

Minutes of the Regular Meeting of the Riverdale City Council held Tuesday, June 5, 2018, at 6:00 p.m., at the Civic Center, 4600 S Weber River Dr., Riverdale City, Weber County, Utah.

Present: City Council: Norm Searle, Mayor
Braden Mitchell, Councilmember
Brent Ellis, Councilmember
Alan Arnold, Councilmember
Cody Hansen, Councilmember
Bart Stevens, Councilmember

City Employees: Rodger Worthen, City Administrator
Steve Brooks, City Attorney
Scott Brenkman, Police Chief
Mike Eggett, Community Development
Jackie Manning, City Recorder

Excused:

Visitors: David A. Leahy Chuck Kerkvliet Brett Benegar
Dave Morton John Perlina Jerry Siefert
Lori Flemming

A. Welcome & Roll Call

The City Council meeting began at 6:01 p.m. Mayor Searle called the meeting to order and welcomed all in attendance, including all Council Members and all members of the public.

B. Pledge of Allegiance

Mayor Searle invited Mike Eggett, in Community Development, to lead the Pledge of Allegiance.

C. Moment of Silence

Mayor Searle called for a moment of silence and asked everyone to remember our police officers, fire fighters, U.S. Military service members, and members of the City Council as they make decisions this evening.

D. Public Comment

Mayor Searle invited any member of the public with questions or concerns to address the Council and asked that they keep their comments to approximately three minutes. No action will be taken during public comment.

Dave Morton, with Anderson Development located in Sandy, Utah, thanked the Council for their time. Mr. Morton discussed the Coleman Farms Subdivision and expressed satisfaction in having Richmond American Homes complete the building and construction for the project. He noted there have been 3 pre-sales for this subdivision. Mr. Morton emphasized the desire/need to build model homes and noted Riverdale City does not have a model home ordinance to allow this. He noted the marketing component needed to properly advertise for the subdivision. Mr. Morton reassured the Council that no homes would be sold until all improvements were completed. He asked the Council to consider allowing them to build their model homes.

Mayor Searle explained due to the lack of undeveloped land in Riverdale, there is no model home ordinance. Mayor Searle expressed concern about setting a precedent of not following the ordinance, but expressed empathy for the developer. There was a discussion regarding the legal process to create an ordinance.

E. Presentations and Reports

1. Mayors Report

Mayor Searle reported on the Riverdale Memorial Day service. Mayor Searle read a thank you card from David Leahy, which outlined gratitude for all who worked hard to put on the Memorial Service.

Mayor Searle noted the completion of the landscaping for the Riverdale Centennial Park, which included sod and a sprinkler system.

2. Landslide Update

Rodger Worthen, the City Administrator, discussed the landslide progression and explained the Utah Geotech Survey (UGS) continues to send updates. Mr. Worthen discussed the distances from the evacuated homes to the landslide.

On May 23, 2018, the Building Official, Jeff Woody visited the landslide area to monitor the water discharge into the river. Mr. Worthen noted the last few weeks the water discharged from the landslide has been clear.

On May 30, 2018, Ben Erickson, with UGS, noted a fourth home that was in an unsafe condition, located at 4887 South 600 West in Riverdale. A letter was sent to the home owners regarding the unsafe conditions. The home owners proactively vacated the property a few months prior to receiving this letter. The utility bills have ceased and as such the utilities will be disconnected from the home shortly.

Also on May 30, 2018, Mr. Worthen received a notice from the Washington Terrace City Administrator, Tom Hansen releasing their water testing results. No leaks were found in the acoustic testing performed by Washington Terrace in the landslide area.

On May 31, 2018, Mr. Worthen visited the landslide to monitor the progression. He noted there is a daily monitoring of the landslide. The steepness of the slope continues to advance both north and south. Mr. Worthen stated he will be working with staff to implement a road plan to establish a formal procedure in case the landslide reaches 600 West road. The document will address road closure and road routing procedures.

There was a discussion regarding updating the Riverdale City website, and Mr. Worthen explained the most current data is available on the UGS website, to which Riverdale City includes a link. Councilmember Mitchell recommended Riverdale City staff refer to the UGS link and remove the outdated data on the Riverdale City website to avoid any confusion.

Mayor Searle noted Weber County Commissioner Kerry Gibson will be starting a new position with the Natural Resources Department for the State of Utah. Mayor Searle noted the Riverdale Landslide was a topic item on the Utah Natural Resources agenda.

F. Consent Items

1. Consideration to approve the City Council meeting minutes from: May 12, 2018 Strategic Planning, May 15, 2018 Work Session and May 15, 2018 Regular Session.

Mayor Searle invited any corrections or comments regarding the above referenced meeting minutes. During the Work Session meeting, Councilmember Hansen asked if staff would include the 2030 Action Plan with the May 12, 2018 Strategic Planning Minutes.

MOTION: Councilmember Mitchell moved to approve the consent items as amended. Councilmember Ellis seconded the motion. There was not any discussion regarding this motion. The motion passed unanimously in favor.

G. Action Items

1. Consideration of Resolution 2018-12, Renewing an Employment Contract for the Riverdale City Administrator.

Mayor Searle summarized the executive summary which explained:

The City Administrator employment agreement has expired. The proposed contract renews and extends the agreement with minor modifications to the renewal time frames which are reflected in the contract attached to this summary.

