellation, nonrenewal reduction and/or material change shall be sent to: Roy City Manager, 5051 South 1900 West, Roy City, Utah 84067.

16. Force Majeure. In case by reason of force majeure, either party hereto shall be

rendered unable, wholly or in part, to carry out its obligations under this Contract, then each such party shall give notice and full particulars of such force majeure in writing to the other party within a reasonable time after occurrence of the event or cause relied on, and the obligations of the party giving such notice, so far as it is affected by such force majeure, shall be suspended during the continuance of the inability then claimed, but for no longer period, and such party shall endeavor to remove and overcome such inability with all reasonable dispatch. The term "force majeure" as employed herein shall mean acts of God, strikes, lockouts, or other industrial disturbances, acts of the public enemy, orders of any kind of the government of the United States or the State of Utah, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires,

hurricanes, storms, floods, was riots, arrests, restraint of government and people, civil disturbances, explosions, breakage or accidents to machinery or collection lines, partial or complete inability of Roy City to transport culinary water to Riverdale on account of any other cause not reasonably with in the control of the party claiming such inability.

17. No Third-Party Beneficiaries/No Joint Venture. This Agreement is not intended to be a third-party beneficiary contract for the benefit of any third parties. This Agreement shall not constitute a joint venture or joint undertaking between Roy City and RIVERDALE CITY and does not constitute a combining of the two water systems.

18. Notices. Any notice provided for or concerning this Agreement shall be in writing and shall be deemed sufficiently given when personally delivered or sent by certified or registered United States Mail to the respective addresses of Roy City and RIVERDALE CITY as set forth below or delivered by confirmed telefax to the telephone numbers listed below.

If to Roy City:

City of Roy  
c/o City Manager of Roy City  
5051 South 1900 West  
Roy City, Utah 84067  
with a copy to:

If sent to RIVERDALE CITY:

Riverdale City  
c/o City Administrator  
4600 South Weber River Drive  
Riverdale, UT 84405

19. Compliance. Both parties agree to comply with all federal, state and local laws during the entire term of this agreement.

20. Governing Law. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Utah.

21. Entire Agreement. This Agreement shall constitute the entire agreement between the parties and supersedes any prior understanding, representation, or agreement of the parties regarding the subject matter hereof.

22. Modification of Agreement. Any modification of this Agreement or additional obligation assumed by any party in connection with this Agreement shall be binding only if evidenced in writing signed by each party or an authorized representative of each party.

23. No Waiver. No delay or failure by either party to exercise any right under this Agreement, and no partial or single exercise of that right, shall constitute waiver of that or any other right, unless expressly provided herein. Either party may, by written notice delivered in the manner

provided in this Agreement, but shall not be under obligation to, waive any of its rights or any conditions to its obligations hereunder, or any covenant or duty of any other party. No waiver shall affect or alter the remainder of this Agreement, and each and every covenant, duty, and condition thereof shall continue in full force and effect with respect to any other then existing or subsequently occurring breach.

24. Persons Bound by Agreement. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

25. Attorney's Fees. In the event that any action is filed in relation to this Agreement, the unsuccessful party in the action shall pay to the successful party, in addition to all the sums that either party may be called upon to pay, a reasonable sum for the prevailing party's attorney's fees.

26. Authorization. Each individual executing this Agreement does thereby represent and warrant to each other so signing (and each other entity for which another person may be signing) that he or she has been duly authorized to sign this Agreement in the capacity and for the entities set forth for which he or she signs.

27. Rights and Remedies. The parties shall have all rights and remedies provided under Utah law for a breach or threatened breach of this Agreement. Such rights and remedies shall not be mutually exclusive, and the exercise of one or more of these rights and remedies shall not preclude the exercise of any other rights and remedies. Each party confirms that damages at law may be an inadequate remedy for a breach or threatened breach of any provision hereof and the respective rights and obligations of the parties hereunder shall be enforceable by specific performance, injunction, or other equitable remedy.

28. Necessary Acts and Cooperation. The parties hereby agree to do any act or thing and to execute any and all instruments required by this Agreement that are necessary and proper to make effective the provisions of this Agreement.

