

River Heights City Council
Minutes of the Meeting
June 10, 2014

Present were: Mayor James Brackner
Council members: Doug Clausen
Richard Okelberry
Geoff Smith
Dixie Wilson
Blake Wright
Recorder Sheila Lind
Public Works Director Clayton Nelson
Finance Director Clifford Grover

Others Present: Gayle Brackner, Dan Hogan, Sally Hunsaker

The following motions were made during the meeting:

Motion #1

Councilmember Okelberry moved to “adopt the minutes of the May 27, 2014 Council Meeting, the minutes of the May 13, 2014 closed session with minor changes and the evening’s agenda.” Councilmember Clausen seconded the motion, which passed with Clausen, Okelberry, Smith, Wilson and Wright in favor. No one opposed.

Motion #2

Councilmember Clausen moved to “pay the bills as listed.” Councilmember Wilson seconded the motion, which passed with Clausen, Okelberry, Smith, Wilson and Wright in favor. No one opposed.

Motion #3

Councilmember Wright moved to “approve Resolution 4-2014, A Resolution Adopting the River Heights Budget for the Fiscal Year 2014-2015 in the amount of \$1,148,155 and to change the unreserved equity balance to 25%.” Councilmember Okelberry seconded the motion, which passed with Clausen, Okelberry, Smith, Wilson and Wright in favor. No one opposed.

Motion #4

Councilmember Clausen moved to “adopt Resolution 5-2014, a Resolution Adopting Final Tax Rates and Budgets.” Councilmember Okelberry seconded the motion, which passed with Clausen, Okelberry, Smith, Wilson and Wright in favor. No one opposed.

Motion #5

Councilmember Wright moved to “adopt Ordinance 3-3014, An Ordinance to Adopt Changes to the City Code of River Heights City, Utah, which will change 11-4-2 C and add 11-6-3 W.”

47 Councilmember Clausen seconded the motion, which passed with Clausen, Okelberry, Smith, Wilson
48 and Wright in favor. No one opposed.

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Proceedings of the Meeting:

52 The River Heights City Council met at 6:30 p.m. in the Ervin R. Crosbie Council Chambers in
53 the River Heights City Building on Tuesday, June 10, 2014.

54 Opening Remarks and Pledge of Allegiance: Councilmember Wright opened the meeting by
55 reading Seven Question Criteria for Evaluating Government Policy Development by Ronald Regan.
56 Councilmember Smith led the group in the Pledge of Allegiance.

57 Adoption of Previous Minutes and Agenda: Minutes of the May 27, 2014 Council Meeting and
58 of the executive session held on May 13, 2014, were reviewed with three minor changes to the
59 executive minutes.

60 **Councilmember Okelberry moved to “adopt the minutes of the May 27, 2014 Council
61 Meeting, the minutes of the May 13, 2014 closed session with minor changes and the evening’s
62 agenda.” Councilmember Clausen seconded the motion, which passed with Clausen, Okelberry,
63 Smith, Wilson and Wright in favor. No one opposed.**

64 Pay Bills: The bills were presented and discussed. A question was raised about the bill to Sine
65 Source Engineering. Councilmember Wright explained the city received a formal complaint against a
66 neighbor who wasn’t in compliance with the city’s outdoor lighting ordinance. The city needed to hire
67 an electrical engineer to take light readings in order to resolve the situation. The neighbor was given
68 two weeks to rectify the problem, which he did. Councilmember Okelberry wondered if the ordinance
69 needs changed so the city doesn’t end up paying for a neighbor dispute. Councilmember Wright said
70 it’s up to the city to enforce the ordinance.

71 Councilmember Okelberry asked if he could post the list of approved bills on the city’s
72 website. The Council agreed.

73 Councilmember Wright explained the bill from Mike Kelly for consulting on the cemetery
74 project. The city will see a few more bills from him. He bid the job at just under \$4,000. Mr. Wright
75 doesn’t feel the Commission will need to spend the full amount.

