



CITY COUNCIL MEETING AGENDA

October 6, 2020 at 5:00 PM
12830 South Redwood Road,
Riverton, UT 84065

Determination 2020-10, pursuant to Utah Code Ann. 52-4-207

I, Mayor Trent Staggs, do hereby determine conducting an electronic meeting of the governing body of Riverton City with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location and hereby authorize the Riverton City Council to conduct electronic meetings without an anchor location.

The foregoing determination is based on the following facts:

- *Federal, state and local leaders, including the Riverton City Mayor and City Council, have all recognized a global pandemic caused by the spread of the COVID-19 virus. • COVID-19 cases in Salt Lake County and Riverton continue to increase at rates which pose a risk of overburdening the local health care system.*
- *It is difficult, if not impossible, to predict the number of attendees at any meeting and to manage issues regarding social distancing in order to comply with State Phased Guidelines.*
- *D-19 poses a continuing and immediate threat to the health, safety, and welfare of Riverton City residents.*
- *The City has the technological capability to provide means by which the public may hear, or view and hear, the open portions of the meeting and to participate in public hearings. The original of this written determination is on file in the City Recorder's Office.*

This declaration is made by authority of Utah Code Ann. § 52-4-207 (4) as amended by the Utah Legislature under HB 5002, during the 5th special session of the year 2020.

Riverton City Meeting information: This [City Meetings](#) link will take you to the applicable meeting date and to the meeting packet, where you can review all items scheduled for review by the City Council.

Due to restrictions related to COVID-19, public attendance to this meeting may be limited in number. Audio and video of the meeting will be broadcast live. Accompanying agenda documents will be available for public review through the City website prior to the meeting. Audio and written minutes will be available following the meeting. Citizen comment may be submitted via email to recorder@rivertonutah.gov or at e-comments at [City Meetings](#). All comments submitted up to Noon on the date of the meeting will be relayed to the City Council.

- 1. Mayor and Council Informal Meeting - 5:00 PM**
- 2. WORK SESSION - 5:45 PM**
- 3. Call to Order**
- 4. Presentations**
- 5. Discussion Items**

- 5.a Proposed Ordinance Regarding Freedom to Assemble - Ryan Carter, City Attorney, RPD Chief, Don Hutson and Parks & Public Services Director, Sheril Garn.

[Free Speech 09.30.01 draft for Council consideraiton.docx](#)

- 5.b Discussion of Maximum Allowed Square Footage for Accessory Structures - Jason Lethbridge, Development Services Director

- 5.c Ranked Choice Voting, Stan Lockhart - Councilmembers McCay and Buroker

6. Mayor/Council/Manager Reports

7. Adjournment of Work Session

8. COUNCIL MEETING - 7:00 PM

9. Call to Order

10. Prayer/Pledge of Allegiance

11. Citizen Comment

The public may comment on any topic not listed on the agenda. All comments shall be directed to the Mayor and City Council and limited to three (3) minutes per person, unless additional time is authorized by the Mayor. No person shall be allowed to comment more than once during the comment period and shall not debate or expect dialogue with the Governing Body or City Staff. Emailed or e-comments may be submitted to recorder@rivertonutah.gov or at [City Meetings](#). Any comments needing or requesting follow-up will be assigned to staff for further action as appropriate after the meeting. Please provide contact information so later follow-up can take place.

12. Mayor/Council Reports

13. Presentations/Recognitions

- 13.a Riverton Choice Awards for Excellence in Education, South Hills Middle School - Councilmember McCay

[October 6, Choice Awards.doc](#)

14. Consent Items

Routine items on the Consent Agenda not requiring public discussion by the City Council or which have been discussed previously may be adopted by one single motion. A Council member may request to remove an item from the consent agenda for individual discussion and consideration.

- 14.a Minutes: September 15, 2020

[2020-09-15.WS.CC.Min.Pending.pdf](#)

- 14.b **Resolution No. 20-63** - Authorizing the Accounting Department to pay UFA for COVID-19 CARES Funding Reimbursement - Craig Calvert, Operational Services Director

[2020-Resolution No. 20-63-UFA COVID-19 Reimbursement.pdf](#)
[UFA COVID-19 Reimbursement Invoice.pdf](#)

15. Discussion/Action Items

- 15.a **Resolution No. 20-62** - Approving the Creation of the Riverton Fire Service Area to Fund First Responder Services Within Riverton City - Ryan Carter, City Attorney & Kevin Hicks, Administrative Services Director

[2020-Resolution No. 20-62.Approving RFSA-Riverton Fire Service Area.pdf](#)
[10-06-2020 Issue Paper for Resolution No. 20-62 RFSA Creation.doc](#)
[RFSA map.PDF](#)

16. Upcoming Meetings

- a. *October 16, 2020 - 12:30 PM - Special Work Session & City Council Meeting (This special meeting will replace the regularly scheduled October 20, 2020 meeting)
- b. November 17, 2020 - 5:00 PM - Work Session & City Council Meeting
- c. December 01, 2020 - 5:00 PM - Work Session & City Council Meeting
- d. December 15, 2020 - 5:00 PM - Work Session & City Council Meeting
- e. January 05, 2021 - 5:00 PM - Work Session & City Council Meeting

17. Closed Session

- a. Discussion of the character, professional competence, or physical or mental health of an individual
- b. Strategy session to discuss pending or reasonably imminent litigation
- c. Strategy session to discuss the sale, purchase, exchange or lease of real property, including any form of a water rights or water shares

18. Adjournment

Riverton City Hall is an ADA compliant facility. Individuals needing special accommodations or assistance during this meeting shall notify the City Recorder's Office at 801-208-3126 at least 24 hours in advance of the meeting. Accessible parking and entrance is located on the south end of the building with elevator access to the Council Chambers located on the second floor.

Certificate of Posting

I, Virginia Loader, Riverton City Recorder, certify that, at least 24 hours prior to the meeting, the foregoing Agenda was emailed to the Salt Lake Tribune, Deseret News and the Riverton Journal. A copy of the Agenda was also posted at Riverton City Hall, on Riverton City's Website at www.rivertonutah.gov, and on the Utah Public Meeting Notice Website at <http://pmn.utah.gov>.

Dated this day of October 6, 2020



City Council Meeting Agenda
October 6, 2020

PRESENTER: Ryan Carter

ITEM: Proposed Ordinance Regarding Freedom to Assemble - Ryan Carter, City Attorney, RPD Chief, Don Hutson and Parks & Public Services Director, Sheril Garn.

SUMMARY:

This item will be discussed in the City Council meeting.

FISCAL IMPACT: N/A

FUNDING SOURCE: N/A

ATTACHMENTS:

[Free Speech 09.30.01 draft for Council consideraiton.docx](#)

RECOMMENDED MOTION OR ACTION:

No action is recommended at this time. The City is merely presenting a draft to the Council for discussion.

Riverton City
Proposed Free Speech Ordinance
Section 9.30 Free Speech

9.30.01 Purpose.

(1) The purpose of this code is to:

(a) To facilitate constitutionally protected free speech and assembly at/on city facilities and grounds;

(b) Preserve the right of every person to exercise free speech and freedom of assembly as protected by the constitutions of the state of Utah and the United States subject to lawful time, place and manner rules regarding free speech activities necessary to protect the public health, safety and welfare, including safety and security considerations, the rights of others to exercise free speech and freedom of assembly, and minimizing the disruption to governmental business;

(c) Facilitate public assembly and communication between people; and,

(d) establish guidelines to facilitate constitutionally protected free speech activities and public assembly.

(2) This code is intended to further the following governmental interests:

(a) to facilitate constitutionally protected free speech activities and public assembly;

(b) to provide for lawful time, place and manner rules regarding free speech activities necessary to protect the public health, safety and welfare;

(c) to provide safety and security of all persons visiting or using city facilities and grounds;

(d) to minimize disruption to or interruption of the conduct of city business;

(e) to maintain unobstructed and efficient flow of pedestrian and vehicular traffic between and within city facilities and grounds in order to provide safety and security of persons, emergency vehicle access, and assure accessibility to public services;

(f) to provide all persons their guaranteed right of free speech and freedom of assembly without harm or interruption; and

(g) to inform persons of their responsibilities regarding littering, damage to, and vandalism of city facilities and grounds.

