

Riverton City, Utah
CITY COUNCIL MEETING
Minutes
April 18, 2023

Riverton City Hall
12830 South 1700 West
Riverton, Utah 84065

Attendance:

Mayor Trent Staggs

Councilmembers:

Councilmember Tish Buroker
Councilmember Tawnee McCay
Councilmember Troy McDougal
Councilmember Andy Pierucci
Councilmember Claude Wells

City Staff:

Ryan Carter, City Attorney
Kevin Hicks, Administrative Services Director
Jamie Larsen, City Recorder
Jason Lethbridge, Development Services Director
Cary Necaise, Public Works Director
Chief Blair Barfuss, Riverton Police Department
Chief Wade Watkins, Unified Fire Authority
Sheril Garn, Director of Events and Operations

Mayor and Council Informal Meeting

WORK SESSION – 5:45 PM

Call to Order

Mayor Staggs called the Work Session to order at 5:49 PM and conducted a roll call. Councilmembers Buroker, McCay, McDougal, Pierucci and Wells were present.

Discussion Items

City Hall Plaza Renderings

Sheril Garn discussed the history of the City Hall and Community Center and the parking lot to the west of City Hall. She presented drawings from the architect for the City Hall Plaza.

Mayor Staggs asked what the cost would be for the City Hall Plaza and Ms. Garn said they do not have a cost yet. Ms. Garn said they told the architect the budget was \$1.5 million and they are hoping to stay within budget.

Councilmembers asked clarifying questions about the design.

TuVas Broadband

Mayor Staggs said that he thought the Council was supportive of the broadband plan. He asked Craig Calvert, Contract Administrator and Purchasing Manager, to answer questions about the TuVas Broadband option.

Councilmember McDougal asked for more information about the location and design of the towers. In response, Mayor Staggs said that all of this information was included in the packet which was provided to each of the Councilmembers.

Mayor Staggs said the cost for this broadband option is \$790,000 compared to a previously bid project which was north of \$1.3 million. The IT department has vetted this project and feels comfortable with it.

Mr. Calvert said that TuVas did not indicate where the towers would be located but said that some of the towers would be attached to City buildings. In the contract, it states that TuVas must obtain a conditional use permit to build the towers and this would go through the Planning Commission.

Mayor Staggs pointed out that the City already has 10 towers and additional towers would only be built if they were to expand their services.

Mr. Calvert said that TuVas would provide 10 gigabytes of internet for \$2,800 per month. This is a better speed for a lower price than the City is currently paying. Mr. Calvert said this price will be held for 10 years through the contract.

Councilmember McDougal asked about the budget for this project. Mr. Hicks said the budget was \$1.5 million. Councilmember McDougal asked about supply chain and increased costs due to the supply chain. Mr. Calvert said that supply chain is always an issue, however, any existing City contract has a fixed amount. Mr. Calvert said that TuVas has agreed to complete this project by June 30 which means there is not a supply chain issue in this market.

Councilmember Pierucci asked if there is a concern with getting UDOT permits. Mr. Calvert said there is no fiber in UDOT right-of-ways so there will not be an issue.

Councilmember McDougal asked about the reliability of TuVas. Mr. Calvert said this is the first city project they have done but they have done other projects in rural areas. Mr. Hicks said the technical equipment that will be used by TuVas is supported by IT and this equipment is used commonly and is compatible and reputable.

Mr. Calvert said the City currently uses the same technology that TuVas will install between the Old Dome and the rodeo grounds. This is not new technology.

Councilmember Buroker recommends that the Council go to TuVas's website which has a lack of information and no recommendations.

Councilmember McCay asked where the funds come from and if the money had to be used for a fiber project. Mr. Hicks said they have budgeted ARPA funds for the broadband project. ARPA money is currently budgeted for broadband, secondary water, and the Greenwell.

Councilmember Buroker asked what happens if ARPA funds are not used for the fiber project. Mayor Staggs said that initially ARPA money only allowed for broadband, sewer or water infrastructure. However, the City learned that for cities receiving less than \$10 million, they preferred that it was categorized as "all revenue replacement." This opened it up to be able to use ARPA funds for other things. Mayor Staggs said that the City had many water projects and the broadband project so they decided to allocate ARPA funds to these projects.