76 **Councilmember Clausen moved to “pay the bills as listed.” Councilmember Wilson
77 seconded the motion, which passed with Clausen, Okelberry, Smith, Wilson and Wright in favor.
78 No one opposed.**

79 Finance Director Report: FD Grover reported the cash fund balance continues to grow.
80 Councilmember Wilson would like to see a copy of her individual budget at least once a month. Mr.
81 Grover will print one for each council member by the 15th of each month.

82 Councilmember Wright said the last electrical engineering bill pushed his budget over for this
83 year. He wondered how this will be handled. Mayor Brackner said if the total expenditures from his
84 budget come in under the total amount that’s budgeted, it will be fine.

85 Purchase Requisition Requests: There was none.

86 Public Works Report and Discussion: PWD Nelson reported on the following:

- 87
- 88 • He asked the Council if they reviewed the Request for Qualifications on the high density
89 mineral bond seal, which they were sent last week. The Council agreed with use of the sealant
90 and gave permission for upcoming road repairs to go out for bid.
 - 91 • He has changed out four small lights to LED in the park, to come into compliance with the city
92 code. There are some rebates available. Within two years, the city savings will pay off the
small lights. The large lights will cost around \$1,000/each (three are needed). Rocky

93 Mountain Power recommends installing a light with a dimming sensor, which would bring the
94 cost up to \$1700/light. There is a forth light that hasn't been replaced because it currently
95 meets the code. Using LED will save on monthly charges. The energy saving payoff for the
96 dimming sensors is 6-8 years. The city can set the brightness, which would be within the city's
97 code. The other option is to change the ballasts at a cost of \$400/each. These would need to be
98 changed out every 2 or 3 years. Mayor Brackner said if they decide LED is best, they can
99 adjust the budget as needed. Mr. Nelson has a teleconference set up tomorrow with Rocky
100 Mountain Power to discuss it further. Councilmember Wilson feels the cost of LED is too
101 much for something that wasn't budgeted. Mr. Nelson explained the LED lights will increase
102 safety in the park and save energy because they automatically dim as there is less activity in the
103 area. Councilmember Wright suggested purchasing three LED lights with the motion sensors,
104 after July 1. All agreed except Councilmember Wilson.

- 105 • He has been working with Dan Hogan and Engineer Rasmussen on a storm water/irrigation
106 easement issue in the Saddlerock Subdivision. Mr. Hogan wanted to lay the pipe outside of the
107 10 foot easement. As of right now, Mr. Hogan is going to move the pipe back into the
108 easement.
- 109 • Councilmember Clausen said the city is required to install two LED lights in Saddlerock. This
110 hasn't been budgeted. It will cost between \$6,000 and \$7,000. Mr. Clausen will check with
111 Engineer Rasmussen to see if the city is required to do this.
- 112 • There was a water leak on 400 South 750 East on Sunday. This is the 3rd leak in this area.
113 He's not sure if the pipe wasn't bedded right. The leak is fixed but they have a little clean up to
114 do.
- 115 • He asked if the council knows of any eagle projects within the city. Councilmember Okelberry
116 suggested having them do the Apple Days games. Councilmember Wright suggested having
117 two scouts chair and co-chair Apple Days.
- 118 • Councilmember Clausen asked how selling the one-ton truck is going. Mr. Nelson said it broke
119 down. After it gets fixed he'll post it for bid.

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121 Administrative Report: Recorder Lind didn't have anything.