9.30.02 Definitions.

- (1) "City Facilities and Grounds" means Riverton City facilities and/or grounds where the principal use of the facility and/or grounds is related to city office or program functions, is owned by Riverton City or is under the control of Riverton City.
- (2) "City Sponsored Activity" means any event sponsored by Riverton City that is related to City business or functions.
- (3) "Commercial Activities" means events that sponsored or conducted for the promotion of commercial products or services, and include advertising, private parties, private company or organization meetings, and any other non-public organization event. Commercial activities do not include private, community service, state sponsored, or free speech activities.
- (4) "Commercial Solicitation(s)" means any commercial activity conducted for the purpose of advertising, promoting, fund-raising, buying or selling any product or service, encouraging membership in any group, association or organization, or the marketing of commercial activities by distributing handbills, leaflets, circulars, advertising or dispersing printed materials for commercial purposes.
- (5) "Community Service Activities" means events sponsored by governmental, quasi-governmental and charitable organizations, city and county government departments and agencies, public schools, and charitable organizations held to support or recognize the public or charitable functions of such sponsoring group.
- (6) "County Sponsored Activity" means any event sponsored by Salt Lake County that is related to County business or functions.
- (7) "Demonstration" means the assembly of a group of individuals that join together to express a point of view openly.
- (8) "Department" means any Riverton City department, division or agency.
- (9) "Event" or "events" are commercial, community service, private, state, county and/or city sponsored activities involving one or more persons. A free speech activity is not an event for purposes of this rule. The term "activity" or "activities" may be substituted in this code for the term "event" or "events."
- (10) "Facility Use Application" means a form, required by the city which requires information identifying the event, time, location and purpose for a facility use permit that needs to be completed by a prospective user and submitted to the Riverton City Parks and Recreation Department.
- (11) "Facility Use Permit" ("Permit") means a written permit issued by the Riverton City Parks and Recreation Department authorizing the use of an area of city facilities and grounds for an event in accordance with this rule.

(12) "Free Speech" and "Freedom of Assembly" means the exercise of free speech and freedom of assembly as protected by the constitutions of the state of Utah and the United States.

(13) "Free Speech Activity" or "Free Speech Activities" means the use of an area of the state facilities and grounds for a demonstration, rally, leafleting, press conference, vigil, march or parade that is available for such activity under this rule, by one or more persons for constitutionally protected free speech or assembly.

(a) "Advanced Planned Free Speech Activity" means a free speech activity that can be reasonably scheduled in advance of its occurrence, such that the Parks and Recreation Department may lawfully require compliance with certain requirements as specified in this rule.

(b) "Short-Notice Free Speech Activity" means a free speech activity that arises out of, or is related to events or other public issued activities which cannot be reasonably anticipated far enough in advance of the occurrence to reasonably allow compliance with the requirements for an advanced planned free speech activity.

(14) "Leafleting" means the continuous unsolicited distribution of leaflets, buttons, handbills, pamphlets, flyers or any other written or similar materials indiscriminately to pedestrians or passers by.

(15) "March" or "Parade" means the organized assembly of individuals who are celebrating or expressing a point of view while moving from one location to another.

(16) "Political Sign" means a sign regarding a candidate for political office or regarding a political issue to be considered in an election.

(17) "Press Conference" is an organized formal assembly called by an individual or group to announce or express a point of view to the public utilizing the press and other media.

(18) "Private Activity" means an event sponsored by private individuals, business or organizations that is not a commercial or community service activity.

(19) "Public Areas" are all areas of Riverton City facilities and grounds open to the public.

(20) "Rally" means to hold an open gathering of a group of individuals of similar purpose to join together to express a point of view openly.

(21) "State Sponsored Activity" means any event sponsored by the state that is related to state business or functions.

(22) "Vigil" means an assembly of an individual or individuals who come together to demonstrate their solidarity by an occasion or devotional watching or observance.

9.30.03 Free Speech and Freedom of Assembly; In General.

(1) Unless specifically regulated by this rule as to time, place or manner, all free speech and freedom of assembly may occur in all areas of City Facilities, in any lawful form or manner as guaranteed by the constitutions of the state of Utah and the United States.

9.30.04. Time, Place, and Manner of Free Speech Activities.

(1) Free Speech and Assembly Promoted and Encouraged. Free speech and freedom of assembly, as protected by the constitutions of the state of Utah and United States, is promoted and encouraged at city facilities and grounds. Free speech activities, as specifically defined in this rule, are subject to lawful time, place and manner rules regarding free speech activities necessary to protect the public health, safety and welfare, including safety and security considerations, the rights of others to exercise free speech and freedom of assembly, and minimizing the disruption to governmental business.

(2) Subject to Facility Use Rules, Exception. Free speech activities shall be subject to all City Codes, and State Statutes.

(3) Time.

(a) Free speech activities held outdoors may take place 24 hours a day subject to duration requirements specified in this rule.

(b) Free speech activities held indoors may take place during the hours such public areas are open to the public, generally between 8:00 a.m. to 5:00 p.m.

(4) Place.

(a) Health, safety and welfare restricted areas that may not be reserved for a free speech activity are the vehicular traveled portions of roads, roadways or parking lots, areas directly in front of or adjacent to parking garages' entrances or exits, paths of egress or access to emergency stairs and emergency egress hallways, areas under construction which are hazardous to non-construction workers, and those specific portions of the state city facilities and grounds that contain storage, utilities and technology servicing the state facilities and grounds or other areas, which either must be available for prompt repair, are not open for public use or represent a danger to members of the public.

(b) In order to protect the public health, safety and welfare and allow for public accessibility to and the conduct of city business, a demonstration, rally, parade, march or vigil may only be conducted on the public areas of the grounds and not inside the facilities.

(c) Notwithstanding any other provision of this code, there is no registration requirement for free speech leafleting. In order to protect the public, health, safety and welfare and allow for public accessibility to and the conduct of state business, free speech activity leafleting, as defined in this rule, is allowed at city facilities and grounds in the areas open to the public, without interference from law enforcement, provided that it is done in a non-aggressive manner and does

not prevent other individuals from passing along sidewalks and through doorways. The city is allowed and shall enforce any and all applicable statutes and ordinances regarding blocking public sidewalks, blocking hallways, disorderly conduct, blocking entrances to public buildings, garage entries, assault, battery and the like consistent with the requirements of the constitutions of the state of Utah and the United States. Leafleting is not allowed by placing leaflets on vehicles on city facilities and grounds.

(5) Manner.

(a) Registration and Scheduling.

(i) All free speech activities shall comply with the following requirements, except that leafleting shall not be subject to any registration requirements.

(ii) An advanced planned free speech activity shall register as soon as reasonably possible, but not less than fifteen (15) days in advance of the free speech activity by registering with the Riverton City Parks and Recreation Department.

(iii) Persons registering will provide the following information: the name of the sponsoring organization; the name and contact information of a contact person or agent; the type of free speech activity; the date, time and duration of the free speech activity; the public area requested for use; the number of anticipated participants; and a list of equipment and services to be used in connection with the free speech activity. Registration shall be on a standard form prepared by the Riverton City Parks and Recreation Department.

(iv) If a person or group fails to register due to a short-notice free speech activity, they may still conduct the free speech activity provided it does not create a problem of public safety or interfere with the time and location of a previously scheduled free speech activity in the same public area and meets all the other requirements of this rule. In the case of such problem of public safety or interference, the Parks and Recreation Department will coordinate with the applicant in reasonable efforts to find an alternative reasonable time or location.

(b) Priority.

(i) The scheduling assignment of public areas shall be made on a first-come, first-serve basis.

(ii) In the case of scheduling conflicts, first priority in the use of the public areas shall be given to government business and/or state sponsored activities where the authorized governmental official is reserving the public area for an expressed governmental or city need. Free speech activities shall be given priority over community service, commercial and private activities. In the case of such problem of public safety or interference, the Parks and Recreation Department will coordinate with the applicant in reasonable efforts to find an alternative reasonable time or location.

(iii) No group or individual will be denied access to or use of a public area unless the proposed free speech activity violates this rule, applicable law, conflicts with a scheduled city sponsored activity, or conflicts with the time and location of a previously scheduled free speech activity.

(c) Consistent with the protections of the Utah and United States constitutions in order to preserve the free speech rights of others, outbursts or similar actions which disrupts or is likely to disrupt any government meeting or proceeding, is prohibited.

9.30.04. Expedited Appeals-Free Speech Activities.

(1) Claims eligible for expedited appeal. The following determinations of claims regarding a free speech activity may be appealed as provided below:

(a) A determination by the Parks and Recreation Department that a proposed event or activity is a commercially related special event and not exempted as a free speech activity;

(b) A claim by an applicant that the Parks and Recreation Department's denial, or condition of approval, of a proposed route, time or location for a free speech activity constitutes a violation of this rule or an unlawful time, place or manner restriction; or

(c) Any other claim by an applicant that any action by the city regarding the proposed free speech activity impermissibly burdens constitutionally protected rights of the applicant, sponsor, participants or spectators.