Mayor Staggs said he is concerned the Council would abandon this project altogether. The Council budgeted the broadband project and asked staff to go out to bid and now it would be difficult to pull the contract back.

Councilmember McDougal asked if the funds could cover the cost of 13400 South Bangerter interchange or a retention pond. Mr. Hicks said the funds could cover this, however, there is a timing issue. The contracts to commit these funds must be signed by December 2024. Mr. Hicks said that general funds are not used for projects and funding for various projects comes from a capital project fund.

Councilmember Pierucci said the City does not have a revenue problem and he supports moving forward with this project since it has been planned and budgeted for years. He asked if the City would own the equipment. Mr. Calvert said yes.

Mr. Hicks said the finance community is worried about the revenue replacement idea. He said that federal funding is always spent for what it is earmarked for. He would feel most comfortable spending ARPA money on what was originally budgeted.

County Councilmember Sheldon Stewart Presentation

County Councilmember Sheldon Stewart reported about various items he is involved with on the County level.

He opposes the County Tourism district that is on the agenda tonight. He said to look into this very closely.

He said they have been looking at land use with the golf course.

He has been trying to find ways to allow Riverton to control more of the taxing for libraries.

He explained there is a swim lane shortage for swim laps and training. He has been instrumental in working out a deal with the center previously called Marv Jensen to provide additional swim lanes.

He said the UPD bill has helped drive the shared service dollars. This money will no longer be handed over to UPD, instead the County will oversee those services and have more control over making sure the right share goes to the right communities.

Councilmember Buroker asked Councilmember Stewart to provide more information about the CTAA. Councilmember Stewart said that the money is generated through a tax on customers who stay at a hotel. These funds go to Visit Salt Lake which uses the money to attract visitors to Salt Lake.

Councilmember Stewart said they have put conditions that require those wishing to use the funds to satisfy certain ESG requirements to use the money. The money goes to a board of hoteliers and they make decisions, not publicly elected officials.

Councilmember Buroker asked him to keep the City apprised of the library.

Councilmember Pierucci appreciates his work on the swim lanes because it has been an ongoing issue.

Councilmember McDougal said he does not like to hear about an item like the CTAA and has to decide on the same night. He asked if Riverton City rejects the CTAA, will it cause a problem. Councilmember Stewart said he doesn't believe it will be a problem and he is hoping to get other cities to take a stance against it.

Councilmember McCay asked if Jordan School District is helping with the swim lanes. Councilmember Stewart said they have agreed to contribute \$2 million.

Councilmember McCay is concerned with the group Visit Salt Lake and their use of "social offset." She believes this does not represent the values of Riverton residents.

Adjournment of Work Session

Councilmember Pierucci **MOVED to adjourn the Work Session.** Councilmember McCay **SECONDED** the motion. Mayor Staggs called for a vote; the vote was as follows: Buroker-Yes, McCay-Yes, McDougal-Yes, Pierucci-Yes and Wells-Yes. The motion passed unanimously. The Work Session adjourned at 6:53 PM.

COUNCIL MEETING – 7:00 PM

Call to Order

Mayor Staggs called the Riverton City Council Meeting to order at 7:02 PM and conducted a roll call. Councilmembers Buroker, McCay, McDougal, Pierucci and Wells were present.

Prayer / Pledge of Allegiance

Sheldon Stewart offered the invocation and Chief Barfuss led the Pledge of Allegiance.

Citizen Comment

Mayor Staggs called for public comments;

Jeff Yeager commented that he represented a group of residents that were opposed to the opening of Trestle Lane. He said residents have been upset that the City did not notify them about something that would affect them all so much. He said the City's answers to questions from the residents made them feel like they didn't have a voice in the matter. Most residents are concerned about Meadow Way because there is a speeding problem on that road and the only way it is tempered is because the road does not go through. The road narrows from 50 feet to 28 feet and the road will not be able to handle the traffic. He stated that Trestle Lane is a historic place because it was the last location the train went through and George Dansie constructed this road along the rail line. This road was never intended to go through. He would like to make this a historic area and maybe get grants to do that. He asked the Council to explore every option possible besides the proposed road.