122 Public Comment: Dan Hogan commented on the subdivision road seal coat requirement that's
123 being added to the city code. He asked if the council would consider using part of the home builder's
124 impact fees to fund the sealant. Councilmember Wright said he brought up to the Commission, that
125 the Council might discuss this. Mr. Hogan said he passes his costs to the buyers, so he feels they will
126 end up paying for the road twice. Utility costs for subdivisions have gone way up and they are paying
127 a lot in fees. Mayor Brackner said impact fees are intended to take care of future maintenance and
128 can't be used on new development. Mr. Hogan doesn't feel it's fair to charge the property owner
129 twice. PWD Nelson said laying the seal coat right after the road is put down will probably preserve it
130 longer. Mayor Brackner asked that this be considered at a later time.

131 Sally Hunsaker has talked to quite a few neighbors in the Mountain View/Stewart Hill area.
132 They are concerned about the homes in the area going to rentals. She asked how the city ordinance
133 addresses rentals. Councilmember Wright said a buyer can live in part of the home and rent another
134 part. Or, the buyer can rent the whole home to a single family, or to singles (not more than 4
135 unrelated). Ms. Hunsaker asked about the condition of the yard of a particular rental. Mr. Wright said
136 there is a nuisance ordinance that addresses this. Mayor Brackner reported that he has contacted the
137 owner's leasing agent about the number of singles, the yard and the number of vehicles. They have
138 committed to install off-road parking and are working on killing the lawn so they can reseed. Ms.

139 Hunsaker said there are six cars at the location, which means six renters. Recorder Lind informed that
140 three of the guys are brothers. Councilmember Wright read the definition of ‘family’ in the code.
141 State code says there can’t be more than 4 unrelated renters. Ms. Hunsaker wonders how property
142 owners know what the rental codes are before they rent their property. Mayor Brackner said the city
143 will look into this and get back with her.

144 Resolution Adopting the River Heights Budget for the Fiscal Year 2014-2015: Mayor
145 Brackner gave the final budget figure.

146 **Councilmember Wright moved to “approve Resolution 4-2014, A Resolution Adopting
147 the River Heights Budget for the Fiscal Year 2014-2015 in the amount of \$1,148,155 and to
148 change the unreserved equity balance to 25%.” Councilmember Okelberry seconded the
149 motion, which passed with Clausen, Okelberry, Smith, Wilson and Wright in favor. No one
150 opposed.**

151 Resolution Adopting Final Tax Rates and Budgets: Mayor Brackner informed that by lowering
152 property taxes by 10%, the new rate would be .001230.

153 **Councilmember Clausen moved to “adopt Resolution 5-2014, a Resolution Adopting Final
154 Tax Rates and Budgets.” Councilmember Okelberry seconded the motion, which passed with
155 Clausen, Okelberry, Smith, Wilson and Wright in favor. No one opposed.**

156 Ordinance to Adopt Changes to the City Code of River Heights City, Utah: Councilmember
157 Wright explained the change to the code, requiring subdividers to add a seal coat to their roads, and
158 noted Dan Hogan’s concerns that were discussed earlier in the meeting. The type of seal coat will be
159 determined by public works, at the time.

160 The second amendment deals with how the city handles the application of multiple subdivision
161 phases. This was spurred by Dan Hogan wanting to get preliminary plat approval for phases 2-6 at one
162 time. Then, he’d come back and get each final plat approved individually. Councilmember Wright
163 has discussed this with Engineer Rasmussen who agreed it could work.

164 **Councilmember Wright moved to “adopt Ordinance 3-3014, An Ordinance to Adopt
165 Changes to the City Code of River Heights City, Utah, which will change 11-4-2 C and add 11-6-
166 3 W.” Councilmember Clausen seconded the motion, which passed with Clausen, Okelberry,
167 Smith, Wilson and Wright in favor. No one opposed.**

168 The city will end up paying for the seal coat on the Saddlerock first phase roads, but Mr. Hogan
169 will pay for the subsequent phases.

170 Councilmember Clausen asked to have a discussion on the next agenda regarding the
171 possibility of reducing road impact fees. Councilmember Wright suggested adjusting the fees for
172 subdividers. PWD Nelson suggested leaving the impact fee alone and have the city pitch in a certain
173 percent on the seal coat. Councilmember Clausen will talk with Engineer Rasmussen about how
174 impact fees work.