(2) Process for Expedited Appeal:

(a) The city acknowledges an obligation to process appeals regarding a free speech activity promptly so as to not unreasonably inhibit or unlawfully burden constitutionally protected activities. Any time limit stated below may be lengthened if agreed to by the appellant and the Parks and Recreation Department.

(i) As soon as reasonably possible, but no later than two (2) working days after receipt of a completed registration, the Parks and Recreation Department shall issue a determination, which may include lawful conditions, or notice of denial of the registration application.

(b) The Parks and Recreation Department may deny the requested activity if:

(i) the requested activity does not comply with the applicable rules;

(ii) the registrant attempts to register a free speech activity, but the Parks and Recreation Department determines that it is a commercial activity;

(iii) the event would disrupt, conflict or interfere with a city sponsored activity, a time or place reserved for another free speech activity, the operation of city business, and such determination is in accordance with applicable constitutional provisions; and/or

(iv) the event poses a safety or security risk to persons or property and such determination is in accordance with applicable constitutional provisions.

(c) The Parks and Recreation Department may place conditions on the approval that alleviates such concerns and such conditions are in accordance with this rule and applicable constitutional provisions.

(i) If the applicant disagrees with a denial of the request or conditions placed on the approval, the applicant may appeal the Parks and Recreation Department's determination by delivering the written appeal and reasons for the disagreement to the Parks and Recreation Department Head.

(ii) Within three (3) working days after the Parks and Recreation Department receives the written appeal, the Parks and Recreation Department Head may modify or affirm the determination.

(iii) If the matter is still unresolved after the issuance of the Parks and Recreation Department Head's reconsideration determination, the applicant may appeal the matter, in writing, within ten (10) calendar days to the Riverton City Manager who will determine the process of the appeal and provides for a determination within five (5) working days.

(d) If the applicant for a free speech activity needs a more expeditious process of an appeal, upon written request of the applicant, the Riverton City Attorney or designee may advise the City Manager of the need to make an immediate consideration of the appeal.

09.30.05. Expedited Review of Free Speech Concern.

(1) If any person claims to be inhibited from the exercise of constitutionally protected free speech by a public officer, officer or other person at any city facilities and grounds, such person is advised to promptly notify the Parks and Recreation Department which shall review the matter and take reasonable steps in an attempt to resolve the matter.

09.30.06 Application Process

(1) Check on site availability.

(a) An applicant's request to use a Riverton City park, square or plaza to hold a demonstration is subject to availability. Applicants are encouraged to check site availability with Riverton City Parks and Recreation Department main line at 801-208-3101 as there may be other activities occurring at the park.

(2) Once the demonstration permit application has been submitted and the processing fee has been paid, the proposed date(s) will automatically be placed on hold from future applications requesting that date, if available. All locations, dates, and times are subject to change even after the processing fee has been paid. Reservations are pending until final approval has been granted and the conditions of the permit have been completed by the applicant.

(3) Submit a completed Demonstration Permit Application.

(a) The Parks and Recreation Department recommends submitting applications 3 to 6 MONTHS prior to the event setup date. This is to allow adequate time to check and find an available time, date, location for the requested event. This City also needs time to allow various City Departments and outside agencies to review the details of the permit request and make their recommendations/requirements. Finally, an applicant may receive a conditional checklist which the applicant must fulfill in order to receive the final permit.

(b) The earliest a demonstration permit application can be submitted is 364 days prior to the requested event date.

(c) The latest a demonstration permit application can be submitted is 30 days prior to the requested event date.

(d) Applications must be turned in with a detailed site/course route map before the review process begins. The site/course route map should clearly include all of the following that may be applicable to the event, including: proposed road closures, tents, stages, etc.

(i) A Spontaneous Demonstration is defined as activities occurring due to news or affairs coming into public knowledge fewer than seven (7) days before the event. Spontaneous Free Expression activities do not pay the processing fee and do not receive a Final Permit. Persons planning a Spontaneous Demonstration must nonetheless complete our Spontaneous Demonstration form to notify the Riverton City Parks and Recreation Department about the activity. The Parks and Recreation Department will follow up with confirmation of the event and notify the applicant if any coordination with the Parks and Recreation Department needs to take place. Applicants do not need to strictly comply with subsections (2) through (5) of in this section, but will be required to comply with instructions provided in response to a filed Spontaneous Demonstration Form.

(4) Pay processing fee.

(a) Applications are not sent out for review until the processing fee has been paid. The processing fee must be paid within two (2) business days after the application has been submitted to the Parks and Recreation.

(i) Payment may be made with all major credit cards, debit cards, cash or check.

(b) nonpayment within two (2) business days will result in cancellation of a permit request.

(c) Payment of the processing fee does not guarantee a Final Permit. The processing fee is strictly for entering an application into the permit process for further review. The fee is non-refundable.

(5) Final Permit is issued

(a) The City will review filed permit documentation and issue a Final Permit once all requirements have been completed and submitted in compliance with Riverton City code. Applicants shall retain a copy of the Final Permit on-site at the permitted event.

(b) If an event is held without a Final Permit, participants may be denied all future permit request. Furthermore, attendance is punishable as a Class B Misdemeanor.

(c) By signing and submitting the Riverton City Special Event Permit Application, applicant is held responsible for all information, requirements, and disclaimers found within these instructions.

(d) An applicant could incur costs for any services provided beyond “basic city services.” An Estimate of Cost Recovery form will be provided to the applicant before the event. A permit will not be issued until the cost of the estimate has been paid or security is posted. Additional city services could include, but are not limited to, police services, park cleanup, and/or extraneous administrative work because of changes after application submittal. Final Accounting will be settled after an event and could result in a refund or additional invoice.

09.30.06 First Amendment Guidelines

(1) Any signs must be carried by hand or supported by lathe-type sticks only.

(2) Participants may not interfere with pedestrians or vehicular traffic. If people do not stop to listen to participants, said participants may not insist that they do so. Specifically, participants may not grab or attempt to physically restrain or touch visitors of the businesses or residences in the area or any person on public or private property.

(3) Participants may not block or attempt to block any entrance or driveway.

(4) The petitioner has agreed that the group leader will be the group coordinator.

(5) The petitioner shall use its best efforts to notify all participants of these rules before the start of the event.

(6) The petitioner acknowledges that the event is for nonviolent purposes.

(7) The petitioner agrees to be responsible to leave the areas of the event clean, and that all objects such as: signs, sticks, leaflets, or candles will be removed by the petitioner's group.

(8) The petitioner acknowledges the constitutional right of anyone to ignore or not listen to participants and ignore or not read any information literature that participants may be passing out.

(9) Participants group may not obstruct the free passage of pedestrians, vehicles, block driveways, entrances, or exits to any business or building, and may not enter onto private property without the permission of the property owner.

(10) The group shall abide by all pertinent local, state, and federal ordinances and laws while conducting the activity.

(11) Violent acts will NOT be tolerated in any manner, and will result in the dispersal of the event by Riverton City officials or designees.

0930.07 Targeted Residential Demonstrations/Picketing.

(1) Targeted residential picketing infringes on the residents' right to tranquility and privacy in their homes, and freedom from being a captive audience to unwanted messages while in their homes, and adversely affects other governmental interests.

(2) This chapter is intended to be a content-neutral time, place, and manner regulation on speech

(3) The protection of the home is of the highest importance. The public health and welfare and the good order of the community require that citizens enjoy in their homes and neighborhoods a feeling of well-being, tranquility, and privacy, and enjoy freedom from being a captive audience to unwanted speech in their homes. The practice of targeted residential picketing causes emotional disturbance and distress to residents, and has the potential to incite breaches of the peace and disrupt the well-being and tranquility of the home. Full opportunity exists for individuals to exercise their rights of free speech without resorting to targeted residential picketing. The provisions of this section are enacted for the purpose of protecting the significant public interests stated above and not to suppress free speech rights of any particular viewpoint.

(4) Definitions.

(a) "Picketing" means the stationing or posting of one or more persons to apprise the public, vocally or by standing or marching with signs, banners, sound amplification devices, or other means, of an opinion or a message.

(b) "Residence" means any single-family, duplex, or multifamily dwelling where the targeted occupant resides and is not used as a targeted occupant's sole place of business or as a place of public meeting.

(c) "Targeted residential picketing" means picketing that:

- (i) Is specifically directed or focused toward a residence, or one or more occupants of a residence; and 2. Takes place within one hundred feet of the property line of that residence.