Mayor Staggs suspended the Citizen Comment period to present the Riverton Choice Awards.

Riverton City Choice Awards for Excellence in Education – Rosamond Elementary

Councilmember Buroker presented the Choice Awards to students Courtney Shurtz and Evan Jensen and teacher Kristine Kimball.

Citizen Comment

Mayor Staggs again called for public comments;

Mary Monson commented that she does not want Trestle Lane to be opened and recommended a mini park or garden in this area.

Cade Bryant commented that he appreciated the City Council listening to his concerns. He lives on Meadow Way and would like to keep Trestle Lane closed. The angles on the road make it unsafe to open up.

Jeff Barker commented that he represents a group of residents that support opening Trestle Lane and they have tried to take emotions out of this and look at the details. He said that all neighbors in this area should share the traffic. He presented a slide show which is included in the packet.

Roger Henderson commented there are too many cars and that their kids are not safe. For this reason, he believes Trestle Lane should be opened.

The Council received emails related to the Trestle Lane issue from the following individuals: Daren & Jory Gneiting, Leanne Davis, Christie and Todd Fisher, Casey Koon, Roger Henderson, Doug and Vanessa Burton, Megan and Justice Goble, Melissa Munson, Jeff Barker, Cal Neerings, Heather Weiss, Keith Smith, and Teresa Medici. These emails are included in the packet.

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

Presentations/Recognitions

Arbor Day Proclamation

Mayor Staggs read the Arbor Day Proclamation and encouraged all residents and visitors to become active in planting, promoting, and preserving trees throughout the year.

Riverton Police Department Presentation

Chief Barfuss presented the Riverton Police Department presentation which is included in the packet.

Chief Barfuss recognized Officer Estrada and his K-9, Titan, for their work and presented him with a letter of commendation.

Councilmember Buroker thanked Chief Barfuss for the changes he is making in the department and suggested that the Council meet with the officers patrolling their areas. She also

appreciated the new structure of the police officers which had fewer detectives.

Councilmember Pierucci also thanked Chief Barfuss and reported that he went on a ride along with an officer which was very informative. He asked about whether the vandalism was random or gang-related. Chief Barfuss said he would check and provide this information.

South Valley CTAA Presentation

Tyson Lybbert, Vice President Sales at Visit Salt Lake, said this legislation for the Convention Tourism Assessment Area was passed last year and allowed for the formation of special assessment districts where hoteliers can levy a fee that is passed onto the guest. The money collected would be used to boost hotel occupancy and average daily rates. To get to this stage, they had to go to the 77 hotels and get their approval. Only 5 hotels have voiced dissent. The projected increase in hotel room revenue will be \$3.6 million.

Scott George, Vice President of Woodbury Corporation, which owns 11 hotels in Salt Lake County said he has been a part of many tourism initiatives. He believes there is a need to offset the costs of groups that come into the valley. He said the CTAA is a great opportunity for this community.

Clay Partain, Executive Director of the Sport Salt Lake, division under Visit Salt Lake, said he has seen an increase in sports tourism. He works with various groups to bring more tournaments and events to Salt Lake.

Jay Francis, South Valley Chamber, said the South Valley Chamber works on promoting tourism and was able to have a big economic impact in 2022 by hosting and supporting events in the south valley.

Councilmember Pierucci said he is pro-business and appreciates the value that this industry provides to the community. He asked if Riverton's vote would be meaningless because there are no hotels in Riverton and whether the City could participate in the future. Mr. Lybbert said the opt-in is for five years with a yearly renewal each year after. He would like to keep the south valley together and said part of the funds could be used to attract a hotel to Riverton.

Councilmember Buroker asked clarifying questions about the CTAA.

Councilmember McCay said she has concerns with Visit Salt Lake because the committee for Visit Salt Lake doesn't always act according to the values of the state. She is also concerned that the committee doesn't have an elected official. She would like transparency in the use of these funds. In response, Mr. Lybbert said that social offset is a new concept that tries to promote tourism for people of all different values and political ideologies. He said the legislation does stipulate that the funds be spent in proportion based on what is put in.

Councilmember McCay also expressed concern with the ESG standards. Mr. Lybbert said that potential options for spending are driven by the committee and are based on occupancy and ADR.