29. Execution of Agreement. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement.

30. Severability. In the event that any provision herein contained is held to be invalid or void by any court of competent jurisdiction, the same shall be deemed severable from the remainder of this Agreement and shall in no way affect any other provision herein contained. If such provision

shall be deemed invalid due to its scope or breadth, such provision shall be valid to the extent of the scope or breadth permitted by law.

**IN WITNESS WHEREOF**, each party to this Agreement has caused it to be executed on the date indicated below.

ROY CITY

By: \_\_\_\_\_  
Title: Mayor

Attest: \_\_\_\_\_  
City Recorder

Date:

RIVERDALE CITY7

By: \_\_\_\_\_  
Title: Mayor

Attest: \_\_\_\_\_  
City Recorder

Date:

**RIVERDALE CITY  
CITY COUNCIL AGENDA  
December 6, 2022**

**AGENDA ITEM: G5**

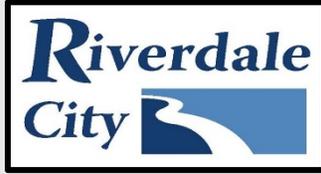
**SUBJECT:** Consideration of Resolution #2022-39 creating a gym use policy and fees.

**PRESENTER:** Steve Brooks, City Administrator

**INFORMATION:**

- a. [Executive Summary](#)
- b. [Resolution 2022-39](#)
- c. [Gym Use Policy change and fees](#)

**[BACK TO AGENDA](#)**



## City Council Executive Summary

For the Council meeting on:  
December 6, 2022

Petitioner:  
Rich Taylor

### Summary of Proposed Action

Discussion and consideration of a change in current gym policy with proposed fee rates.

### Summary of Supporting Facts & Options

Recently Mayor Mitchell was approached by a resident inquiring about gym use and scheduling for private and/or local comp. and recreation teams. The policy has been for just an open gym format without specific spots for reservation. In reviewing the matter, it does appear that we could section off and designate a portion for that purpose if the Council chooses to go that route. Also included in this are proposed rates for the scheduled reservations.

Recommendation for approval.

### Legal Comments – City Attorney

\_\_\_\_\_  
Steve Brooks, Attorney

### Fiscal Comments – Business Administrator/Budget Officer

\_\_\_\_\_  
Cody Cardon,  
Business Administrator

### Administrative Comments – City Administrator

\_\_\_\_\_  
Steve Brooks,  
City Administrator



**RESOLUTION NO. 2022-39**

**A RESOLUTION OF THE RIVERDALE CITY COUNCIL AMENDING THE CONSOLIDATED FEE SCHEDULE IN THE RIVERDALE MUNICIPAL ORDINANCE CODE TITLE 1, CHAPTER 12.**

**WHEREAS**, the Governing Body of the City of Riverdale has previously adopted, by ordinance, a consolidated fee schedule; and

**WHEREAS**, the Governing Body further provided that amendments to said fee schedule may be accomplished by resolution of the Governing Body; and

**WHEREAS**, it is necessary, from time to time, to update said fee schedule in order to meet cost increases to the City and/or to better serve the community; and

**WHEREAS**, to do so will promote the health, welfare, safety and general well-being of the citizens and visitors of Riverdale City and is in the best interest of the City;

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVERDALE:**

That Title 1, Chapter 12, Section 11, Community Service Fees, of the current Riverdale Municipal Ordinance Code, Consolidated Fee Schedule, shall be amended in places as outlined in Attachment A attached hereto and incorporated herein.

All other provisions of the fee schedule shall remain in full force and effect unless specifically amended hereby.

This resolution shall take be effective immediately as allowed by law.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of December, 2022.

\_\_\_\_\_  
Mayor Braden Mitchell  
Riverdale City

Attest:

\_\_\_\_\_  
Michelle Marigoni  
City Recorder

VOTE:

Alan Arnold    \_\_\_ Yea    \_\_\_ Nay    \_\_\_ Absent  
Bart Stevens    \_\_\_ Yea    \_\_\_ Nay    \_\_\_ Absent  
Steve Hilton    \_\_\_ Yea    \_\_\_ Nay    \_\_\_ Absent  
Anne Hansen    \_\_\_ Yea    \_\_\_ Nay    \_\_\_ Absent  
Karina Merrill    \_\_\_ Yea    \_\_\_ Nay    \_\_\_ Absent