(5) It is unlawful for any person, acting alone or in concert with others, to engage in targeted residential picketing in the unincorporated area of Salt Lake County.

(6) Any violation of this chapter is a Class B misdemeanor.



City Council Meeting Agenda
October 6, 2020

PRESENTER: Jason Lethbridge

ITEM: Discussion of Maximum Allowed Square Footage for Accessory Structures -
Jason Lethbridge, Development Services Director

SUMMARY:

FISCAL IMPACT: N/A

FUNDING SOURCE: N/A

RECOMMENDED MOTION OR ACTION:



City Council Meeting Agenda
October 6, 2020

PRESENTER: Tawnee McCay

ITEM: Riverton Choice Awards for Excellence in Education, South Hills Middle School - Councilmember McCay

SUMMARY:

Choice Awards honors South Hills Middle School. Principal Rochelle Waite to attend

FISCAL IMPACT: N/A

FUNDING SOURCE: N/A

ATTACHMENTS:

[October 6, Choice Awards.doc](#)

RECOMMENDED MOTION OR ACTION:



Riverton City Choice Awards for “Excellence in Education” South Hills Middle School

October 6, 2020

Isabel King – 9th Grade Girl Student – We are excited to celebrate Isabel King! Diligent, kind, smart, and wickedly talented are all words that have been used to describe Isabel. Isabel is a hardworking student and that hard work pays off not only in her performance in the classroom, but on stage as well! She sets an outstanding example for her peers and is well respected, liked and admired. Isabel is a problem solver and a collaborator and genuinely cares about others and their success. She is always looking at ways to improve her surroundings and make the world a little better in any way she can. We have no doubt that as Isabel continues to set and achieve her goals she will make a difference not only in her own life, but in the lives of those around her. We are so lucky to have her as a part of our SHMS family and the Riverton City community.

Thayne Ward – 9th Grade Boy Student – Thayne is an incredibly diligent and hardworking young man. He takes initiative and does not shy away for a difficult task or assignment. He has a kind heart and goes out of his way to help adults and students alike. Thayne is a natural leader. He is teachable, humble and makes time to serve those around him, setting a fantastic example for his peers. He is an incredibly talented and fun person to be around. We are so lucky to have Thayne as part of our South Hills family and member of the Riverton city community.

Ms. Kristina Schulist –Special Education Teacher – Kris Schulist is a dedicated educator who is always willing to go above and beyond to make sure students, parents, and colleagues feel supported. Mrs. Schulist understands that everything an educator does should be centered on what is best for students, and this is the foundation of her instructional practice. As a Special Educator, Mrs. Schulist attends and participates in several parent meetings. She is always prepared and makes sure to address parent concerns while focusing on solutions to help students be successful. Mrs. Schulist is a champion for students and an asset to our South Hills community.



City Council Meeting Agenda
October 6, 2020

PRESENTER: Trent Staggs

ITEM: Minutes: September 15, 2020

SUMMARY:

FISCAL IMPACT: N/A

FUNDING SOURCE: N/A

ATTACHMENTS:

[2020-09-15.WS.CC.Min.Pending.pdf](#)

RECOMMENDED MOTION OR ACTION:

Approve as part of the Consent Agenda.

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Riverton City, Utah
CITY COUNCIL MEETING
Minutes
September 15, 2020

Riverton City Hall
12830 South 1700 West
Riverton, Utah 84065

Attendance:

Mayor Trent Staggs

Councilmembers:

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

City Staff:

David Brickey, City Manager
Virginia Loader, City Recorder
Jason Lethbridge, Development Services Director
Trace Robinson, Public Works Director
Kevin Hicks, Administrative Services Director
Chief Don Hutson, RPD
Ryan Carter, City Attorney
Sheril Garn, Parks & Public Services Director
Casey Saxton, Communications Director

1. Mayor and Council Informal Meeting

2. WORK SESSION – 5:45 PM

3. Call to Order

4. Presentations

a. Utah Housing Connect

Janice Kimball, CEO Utah Housing Connect, was not in attendance and did not make her presentation.

5. Discussion Items

6. Mayor/Council/Manager Reports

Kevin Hicks, Administrative Services Director, presented calendaring information regarding a new Riverton Fire Service Area (RFSA) and property tax increase requirements that he said needed to be met by December 15, 2020. He also said that RFSA budget discussions needed to occur in October as well as Fire Impact Fees. Mr. Hicks then addressed questions from Councilmembers.

Sheril Garn, Parks & Public Services Director, presented information regarding upcoming City sponsored events that could comply with social distancing requirements, which include the following:

- Live in Real Life – September 28, 2020

- 1 • Monsters After Dark – Beginning October 1, 2020
- 2 • Halloween Bash / Scare Rodeo
- 3 • Santa’s Arrival – First Monday following Thanksgiving

4
5 Mrs. Garn then reported on the success of the recent 9/11 Remembrance Event, which included
6 9/11 flags throughout the City, a car parade and fireworks. Councilmembers spoke of the many
7 positive comments they had received regarding the event and discussion was held in regards to
8 holding the event on an annual basis. She then asked for the Council’s input regarding the
9 Employee Christmas Party. The Council favored

10
11 There were no Council reports given.

12
13 Councilmember Stewart requested a report from Chief Wade Watkins upon his return from his
14 experience with the California fires.

15
16 Mayor Staggs spoke of an amendment to the CARES Act and said that the City would be receiving
17 an additional \$1.3 million.

18 19 **7. Adjournment of Work Session**

20
21 Councilmember McDougal **MOVED to adjourn the Work Session.** Councilmember McCay
22 **SECONDED** the motion. Mayor Staggs called for discussion on the motion; there being none, he
23 called for a roll call vote and the vote was as follows: Councilmembers Buroker-Yes, McCay-Yes,
24 McDougal-Yes, Stewart-Yes, and Wells-Yes. The motion passed unanimously. The Work Session
25 adjourned at 6:17 PM.

26 27 **8. Closed Session**

- 28 a. Discussion of the character, professional competence, or physical or mental health of an
29 individual
- 30 b. Strategy session to discuss pending or reasonably imminent litigation
- 31 c. Strategy session to discuss the sale, purchase, exchange or lease of real property,
32 including any form of a water rights or water shares

33
34
35 At 6:18 PM Councilmember McDougal **MOVED to meet in a Closed Session for a strategy**
36 **session to discuss pending or reasonably imminent litigation and the sale, purchase,**
37 **exchange or lease of real property, including any form of a water rights or water shares.**
38 Councilmember McCay **SECONDED** the motion. Mayor Staggs called for discussion on the
39 motion; there being none, he called for a roll call vote and the vote was as follows:
40 Councilmembers Buroker-Yes, McCay-Yes, McDougal-Yes, Stewart-Yes, and Wells-Yes. The
41 motion passed unanimously.

42
43 Minutes for the Closed Session were taken and recorded and are now on file as a Protected
44 Record.

45 46 **9. COUNCIL MEETING**

47 48 **10. Call to Order**

49
50 Mayor Staggs called the Riverton City Council Meeting to order at 7:00 p.m. and conducted a roll
51 call. Councilmembers Buroker, McCay, McDougal, Stewart, and Wells were present.

1 **11. Prayer / Pledge of Allegiance**

2
3 Jason Lethbridge offered the invocation and Kevin Hicks led the Pledge of Allegiance.

4
5 **12. Citizen Comment**

6
7 Mayor Staggs called for public comments; there being none, he closed the Public Comment period.

8
9 **13. Mayor/Council Reports**

10
11 Mayor Staggs mentioned a report that occurred in the Work Session regarding recent events and
12 upcoming events that had been planned for the remainder of the year.

13
14 Councilmember McDougal – No Report.

15
16 Councilmember McCay thanked staff for the great success of the recent 9/11 Remembrance event.

17
18 Councilmember Stewart also thanked staff for the great success of the recent 9/11 Remembrance
19 event. He then reported on a recent UFA/UFSA Meeting and said that Auto Vehicle Location (AVL)
20 was being implemented for six months across all fire agencies, which would be evaluated for six
21 months to see if crossover services were working.

22
23 Councilmember Wells also thanked staff for the great success of the recent 9/11 Remembrance
24 event.

25
26 Councilmember Buroker also thanked staff for the great success of the recent 9/11 Remembrance
27 event. She then commended UFA for their service and kindness. She then that no West Nile Virus
28 cases had been reported in the Riverton area.