Councilmember McDougal said he is uncomfortable forcing the private industry to collect a fee and is concerned about how the board is selected. Mr. Lybbert said there is widespread support from the hoteliers and explained how the committee is selected.

Councilmember McDougal said he would like additional time to make a decision. Councilmembers agreed they may need additional time.

Councilmember Pierucci asked about the administrative fees for collecting this tax. Mr. Lybbert said Salt Lake County will have an administrative employee and they have budgeted 10% for administrative costs.

Consent Items

Mayor Staggs presented the following Consent Agenda:

- a. Minute Approval: April 4, 2023; and
- b. **Resolution No. 23-23** – Authorizing Riverton City to Participate in the Great Utah Shakeout ad Work toward Becoming a Safer Community;
- c. **Resolution No. 23-24** - Performance Bond release for Sycamore Glen (9814);
- d. **Resolution No. 23-25** – Adopting the Emergency Operations Plan;
- e. **Resolution No. 23-26** – Performance Bond release for Mountain Ridge West Phase 17 (2045);
- f. **Resolution No. 23-27** – Performance Bond release for Mountain Ridge West Phase 18 (12054);
- g. **Resolution No. 23-29** – Authorizing the Transfer of Approximately 1.45 Acres of Real Property Located at 13680 South Hamilton View Road to the State of Utah;
- h. **Resolution No. 23-30** – Authorizing the Transfer of Approximately 0.151 Acres of Real Property Located at 3620 West 13800 South to the State of Utah;
- i. **Resolution No. 23-31** – Authorizing the Mayor to execute an agreement with TuVas TX LLC for a City-Owned Network which includes design, construction, long-term equipment administration and 10G internet service;
- j. **Resolution No. 23-32** – Authorizing the Mayor to execute an agreement with South Valley Sewer District for the 2023 Slurry Seal Project; and
- k. **Resolution No. 23-33** – Authorizing the Mayor to execute an agreement with Morgan Pavement to complete the 2023 Slurry Seal Project.

Councilmember Buroker **MOVED that the City Council approve the Consent Agenda with the removal of Resolution No. 23-31.** Councilmember Wells **SECONDED** the motion. Mayor Staggs called for discussion on the motion. Mayor Staggs called for a roll-call vote. The vote was as follows: Buroker-yes, McCay-yes, McDougal-yes, Pierucci-yes and Wells-yes. The motion passed unanimously.

Resolution No. 23-31 – Authorizing the Mayor to execute an agreement with TuVas TX LLC for a City-Owned Network which includes design, construction, long-term equipment administration and 10G internet service

Councilmember Buroker wanted this to be a roll call vote. This is the first type of project the City has done in this area and she is not comfortable with using a company that has not demonstrated they can do this project. She believes the ARPA money could be used for other projects besides this broadband project.

Councilmember McDougal agreed with Councilmember Buroker. He thought there were more restrictions on the ARPA money but now believes the money could be used for other projects that meet the standards.

Councilmember Pierucci is supportive of this project moving forward at this time. The technology is proven and he trusts the contract manager and IT services to manage this contract and hold them to the standards agreed to. The City is financially secure and this is because of the decisions made by the City over the years. He is not concerned about having a lack of funding for other projects because there is already money allocated for other items discussed.

Councilmember McCay said she is supportive of this project. The IT department has said they are using equipment that stands the test of time. There is an initial upfront cost but this will ultimately save the City money every year and will be important for emergency management.

Councilmember Buroker said the City is already connected, but this may increase speeds. She asked if the City owns the product, would there be an increased personnel cost to the city. She also asked if there are competitive concerns because of Google fiber other companies. In response, Mayor Staggs and Mr. Hicks said there will not be any increased personnel costs and it will not compete with other fiber companies.

Mayor Staggs said the City is currently connected, however, City Hall only has speed of 250 megabytes and this will increase to 10 gigabytes and save \$50,000 a year in the process. This is a highly strategic project that has been discussed for the last two years.