Councilmember Hansen stated he will not be voting in favor of the contract for the following reasons: 1. He is struggling with the proposal of the franchise tax; 2. He felt the RDA focus should be in development of the West Bench RDA Area and not in the recently created 700 West CDA Area; and 3. He felt the streaming of the meetings should already be in effect, given it was approved one year prior.

Mayor Searle discussed the West Bench RDA Area and explained the development complications of that area which included: 1. property owner's unwillingness to sell to potential developers (e.g. the property owned by Motel 6 and the property owned by the Gibby Family); and 2. the method the developers are wanting to utilize, which entails development first, payment later.

Councilmember Arnold explained he would be abstaining from voting for the contract because he didn't feel any Riverdale employee should have a contract. Councilmember Arnold encouraged Mr. Worthen to work on his approach in responding to resident's concerns.

Mayor Searle discussed the research in implementing a contract for the City Administrator position. He noted Mr. Worthen's contract was drafted with help from the former City Administrator, Larry Hansen, who also had a contract during

his employment with Riverdale City. Mayor Searle encouraged reviewing salaries and contracts with other cities in Utah to remain competitive and consistent. Mayor Searle commented on the wealth of knowledge and experience of Mr. Worthen.

There was a brief discussion regarding the performance bonus listed in the contract and Mr. Worthen explained he had not received any performance bonus.

There was a discussion regarding the 6 month severance package. Mayor Searle clarified if the City Administrator is fired for cause the 6 month severance wouldn't be paid. Councilmember Mitchell expressed concern regarding the length of severance, and suggested a shorter length of time. Councilmember Hansen felt the contract itself was necessary for the City Administrator position, due to the nature of the position, but felt the contract term should align with the mayoral election. Councilmember Arnold reiterated his position of not being in support of contracted positions for local government employees.

Mr. Worthen discussed city management positions in relation to contracts and explained they are in place to protect the city administrator, due to the volatility of the position. Mr. Worthen explained part of the City Administrators job is to bring items to the City Council's attention, such as potential growth areas (e.g. Community Development Areas), or the need to diversify and establish stable revenue sources (e.g. franchise tax). He noted the Council may not always like the items brought forth to them, but it is his job to bring forth items he feels will benefit the community. Mr. Worthen discussed the complications associated with the video streaming of the meetings and explained the delay is due to the bid process taking longer than anticipated as well as the need to update the entire audio system.

Mr. Worthen discussed the salary surveys conducted by the Human Resources Manager, Stacey Comeau, which included city manager salaries. He noted contracts for city administrators is standard throughout Utah. Mr. Worthen stated he enjoys working for Riverdale.

There was a continued discussion regarding city administrator contracts in general. Mayor Searle expressed the importance of government continuity in relation to positions, such as the city administrator. Councilmember Stevens explained he is against having contracts for any position for Riverdale City employees.

Councilmember Ellis expressed appreciation to all the comments made by his fellow Councilmembers. He expressed appreciation at the accomplishments of Mr. Worthen, which included the landslide updates.

MOTION: Councilmember Ellis moved to approve Resolution 2018-12, Renewing an Employment Contract for the Riverdale City Administrator.

The motion died for lack of second.

There was a continued discussion regarding having a contracted position in Riverdale City. Councilmembers Arnold, and Stevens were against the idea of a contract. Councilmember Mitchell was against the duration of the severance package. Councilmember Hansen was in favor of having a contract for the City Administrator position, but was not in favor of approving Mr. Worthen's contract.

City Attorney, Steve Brooks, explained if the Councilmembers vote against the contract it would terminate Mr. Worthen's employment. He explained if they want to give an opportunity for city staff to rework the contract or have time to review other options, then the Council would need to table the discussion. It was noted the contract is currently expired.

MOTION: Councilmember Ellis moved to table the discussion for Resolution 2018-12, Renewing an Employment Contract for the Riverdale City Administrator, to allow for additional information to be presented to the City Council. Councilmember Mitchell seconded the motion.

There was no discussion regarding this motion.

ROLL CALL VOTE: Councilmembers Stevens, Ellis and Mitchell voted in favor of the motion.
Councilmember Hansen voted in opposition of the motion.
Councilmember Arnold abstained from voting.
The motion carried with a majority vote.

City Attorney Brooks asked for clarification regarding what information the Council is seeking. There was a majority consensus (Councilmembers Mitchell, Ellis, and Stevens in favor of the consensus; Councilmembers Hansen and Arnold refrained from the consensus) to see data comparing other city contracts in reference to what is offered, such as performance incentives, review the reduction in length of time for the severance with a suggestion of 3 months to build to the 6 months, and the idea of presenting a different option other than the contract.

H. Discretionary Items

Councilmember Arnold explained he had been approached by a resident who proposed the undeveloped property

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owned by Riverdale City be converted into a cemetery in lieu of soccer fields. There was a brief discussion regarding cemeteries and Councilmember Stevens noted an increase trend in cremations.

Councilmember Mitchell expressed concern regarding the street corner of 3750 South and 700 West, and noted the curb and gutter on the north east corner needs attention. He asked if the public works department will review the area and take it into considerations as they continue their road projects this summer.

I. Adjournment.

MOTION: Having no further business to discuss, Councilmember Ellis made a motion to adjourn. The motion was seconded by Councilmember Mitchell; all voted in favor. The meeting was adjourned at 7:20 p.m.

Norm Searle, Mayor

Jackie Manning, City Recorder

Date Approved: June 19, 2018