29
30 **14. Presentations/Recognitions/Reports**

31
32 **a. Riverton Police Department (RPD) Presentation and Report**

33
34 Chief Hutson reported that August was highlighted by the return of the students to school and the
35 associated responsibilities it brings to their department. He said they spent time during the summer
36 to solidify their emergency response plans at the two middle schools and Riverton High School. He
37 said the School Resource Officers had a year under their belt and were excited to be in the halls
38 protecting the students. Additionally, they devised some innovative ways to teach DARE curriculum
39 while being conscientious about the spread of COVID-19.

40
41 Chief Hutson said they were still seeing vehicle burglaries in the city at a level that makes him
42 uncomfortable. He said this was not an issue specific to Riverton as surrounding communities were
43 seeing an even more dramatic increase in those types of crimes. He said they had coordinated
44 with the Communications Department and engaged in a public service campaign on social media
45 platforms to inform the public about the risk of leaving garage doors open at night, cars unlocked,
46 and valuable items in vehicles.

47 Chief Hutson reported that DUI arrests were again outstanding during August as the graveyard
48 crew continued to focus on identifying drivers who may be impaired on the roadways to ensure the
49 safety of the residents. He said the traffic units also continued to ramp up their speed enforcement
50 efforts as we see the threat of the spread of COVID-19 reduce with time, which resulted in an
51 increase in traffic violations. Chief Hutson then reviewed the Incident Report for August 2020.

1 Chief Hutson introduced RPD Officers who were involved an incident and had Officer Daniel
 2 McCarter report on the incident. Mayor Staggs then presented Certificates of Appreciation to the
 3 following Officers for superior performance of police duties and professional contributions to the
 4 citizens of the community: Officer Zachary Hutto, Officer Daniel McCarter, Officer Robert Snell, and
 5 Sergeant Dan Thomas-excused
 6

7 **b. Riverton City Youth Council - Oath of Office**

8
 9 Mayor Staggs recognized the Youth Council Leaders Pam Henderson and Becky Taylor and the
 10 following members of the Riverton Youth Council:

11	Riverton Youth Mayor:	Elinor Fox
12	Mayor Pro Temp:	Steven Wills
13	Historian/Deputy Recorder:	Eva Anderson
14	Treasurer:	Kija Nelson
15	Public Relations:	Camden Stewart
16	Service Coordinator:	Kathryn Howard
17	Youth Council Attorney:	Rachel Carter
18	Hospitality Coordinator:	Shaylee Taylor
19		
20		

21 The Youth Councilmembers introduced themselves followed by Virginia Loader, City Recorder,
 22 administering them the Oath of Office.

23 **15. Consent Items**

24 Mayor Staggs presented the following Consent Agenda:

- 25 a. Minutes: 09-01-2020
- 26 b. **Resolution No. 20-61** - Approving an Agreement with the Unified Fire Service Area
 27 Detailing the Terms of Riverton City's Withdrawal from Said Service Area- Ryan Carter,
 28 City Attorney
- 29 c. **Resolution No. 20-58** - Approving a Vehicle Lease Agreement with Zions Bank - Craig
 30 Calvert, Operations Director
- 31 d. Performance Bond release for Country View Condo Expansion

32
 33 Councilmember McCay **MOVED** that the City Council approve the Consent Agenda as listed.
 34 Councilmember Wells **SECONDED** the motion. Mayor Staggs called for discussion on the motion;
 35 there being none, he called for a roll call vote and the vote was as follows: Councilmembers
 36 Buroker-Yes, McCay-Yes, McDougal-Yes, Stewart-Yes, and Wells-Yes. The motion passed
 37 unanimously.
 38

39 **16. Public Hearing(s) / Action Items**

- 40 a. **Ordinance No. 20-19 - Correcting an error in the Recorded Vacation of Property at**
 41 **12245 S Brinley Peak Ct, Which was Originally Vacated June 5, 2014**

42
 43 Jason Lethbridge, Development Services Director, explained that In June of 2014, the City vacated
 44 an undeveloped and unneeded portion of a public right-of-way within the Heritage Farms
 45 subdivision north of the Riverton High School. He said that the right-of-way was part of an existing
 46 cul-de-sac that terminated against a canal. When the subdivision was first approved, the right-of-
 47 way was left extending past the cul-de-sec as, at that time, a bridge extending across the canal
 48
 49
 50
 51

1 was considered a possibility. Once the decision was made that no bridge would be extended
2 across the canal, the question of maintenance and ownership of the remnant parcel was raised.
3 The Council ultimately decided to vacate the undeveloped portion to the adjacent property owner
4 and a quit claim deed was recorded on June 5, 2014 deeding the property to that owner.

5
6 Mr. Lethbridge said that, unfortunately, a recording error was made that was not discovered until
7 this year that rendered the document invalid. The property has remained in the name of the City
8 since 2014; however, the property owner enclosed and incorporated the property into his yard
9 area, believing the recorded quit claim deed to have transferred the property to him. As this was a
10 technical error, the documentation corrects that error, and as State Code requires an updated
11 ordinance of vacation, establishes that, as well. He said the documents would be recorded and
12 would finalize the transfer of the property as intended in 2014. He said no change had been made
13 to the area, legal description, or any other element of the deed. As this was an issue of disposition
14 of public property, he said no review or recommendation from the Planning Commission was
15 required; however, public notice was made of this action.

16
17 Mayor Staggs opened a Public Hearing and called for public comment; there being none, he
18 declared the Public Hearing closed.

19
20 Councilmember Stewart **MOVED** that the City Council adopt Ordinance No. 20-19 - Vacating a
21 portion of undeveloped public right-of-way within the Heritage Farms Phase 5 Subdivision,
22 as shown on Exhibit "A". Councilmember Buroker **SECONDED** the motion. Mayor Staggs called
23 for discussion on the motion; there being none, he called for a roll call vote and the vote was as
24 follows: Councilmembers Buroker-Yes, McCay-Yes, McDougal-Yes, Stewart-Yes, and Wells-Yes.
25 The motion passed unanimously.

26
27 **b. Ordinance No. 20-20 - Approving Amendments to Title 18 Regarding Maximum**
28 **Building Heights in Commercial and Industrial Zones - Jason Lethbridge,**
29 **Development Services Director**

30
31 Jason Lethbridge, Development Services Director, explained a Zoning Text Change proposed by
32 Riverton City and explained that Riverton had different maximum height requirements for each of
33 the six commercial zones, and no maximum height in the M-1 Zone. He said that some of the
34 maximum heights were listed with exceptions that allowed the building to be higher if next to a
35 Regional Transportation Corridor. Some of the zones also limit building heights by the number of
36 building stories. He reviewed a table showing each zone with the Code section and current
37 maximum height.

38
39 Mr. Lethbridge further explained that the proposed zone text change would eliminate the bonus
40 height allowed next to regional transportation corridors, remove the ambiguous limitations of
41 building stories, and add a maximum building height for the M-1 Zone. No changes were proposed
42 to the maximum heights as they were currently defined in each chapter. However, he said that on
43 August 13 the Planning Commission held a public hearing to consider the proposed text change.
44 They then included in their recommendation that commercial building heights adjacent to
45 residential zones or uses be limited to 35 feet in all zones, which would only affect the Commercial
46 Downtown, Commercial Regional, Planned Commercial Center, and M1 Zones, as all others have
47 a maximum of 35 feet. He then emphasized that the language did not specify what "adjacent"
48 means and that Commercial zones require one foot for every foot in building height as separation
49 from residential uses/zones.