Councilmember Pierucci **MOVED** that the City Council approve Resolution No. 23-31 – **Authorizing the Mayor to execute an agreement with TuVas TX LLC for a City-Owned Network which includes design, construction, long-term equipment administration and 10G internet service.** Councilmember Wells **SECONDED** the motion. Mayor Staggs called for discussion on the motion. Mayor Staggs called for a roll-call vote. The vote was as follows: Buroker-no, McCay-yes, McDougal-no, Pierucci-yes and Wells-yes. The motion passed with a 3 to 2 vote.

Discussion/Action Items

Trestle Lane Project Discussion and Resolution No. 23-22 – Riverton City Council Halting Further Improvements to Trestle Lane to Connect the Same with Meadow Way, During the 2022-2023 Fiscal Year

Mayor Staggs said he appreciated everyone being civil in the Trestle Lane discussion. He has met with many people and heard many comments.

Councilmember Wells said the City failed in notifying both sides of this issue. The residents of Trestle Lane and Meadow Way are worried about speeding, along with other residents in other areas of the neighborhood. There are no routes in and out of the neighborhood that are more than 2.3 minutes at this time.

Councilmember Wells said that three Councilmembers have mentioned time and slowing things down before making a decision. He thinks the answers from staff have been dismissive and not helpful. He would like more time on this issue so that all options can be considered.

Councilmember Buroker said sometimes it is a disservice to residents to push things off and make them deal with a lack of decision. She related a similar decision that was made to open Reeves Lane in her neighborhood. She said this was a public road and that traffic should be dispersed among the residents. She said that at first residents were upset but slowly over time

have appreciated the road being connected.

Councilmember Buroker said she would like to talk to the Historic Preservation Commission about some way to honor the history of this area.

Councilmember Pierucci recognized Councilmember Wells for all of his engagement on this issue and thanked him for the civic dialogue he provided. He said there is a public safety issue for first responders and related the incident that took an officer an extra three minutes to respond to a call because of the lack of connectivity.

Councilmember McCay also thanked Councilmember Wells. She said it is the responsibility of an elected official to trust the staff and their recommendations. She thinks it is important to stop kicking it down the road. The purchasing department is here and this contract needs to be signed by the end of the month. She believes in connectivity and made a promise to everyone that she will encourage curb, gutter and sidewalks in next year's budget. She agreed with Councilmember Buroker to encourage the Historic Preservation Commission to put in a sign or monument.

Councilmember McDougal said this comes down to two issues for him. Number one, it has been part of the master plan and the neighborhood was designed with the intent that this road would handle the traffic from the houses that were developed. It doesn't create balanced traffic if this road is closed. The second issue is that it was recommended by the Communication Department that the public be notified about this road opening up and he doesn't know why it was not. He concurs with Councilmember McCay that this is something that needs to be resolved and agreed with Councilmember Pierucci that safety is a concern and emergency vehicles need connectivity and ability to get to the area.

Mayor Staggs asked if the Council wanted to vote on this, defer it to another day or possibly develop the road and leave the barricades up until the sidewalk is constructed. He takes responsibility for the City not communicating as well as they could have.

Councilmember Wells said there is a safety issue in opening up Trestle Lane and said that resident's questions still have not been answered. He would like to meet with more residents and talk through this issue before making a decision.

Councilmember Wells **MOVED that the Riverton City Council approve Resolution No. 23-22 Halting Further Improvements to Trestle Lane to Connect the Same with Meadow Way, During the 2022-2023 Fiscal Year.** This motion did not receive a second, therefore the Motion failed.

Councilmember McCay **MOVED that the Riverton City Council move forward with the improvements to Trestle Lane connecting it with Meadow Way as bid for Fiscal Year 2022-2023.** Councilmember Buroker **SECONDED** the motion. Mayor Staggs called for discussion on the motion.

Councilmember Pierucci suggested that the jersey barriers remain in place until the curb, gutter and sidewalk are complete or residents indicate they are not willing to sell land to put in the sidewalk. Councilmember McCay agreed to amend her motion to state that the jersey barriers remain in place until curb, gutter, and sidewalk are complete. She is concerned, however, that the residents would not be willing to sell their land to the City unless there is some time frame when they will be removed. She asked Ryan Carter, City Attorney, to weigh in.

Mr. Carter said he believes staff can work with the friendly amendment and report back regularly to the Council regarding any need to acquire right-of-way. He believes this will be an obtainable goal. The City will go through ordinary procedure to appraise the property and will observe property rights including using the Ombudsman's office. The City does not control the calendar but the government always prevails.