Attachment A

1-12-11: COMMUNITY SERVICE FEES

A.	Old Glory Days fees shall be as follows:		
	1.	Booth rental for residents	\$35.00
	2.	Booth rental for nonresidents	70.00
	3.	Booth electrical hookup	10.00
	4.	Parade entry for residents	15.00
	5.	Parade entry for nonresidents	30.00
B.	Fees for the community center shall be as follows:		
	1.	Gym and exercise room - open public use - daily fee:	
		a. Individual:	
		Resident	2.00
		Nonresident	3.00
		b. Senior citizens (55 and older)	Res \$1 Non-Res \$2
		c. Family:	
		Resident	\$ 5.00
		Nonresident	10.00
		d. Business (per employee)	2.00
		e. City employees, appointed officials and immediate household family members	No charge
	2.	Gym and exercise room - open public use - monthly fee:	
		a. Individual:	
		Resident	\$10.00
		Nonresident	20.00
		b. Senior citizens (55 and older)	Res \$5 Non-Res \$10
		c. Family:	
		Resident	\$20.00
		Nonresident	40.00
		d. Business (per employee)	20.00
		e. City employees, appointed officials and immediate household family members	No charge
	3.	Gym and exercise room - open public use - annual fee:	
		a. Individual:	
		Resident	\$100.00
		Nonresident	200.00
		b. Senior citizens (55 and older)	Res \$50 Non-Res \$100
		c. Family:	
		Resident	\$200.00

		Nonresident		400.00
		d. Business (per employee)		200.00
		e. City employees, appointed officials and immediate household family members		No charge
	4.	Reservation/rental:		
		a. Security deposit for all uses (refundable) minimum, or as determined by business administrator based upon use		\$100.00
		b. Gymnasium - hourly fee (2 hour minimum):		
		(1) City residents and employees		150.00
		(2) Approved nonprofit and civic groups		150.00
		(3) Noncity residents		450.00
		(4) Business		450.00
		c. <b>Gymnasium Practice- hourly fee (half court only)</b>		
		<b>(1) City residents and employees</b>		<b>30.00</b>
		<b>(2) Approved nonprofit and civic groups</b>		<b>30.00</b>
		<b>(3) Noncity residents</b>		<b>50.00</b>
		<b>(4) Business</b>		<b>50.00</b>
		d. Large meeting room - fee per hour (inclusive of setup and cleanup times):		
		(1) City residents and employees		25.00
		(2) Approved nonprofit and civic groups		25.00
		(3) Noncity residents		75.00
		(4) Business		75.00
		e. Small meeting room - fee per hour (inclusive of setup and cleanup times):		
		(1) City residents and employees		20.00
		(2) Approved nonprofit and civic groups		20.00
		(3) Noncity residents		60.00
		(4) Business		60.00
		f. Kitchen - fee per hour (inclusive of setup and cleanup times):		
		(1) City residents and employees		20.00
		(2) Approved nonprofit and civic groups		20.00
		(3) Noncity residents		60.00
		(4) Business		60.00
	C.	Riverdale parks and pavilions - use fees:		
	1.	Small pavilion		No fees or reservations, small pavilions are available on a first come, first serve basis
	2.	Medium pavilion:		
		a. City residents and employees		\$ 25.00
		b. Noncity residents and businesses		100.00
	3.	Large pavilion:		

	a.	City residents and employees			50.00
	b.	Noncity residents and businesses			150.00
		In exchange for community service, the fee may be waived by administration for Riverdale area church and civic groups.			
D.	The charge for governmental agencies shall be reviewed on a case by case basis.				
E.	Field rental: Only the Golden Spike Park east field is available for rental:				
	1.	Classification of renter (same day use):			
		a.	Resident: \$20.00 first game/\$15.00 per each additional game		
		b.	Nonresident: \$25.00 first game/\$20.00 per each additional game		
		c.	Nonprofit: \$20.00 first game/\$15.00 per each additional game		
		d.	For profit: \$25.00 first game/\$20.00 per each additional game		
		e.	Business: \$25.00 first game/\$20.00 per each additional game		
	2.	Prep of fields (onetime prep)			\$ 30.00
	3.	Security deposit			100.00
	4.	Scoreboard (per field per day)			10.00
	5.	Supervisor (per hour)			20.00
F.	Senior Center:				
	1.	Lunch donation			\$ 3.50