1 Mr. Lethbridge then spoke of the C-PO Zone: Building Height. Buildings shall not exceed 35 feet in
2 height, and he proposed the following: except on developments of at least 20 acres adjacent to the
3 Bangerter Highway or Mountain View Corridor, where buildings may not exceed 80 feet in height.
4

5 He then requested feedback from the Council regarding the Commission's recommendation and
6 the Council determined adjacent to mean "within 100 feet of".
7

8 Mayor Staggs opened a Public Hearing and called for public comment; there being none, he
9 declared the Public Hearing closed.
10

11 Councilmember Wells **MOVED** that the City Council adopt Ordinance No. 20-20 - Amending
12 **Section 18.65, .70, .75, .80, .85, .95, and .100 setting maximum commercial building heights**
13 **as shown in Exhibit "A", with the stipulation that building heights within 100 feet of**
14 **residential zones or uses be limited to a maximum of thirty-five (35) feet in all commercial**
15 **zones, and that the C-PO zone shall include "except on developments of at least 20 acres**
16 **adjacent to the Bangerter Highway or Mountain View Corridor, where buildings may not**
17 **exceed 80 feet in height".** Councilmember Stewart **SECONDED** the motion. Mayor Staggs called
18 for discussion on the motion; there being none, he called for a roll call vote and the vote was as
19 follows: Councilmembers Buroker-Yes, McCay-Yes, McDougal-Yes, Stewart-Yes, and Wells-Yes.
20 The motion passed unanimously.
21

22 **c. Ordinance No. 20-21 - Approving Amendments to Title 18.225 Accessory Structures**
23 **Regarding Side Yard Setbacks and Maximum Building Size**
24

25 Jason Lethbridge, Development Services Director, explained a Zoning Text Change proposed by
26 Riverton City and explained that the Zone text change involved two changes to Chapter 18.225
27 Accessory Structures. He said the first change was a maximum building size. The Architectural
28 Standards for accessory structures found in 18.225.040 already included a maximum total size for
29 all combined accessory structures on a property, but did not have a maximum size on an individual
30 accessory structure. He said the recommendation was that the maximum size of individual
31 accessory structure be 2-times the footprint of the primary structure and that the existing standard
32 of 25% of the rear yard also continue to apply.
33

34 Mr. Lethbridge said that the second change was a series of clarifying changes to chapter
35 18.225.030. He said the proposal changed the order and hierarchy of the existing text, with some
36 minor additions and subtractions to the text to clarify setback requirements as they had been
37 interpreted and applied by staff. He said it primarily affected the distance required between
38 accessory structures. He said that had been listed under the "Side Yards" section of the code,
39 which led to confusion as to whether the requirement only applied if an accessory structure was
40 located in the side yard of a lot. The proposed change moved that requirement into the general
41 section of the code, clarifying that it applied to all accessory structures regardless of placement on
42 property.
43

44 Mr. Lethbridge said that on August 13, 2020, the Planning Commission held a public hearing to
45 review the proposed text amendment, and voted to recommend approval of the amendment and
46 staff concurred with that recommendation.
47

48 Mr. Lethbridge brought up a secondary issue that was not included in the proposed amendment.
49 He stated that the accessory structure ordinance currently limits the total allowed square footage
50 for accessory structures to 25% of the rear yard. He said that this is defined as the space from the
51 closest point of the home back to the rear property line, and accessory structures are limited to

1 25% of that space. Mr. Lethbridge told the Council that this is both difficult to measure and results
2 in some inconsistencies between lots of the same size where a lot is wide instead of deep. Mr.
3 Lethbridge showed the Council examples of this. He recommended that the City explore making
4 the total allowed square footage a percentage of the total lot size rather than the rear yard, as this
5 is easier to understand and measure for property owners. Mr. Lethbridge asked the Council if they
6 would like staff to bring a potential amendment through the review process with the
7 Council. Councilmember Stewart indicated support for reviewing and simplifying the language, and
8 suggested that staff show how the different methods of measurement compare to recently
9 approved accessory structure square footages. There was general consensus from the Council for
10 reviewing this language.

11
12 Mayor Staggs opened a Public Hearing and called for public comment; there being none, he
13 declared the Public Hearing closed.

14
15 Councilmember Stewart **MOVED that the City Council adopt Ordinance No. 20-21 - Amending**
16 **Section 18.225.030 & 040, addressing maximum height and side setbacks for accessory**
17 **structures, as shown on Exhibit “A” and to explore items discussed.** Councilmember
18 Buroker. **SECONDED** the motion. Mayor Staggs called for discussion on the motion; there being
19 none, he called for a roll call vote and the vote was as follows: Councilmembers Buroker-Yes,
20 McCay-Yes, McDougal-Yes, Stewart-Yes, and Wells-Yes. The motion passed unanimously.

21
22 **d. Ordinance No. 20-22 - Approving Amendments to Title 18.145 Automobile Parking**
23 **Regarding Parking in Front of Commercial Buildings**

24
25 Jason Lethbridge, Development Services Director, explained a Zoning Text Change proposed by
26 Riverton City. He said the Automobile parking ordinance and the commercial landscaping codes
27 direct parking lots to be developed to include significant shading of parking lots. He said that one
28 requirement that was very effective in most situations was a landscape island roughly the same
29 size as a parking stall every 10-spaces, with at least one tree planted in the island.

30
31 Mr. Lethbridge said that, however, when parking fronts onto a building of approximately 100 to 150
32 feet long, the landscape island every 10-stalls requirement produces less desirable outcomes. In
33 these scenarios, he said the required landscape island would be centered where the designers
34 often wish to place the ADA access and parking. The adjustment designers make is to add an
35 island after one or two stalls on one side of the parking, which creates an unbalanced site and
36 takes away prime parking adjacent to the building.

37
38 Mr. Lethbridge said that staff proposed a slight change to the “Landscaping in parking areas”
39 ordinance so that building frontages less than 150-ft may use the ADA access aisle that is required
40 next to ADA parking stalls as a substitute for the landscape island. This would only apply to
41 parking adjacent to the building. On August 13, 2020 the Planning Commission recommended
42 approval of the proposed text amendment, and staff concurred with that recommendation.

43
44 Mayor Staggs opened a Public Hearing and called for public comment; there being none, he
45 declared the Public Hearing closed.

46
47 Councilmember McCay **MOVED that the City Council adopt Ordinance No. 20-22 - Amending**
48 **Section 18.145.050, allowing an ADA access aisle to replace a required landscape island**
49 **along certain commercial building fronts, as shown on Exhibit “A”.** Councilmember
50 McDougal **SECONDED** the motion. Mayor Staggs called for discussion on the motion; there being

1 none, he called for a roll call vote and the vote was as follows: Councilmembers Buroker-Yes,
2 McCay-Yes, McDougal-Yes, Stewart-Yes, and Wells-Yes. The motion passed unanimously.
3

4 **e. Resolution No. 20-60 - Approving and Authorizing the Execution of an Agreement**
5 **with Salt Lake County, Town of Alta, Town of Brighton, Bluffdale City, Copperton**
6 **Metro Township, Cottonwood Heights City, Draper City, Emigration Canyon Metro**
7 **Township, Herriman City, Holladay City, Kearns Metro Township, Magna Metro**
8 **Township, Midvale City Corp., City of Millcreek, Murray City, City of South Salt Lake,**
9 **and White City Metro Township Relating to the Conduct of the Community**
10 **Development Block Grant Program, Emergency Solutions Grant Program and the**
11 **Home Investment Partnership Program**
12

13 Ryan Carter, City Attorney explained that approved interlocal agreements were currently in place
14 between Riverton City and Salt Lake County regarding the County's administration of several grant
15 programs, namely the Community Development Block Grant Program (CDBG), the Emergency
16 Solutions Grant Program (ESG), and the Home Investment Partnership Program (HOME). He said
17 an urgent notice from Salt Lake County was received indicating that the U.S. Department of
18 Housing and Urban Development (HUD), who oversees the programs at a federal level, had
19 identified critical deficiencies in the County's interlocal agreements with Riverton City and other
20 communities that would impact the County's application to renew its "Urban County" qualification.
21 This qualification enables the County to receive funding allocations through these grant programs.
22 The County asked that Riverton City, and all other communities included in the interlocal
23 agreements, adopt revisions to those agreements based on guidance from HUD prior to
24 September 18, 2020.
25

26 Brief discussion was held regarding grants and Mr. Carter addressed questions from
27 Councilmembers.
28

29 Mayor Staggs opened a Public Hearing and called for public comment; there being none, he
30 declared the Public Hearing closed.
31

32 Councilmember Buroker **MOVED** that the City Council adopt Resolution No. 20-60 - Approving
33 and authorizing the execution of an interlocal cooperation agreement with Salt Lake County
34 relating to the conduct of the Community Development Block Grant, Emergency Solutions
35 Grant, and Home Investment Partnership Programs, as shown on the attached exhibit.
36 Councilmember McDougal **SECONDED** the motion. Mayor Staggs called for discussion on the
37 motion; there being none, he called for a roll call vote and the vote was as follows:
38 Councilmembers Buroker-Yes, McCay-Yes, McDougal-Yes, Stewart-Yes, and Wells-Yes. The
39 motion passed unanimously.
40

41 **17. Discussion/Action Items**
42

43 **a. Resolution No. 20-59 - Authorizing the Mayor to Execute the Memorandum of**
44 **Understanding with Riverton Arts Council**
45

46 David Brickey, City Manager, explained that the Riverton Arts Council had served the residents of
47 Riverton City for many years and would like to continue to grow and expand. He said that Riverton
48 City plans to support the Riverton Arts Council by working with the Riverton Arts Council to improve
49 the facilities in which it stages performances. Also, privately donated funds to assist with the cost to
50 construct new performing arts facilities needs to be secured and that executing a Memorandum of
51 Understanding with the Riverton Arts Council would enable it to obtain private funding to upgrade