Councilmember Buroker asked if they could have a date certain. Mr. Carter said this information needs to be talked about internally among staff.

Councilmember McCay agreed to make the motion with Councilmember Pierucci's suggestion. The motion is as follows: **Riverton City Council move forward with the improvements to Trestle Lane connecting it with Meadow Way as bid for Fiscal Year 2022-2023 and the jersey barriers will remain in place until the curb, gutter and sidewalk are complete or residents indicate they are not willing to sell land to put in the sidewalk."**

Mayor Staggs called for a roll-call vote. The vote was as follows: Buroker-yes, McCay-yes, McDougal-yes, Pierucci-yes and Wells-no. The motion passed with a 4 to 1 vote.

Public Hearing(s)/Action Items

Ordinance No. 23-08 – Commercial Uses Amendment, Amending Section 18.65, 18.70, 18.75, 18.80, and 18.100, Removing Commercial Uses Language in Deference to the Adopted Table of Commercial Uses, Amendment Proposed by Riverton City

Jason Lethbridge, Development Services Director, explained this was a public hearing for a proposed Code Text Amendment to adjust Riverton City's Commercial Uses in Title 18 – Land Development Code. This proposal does not make substantial changes to current policy or practice. The goal of this proposal is to make it easier for customers, city officials, and city staff to identify land uses in the city's commercial zones. To achieve this goal staff identified these objectives:

- 1- Place all commercial zones in one Table of Uses, and
- 2- Eliminate references to commercial uses in each commercial zone description (18.65, 18.70, 18.75, 18.80, 18.85, and 18.100).

Mr. Lethbridge said that at the Planning Commission meeting on December 8, 2022, commissioners recommended that City Council consolidate two table of uses by adding unique uses from the PPC Table of Uses to the existing "Table of Commercial Uses". City Council approved this change on January 17, 2023. Commercial zones are not consistently described, and some discrepancies have been found between zone descriptions and the Table of Commercial Uses. Staff is proposing to eliminate references to commercial uses in each commercial zone description and thus eliminate any discrepancies in the code by deferring to the updated Table of Commercial Uses. This change would affect commercial zone descriptions 18.65, 18.70, 18.80, 18.85, and 18.100 by removing references to approved, conditional, and prohibited uses. Thus, the Table of Commercial Uses would become the controlling legal authority for all uses in commercial zones. This change is organizational and does not alter the uses allowed or prohibited in each zone.

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

Councilmember McDougal **MOVED** that the Riverton City Council adopt Ordinance No. 23-08 – Commercial Uses Amendment, Amending Section 18.65, 18.70, 18.75, 18.80, and 18.100, Removing Commercial Uses Language in Deference to the Adopted Table of Commercial Uses, Amendment Proposed by Riverton City. Councilmember Buroker **SECONDED** the motion. Mayor Staggs called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Buroker-yes, McCay-yes, McDougal-yes, Pierucci-yes and Wells-yes. The motion passed unanimously.

Discussion/Action Items

Resolution No. 23-28 – Granting Consent to the County of Salt Lake to Form the Salt Lake County Convention and Tourism Assessment Area

Councilmember Pierucci **MOVED** that the Riverton City Council **DENY** Resolution No. 23-28 – Granting Consent to the County of Salt Lake to Form the Salt Lake County Convention and Tourism Assessment Area. Councilmember McDougal **SECONDED** the motion. Mayor Staggs called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Buroker-no, McCay-yes, McDougal-yes, Pierucci-yes and Wells-no. The motion passed with a 3 to 2 vote.

Upcoming Meetings

- a. May 2, 2023 – Work Session & City Council Meeting
- b. May 16, 2023 - Work Session & City Council Meeting
- c. June 2, 2023 - Work Session & City Council Meeting
- d. June 20, 2023 - Work Session & City Council Meeting

Adjournment

Councilmember McCay **MOVED** to adjourn the City Council Meeting. Councilmember McDougal **SECONDED** the motion. All voted in favor and the motion passed unanimously. The meeting adjourned at 9:14 PM.

Approved: CCM 5.16.23