1 and expand the facilities used by the Riverton Arts Council. He said that Riverton City agrees
2 through the Memorandum of Understanding to contribute \$500,000 toward the costs of the project
3 paid in annual installments of \$100,000 per year for the first five years, with Riverton Arts Council
4 being responsible for the remaining costs. He said that the MOU would begin the process for the
5 Riverton Arts Council to seek other funding.
6

7 Heath Bateman addressed the City Council and explained that the Riverton Arts Council's goal was
8 to have their own space, and they want an agreement to be fair, equitable and honest for the City.
9

10 Discussion was held regarding the MOU, other locations, funding, etc. Mr. Brickey, along with City
11 Attorney Ryan Carter, addressed questions from the Councilmembers.
12

13 Councilmember Wells **MOVED** that the City Council adopt Resolution No. 20-59 - Authorizing
14 the Mayor to Execute the Memorandum of Understanding with Riverton Arts Council.
15 Councilmember Stewart **SECONDED** the motion. Mayor Staggs called for discussion on the
16 motion; there being none, he called for a roll call vote and the vote was as follows:
17 Councilmembers Buroker-Yes, McCay-Yes, McDougal-Yes, Stewart-Yes, and Wells-Yes. The
18 motion passed unanimously.
19

20 **18. Upcoming Meetings**

- 21
- 22 a. October 06, 2020 - 5:00 PM - Work Session & City Council Meeting
 - 23 b. October 20, 2020 - 5:00 PM - Work Session & City Council Meeting
 - 24 c. November 17, 2020 - 5:00 PM - Work Session & City Council Meeting
 - 25 d. December 01 - 5:00 PM - Work Session & City Council Meeting
 - 26 e. December 15 - 5:00 PM - Work Session & City Council Meeting
- 27

28 **19. Adjournment**

29

30 Councilmember McDougal **MOVED to adjourn**. Councilmember Stewart **SECONDED** the motion.
31 Mayor Staggs called for discussion on the motion; there being none, he called for a roll call vote
32 and all Councilmembers voted Yes and the motion passed unanimously. The meeting adjourned at
33 8:46 p.m.
34

35 **Approved:** Pending Minutes



City Council Meeting Agenda
October 6, 2020

PRESENTER: Craig Calvert

ITEM: **Resolution No. 20-63** - Authorizing the Accounting Department to pay UFA for COVID-19 CARES Funding Reimbursement - Craig Calvert, Operational Services Director

SUMMARY:

The City received an invoice from UFA in the amount of \$66,031.00 for FY19/20 & FY20/21 COVID-19 CARES Funding Reimbursement. Attached to the invoice was a Memorandum indicating that UFA has been working with Salt Lake County's legal and finance teams and the County believes that the CARES funds provided to the Municipalities should be the source for the reimbursement to UFA.

FISCAL IMPACT: \$66,031.00

FUNDING SOURCE: 10-43-650

ATTACHMENTS:

[2020-Resolution No. 20-63-UFA COVID-19 Reimbursement.pdf](#)
[UFA COVID-19 Reimbursement Invoice.pdf](#)

RECOMMENDED MOTION OR ACTION:

"I move the City Council approve Resolution No. 20-63 - Authorizing the Accounting Department to pay UFA for COVID-19 CARES Funding Reimbursement."

RIVERTON CITY, UTAH
RESOLUTION NO. 20-63

**A RESOLUTION AUTHORIZING THE ACCOUNTING DEPARTMENT TO PAY UFA
FOR COVID-19 CARES FUNDING REIMBURSEMENT**

WHEREAS, Riverton City is required by ordinance to approve any contract or payment that exceeds \$30,000 in a public meeting; and

WHEREAS, UFA has submitted an invoice requesting payment for FY19/20 & FY20/21 COVID-19 CARES Funding Reimbursement; and

WHEREAS, Salt Lake County's legal and finance teams and the County believes that the CARES funds provided to the Municipalities should be the source for the reimbursement to UFA.

NOW THEREFORE, BE IT RESOLVED by the City Council of Riverton City, Utah, as follows:

1. The Riverton City Council authorizes the Accounting Department to pay UFA for COVID19 CARES Funding Reimbursement.
2. This resolution shall become effective immediately upon passage.

PASSED AND ADOPTED by the City Council of Riverton, Utah, and this 6th day of October 2020 by the following vote:

	YES	NO
City Council Member Tish Buroker	_____	_____
City Council Member Claude Wells	_____	_____
City Council Member Tawnee McCay	_____	_____
City Council Member Sheldon Stewart	_____	_____
City Council Member Troy McDougal	_____	_____

RIVERTON CITY

[SEAL]

Trent Staggs, Mayor

ATTEST:

Virginia Loader, Recorder



UNIFIED FIRE AUTHORITY
 3380 S 900 W
 SALT LAKE CITY UT 84119
 Phone: 801-743-7200 Fax: 801-743-7211

INVOICE

Date	Number	Page
07/21/2020	5821	1

Customer No. 10005
 Contact: ACCOUNTS PAYABLE

Bill To: 10005
 RIVERTON CITY
 12830 SOUTH 1700 WEST
 RIVERTON UT 84065

Payment Due: 08/20/2020

Amount Enclosed : \$ _____

Return this portion with your payment

Bill To: 10005
 RIVERTON CITY
 12830 SOUTH 1700 WEST
 RIVERTON UT 84065

Invoice Date
 07/21/2020

Payment Due Date
 08/20/2020

Quantity	Description	Unit Price	Net Amount
1	FY19/20 & FY20/21 UFA COVID-19 CARES	66,031.00	66,031.00
1	Funding Reimbursement		
		Amount	66,031.00
		Balance Due	66,031.00



UNIFIED FIRE AUTHORITY

MEMORANDUM

TO: UFA Board Members

FROM: CFO Tony Hill/CLO Brian Roberts

DATE: July 21, 2020

SUBJECT: COVID-19 Expenditure Reimbursements

Based on the discussion at the June 16 Board Meeting and as a follow up to our Memo of June 19, 2020 staff has been working with Salt Lake County's legal and finance teams on how UFA might best access the available CARES funding for our COVID-19 response. The County agrees that the CARES funding can be provided for the staffing and supplies costs related to COVID for fire agencies.

The County believes that the CARES funds provided to the Municipalities should be the source for reimbursement to the UFA. The County feels they have provided funds to all municipalities in Salt Lake County and expect those municipalities to address the impact to fire agencies at the local level using the CARES funds provided.

With this direction we see three options for UFA:

1. Follow the County recommendation and reimburse expenses to the UFA based on the population method used to distribute funds by the County. Each municipality would execute a sub-grant agreement with the UFA and the UFA would invoice each Municipality individually for the costs. UFA expects to spend **\$630,000** this calendar year. To date, UFA has spent **\$191,360** in personnel costs for IMT overtime and backfill for employees held out of work on COVID leave because they have tested positive or have had possible exposure to the virus. We have one pay period left for FY19/20 and are estimating expending **\$235,000** total for the fiscal year. We are also estimating about **\$80,000** in non-personnel expenditures. This includes PPE (eye protection, gowns, gloves, footwear covers, respirators, face masks, decontamination supplies, and hand sanitizer), technology upgrades for virtual meetings, and other operational costs.
2. Submit costs through the FEMA public assistance grant. UFA is eligible for up to 75% reimbursement with a 25% match.
 - a. There is a finite amount of money available that all agencies in the country can compete for. It is unknown when they will consider all the applications and we have no guarantee they will approve our request.
3. Do nothing and recoup the costs through future increases in member fees.

Option #1: Estimated total costs divided by population

Municipality	Population	% of Total	% of Total
Alta Town	378	0.09%	\$567
Brighton Town	260	0.06%	\$378
Copperton Metro Township	812	0.19%	\$1,197
Cottonwood Heights City	33,626	7.97%	\$50,216
Eagle Mountain City	34,632	8.21%	\$51,728
Emigration Metro Township	1,623	0.38%	\$2,394
Herriman City	42,981	10.18%	\$64,140
Holladay City	31,110	7.37%	\$46,436
Kearns Metro Township	35,242	8.35%	\$52,610
Magna Metro Township	27,450	6.50%	\$40,954
Midvale City	34,263	8.12%	\$51,161
Millcreek City	60,308	14.29%	\$90,036
Riverton City	44,231	10.48%	\$66,031
Salt Lake County Unincorporated	9,933	2.35%	\$14,806
Taylorsville City	59,601	14.12%	\$88,965
White City Metro Township	5,599	1.33%	\$8,380
TOTAL	422,049	100.00%	\$630,000



City Council Meeting Agenda
October 6, 2020

PRESENTER: Ryan Carter

ITEM: **Resolution No. 20-62** - Approving the Creation of the Riverton Fire Service Area to Fund First Responder Services Within Riverton City - Ryan Carter, City Attorney & Kevin Hicks, Administrative Services Director

SUMMARY:

See attached Memorandum.

FISCAL IMPACT: N/A

FUNDING SOURCE: N/A

ATTACHMENTS:

[2020-Resolution No. 20-62.Approving RFSA-Riverton Fire Service Area.pdf](#)
[10-06-2020 Issue Paper for Resolution No. 20-62 RFSA Creation.doc](#)
[RFSA map.PDF](#)

RECOMMENDED MOTION OR ACTION:

"I move the City Council approve Resolution No. 20-62 -

Approving the Creation of the Riverton Fire Service Area to Fund First Responder Services Within Riverton City".

See attached Memorandum.

RIVERTON, UTAH
RESOLUTION NO. 20-62

**RESOLUTION TO APPROVE THE CREATION OF THE RIVERTON FIRE SERVICE
AREA TO FUND FIRST RESPONDER SERVICES WITHIN RIVERTON CITY**

WHEREAS, the Riverton City Council, as the legislative body of Riverton City establishes municipal budgets, authorizes expenditures, and levies taxes and to pay for municipal services; and

WHEREAS, Riverton City obtains fire protection, paramedic, and emergency response services (known as “First Responder Services”) from Unified Fire Authority, under the terms of an Interlocal Agreement executed by and between Salt Lake County, the Unified Fire Authority, several municipalities within Salt Lake County, and one municipality in Utah County; and

WHEREAS, historically Riverton City residents have paid the Unified Fire Authority for First Responder Services from property taxes levied by a local district known as the Unified Fire Service Area (“UFSA”); and

WHEREAS, upon the end of the 2020 calendar year, the municipal territory of Riverton City shall be withdrawn from the UFSA service area boundaries; and

WHEREAS, the Riverton City Council finds believes that residents prefer to pay for First Responder Services through payment of property tax; and

WHEREAS, following Riverton City’s withdrawal of its municipal territory from within the SLVLESA service area boundaries, the Riverton City Council finds the time is right for the residents of Riverton City to consider whether First Responder Services should continue to be funded through payment of property taxes levied by a local district which exists solely within the municipal territory of Riverton City;

WHEREAS, the Riverton City Council, with the assistance of the Interim City Manager and Finance Director have compiled information regarding the process and financial feasibility of annexing the municipal territory of Riverton City to become a part of the Riverton Fire Service Area; and

WHEREAS, pursuant to Utah Code Annotated § 17B-1-203, a resolution must be adopted by the Riverton City Council to initiate the process in which Riverton City and Riverton City residents will consider whether to create a new service area known as the Riverton Fire Service Area; and

WHEREAS, on the date of May 5, 2020 the Riverton City Council adopted Resolution No. 20-31 thereby initiating the process to consider creation of the Riverton Fire Service Area; and

WHEREAS, Utah Code Annotated § 17B-1-210 requires the City Council to hold a public hearing following public notice to consider the merits of whether to proceed with creation of a service area and to commence the protest period described under Utah Code Annotated § 17B-1-213; and

WHEREAS, on the date of June 16, 2020 the Riverton City Council held said public hearing required by § 17B-1-210 to receive public comment; and

WHEREAS, Utah Code Annotated § 17B-1-221 requires the Riverton City Council to adopt a resolution indicating whether the City Council shall directly provide the service which is proposed to be provided by the Riverton Fire Service Area; and

WHEREAS, on the date of June 16, 2020, the Riverton City Council adopted Resolution No.20-48 which confirmed that the City Council would not provide the service proposed to be provided by the Riverton Fire Service Area; and

WHEREAS, upon the conclusion of the protest period described in Utah Code Annotated § 17B-1-213 (1), subsection (2) of the statute requires a final resolution be adopted by the Riverton City Council to affirm its approval to create the Riverton Fire Service Area; and

WHEREAS, the Riverton City Council finds and determines that the City has received no protests relating to the creation of the Riverton Fire Service Area; and

WHEREAS, the Riverton City Council has reviewed the various policy issues, including, but not limited to, level and quality of service, finances, and transparency in the method of public funding associated with approving the creation of the Riverton Fire Service Area; and

WHEREAS, the Riverton City Council has considered this resolution in a public meeting, following public notice required by law,

NOW THEREFORE BE IT RESOLVED by the Governing Body of Riverton City as follows:

1. The Riverton City Council hereby approves the creation of a local district, further described as a service area under Utah Code Annotated § 17B-2a-901 through 908, to provide the service of assessing, levying and collecting ad valorem property taxes and other revenues authorized by law to pay for First Responder Services. The service area proposed by this Resolution shall be composed of all area within the corporate limits of Riverton City, Utah, as described on the map and legal description which is attached hereto as Exhibit “A” and by reference made a part hereof.
2. The proposed district shall be funded through a property tax levy and may include member assessments, revenues generated by its operations, revenues received from Riverton City and such other revenues that are authorized by law.

3. The name of the local district approved by this Resolution shall be the Riverton Fire Service Area.
4. The proposed local district shall be governed by a Board of Trustees composed of six members who are also the Riverton City Council, including the Mayor of Riverton City. The Mayor shall serve as the Chief Executive and Administrative Officer of the service area. Members of the Board of Trustees shall serve terms of appointment which match the election schedule which governs the Member's election to the City Council. Said Board of Trustees shall be appointed by Resolution of the Riverton City Council.
5. The Riverton Fire Service Area shall take effect upon completion of all proceedings required by law; upon approval and certification by the Utah Lieutenant Governor in accordance with UCA §67-1a-6.5 and shall commence operation of the enumerated and authorized services upon the withdrawal of the municipal territory of Riverton City from the UFSA, presently anticipated to occur on October 20, 2020.

PASSED AND ADOPTED by the City Council of Riverton, Utah, and this 6th day of October, 2020 by the following vote:

	YES	NO
Council Member Tish Buroker	_____	_____
Council Member Tawnee McCay	_____	_____
Council Member Troy McDougal	_____	_____
Council Member Sheldon Stewart	_____	_____
Council Member Claude Wells III	_____	_____

RIVERTON CITY

[SEAL]

Trent Staggs, Mayor

ATTEST:

Virginia Loader, Recorder

EXHIBIT A
MAP OF RIVERTON CITY



RIVERTON CITY WORK SESSION / COUNCIL MEETING

FROM: Ryan Carter
DATE: September 30, 2020
SUBJECT: Resolution Approving creation of Riverton Fire Service Area.

SUMMARY:

Riverton City has completed a lengthy process to create the Riverton Fire Service Area. The City Council adopted a resolution No. 20-31 which formally commenced the process to begin the creation of the Riverton Fire Service Area, or “RFSA” on May 5, 2020.

The City Council then held a public hearing on June 16, 2020 which allowed the public to ask questions and obtain further information regarding the issues contained in resolution No.17-42, pursuant to See: Utah Code Ann. §17B-1-210. This hearing also commenced the time for persons to file protests against creation of the district if they so desired. The 60-day deadline to file protests (following the August 15 public hearing) lapsed on August 15, 2020. Riverton City received no protests from the public by this date, nor has the City received any protests afterward.

To perfect creation of the Riverton Fire Service Area, one of the remaining steps is to file an appropriate local entity plat with the State of Utah, Office of the Lieutenant Governor. This is ordinarily required to occur within 10 days of filing a resolution approving creation of the district. See Utah Code Ann. §17B-1-215. Said districts, once approved commonly run into problems with filing said plat within the 10 day deadline. Staff has done what it can to the date of this memorandum to assure a smooth filing process but we don’t yet have the verification we need from Salt Lake County to be fully assured. In a “worst case scenario,” an entity which cannot file a plat within the 10 day filing period simply needs to adopt another approval resolution to reset the filing period, and the appropriate plat will be accepted by the LT. Governor’s Office at a later date.

FISCAL IMPACT:

N/A

ATTACHMENTS: 1. Resolution and appropriate map of Service Area.

RECOMMENDED MOTION OR ACTION:

“I move the City Council adopt Resolution No. 20-62 approving creation of the Riverton Fire Service Area.”