175 Councilmember Wright asked to have the subdivision moratorium ordinance lifted at the next
176 meeting.

177 Report on Logan City Animal Control: Councilmember Okelberry has checked with Logan
178 City. They are not interested in taking over the police contract with River Heights or animal control.
179 Discussion was held on the idea of changing the contract for fire protection from Logan because of the
180 cost (\$44,251/2013). It was determined that the county has a district that runs out of Logan City.

181 Recorder Lind informed she has talked with the new animal control officer about issuing
182 citations to those who haven’t registered their dogs yet. He said he didn’t have time to get to all of
183 them, so she’d need to choose who to have cited. It was brought up that the mayor may issue citations.
184 Mayor Brackner will look into how this works.

185 Discuss Trail Possibilities: Councilmember Clausen asked councilmembers for ideas on where
186 they could install a trail, rather than 800 South, as was their previous idea. He suggested down by
187 Spring Creek. PWD Nelson suggested the property between the two Stewart Hill Drives.
188 Councilmember Wright thought it best to wait on this since they are currently working on a master
189 plan for this area. He suggested a trail along 800 South that would tie into the road that will be
190 installed along the commercial property and the Spring Creek area. They will discuss this again in one
191 month.

192 Mayor and Council Reports: Discussion was held on when people would be gone on vacation.
193 The mayor and mayor pro tem will both be gone this Monday and Tuesday. Councilmember
194 Okelberry will fill in as pro tem, if needed.

195 Councilmember Wright informed that Todd Rasmussen is in the process of purchasing the
196 Guillen property at the Y of River Heights Boulevard and Orchard Drive. In his efforts to re-
197 landscape, he would like to have some trees removed that are most likely in the city's right of way.
198 Councilmember Wright feels it's a good idea since they are very near a retaining wall. The other
199 council members agreed.

200 Councilmember Wilson said a resident asked her to drive down 600 East to see how bumpy it
201 was. Ms. Wilson did and agreed. She asked why it was so, and what can be done about it. She was
202 told there have been new water lines installed. PWD Nelson said it's hard to patch to a road that isn't
203 already smooth. Engineer Rasmussen has given a cost estimate of \$600,000 to smooth it out for a few
204 blocks. Councilmember Clausen suggested going to two or three contractors for their input on how to
205 fix it up and what they would charge. Mr. Nelson reminded that 400 South will be redone this summer
206 and will go through the intersection.

207 Discussion was held on the condition of the asphalt patch on 400 South between 700 and 800
208 East. Mr. Nelson will meet with Engineer Rasmussen to see if the contractor needs to be called back
209 to replace it. Mayor Brackner would like this done right away.

210 Councilmember Clausen asked about the sale of the reservoir property in Logan. Mayor
211 Brackner responded that Attorney Jenkins hasn't responded to our question on the status.

212 Councilmember Clausen discussed a quick update on the countywide wastewater situation.
213 Mayor Brackner reported they will be meeting with the State Water Resource Department in June.
214 There is contention with the other city mayors so it's unsure how it will shake out.

215 Mayor Brackner brought up the cleaning of the city building. It wasn't working out to have the
216 public works department take care of it. Recorder Lind's daughter has been doing the cleaning until
217 the Council decides how else to handle it. PWD Nelson feels it should be advertised. Councilmember
218 Wilson said they will have Chyanne Lind do it until the city advertises.

219 Mayor Brackner discussed the new office phone system. They felt it would be beneficial since
220 they will soon have four offices (two upstairs and two down). The city received two bids; one from
221 Century Link and the other from Randy Grover. He and Treasurer Wilker decided the best deal would
222 be with Randy Grover. By making the deal before May 30, the city received four free phones. There
223 will be a separate line for the fax, and four separate lines; one for each office. The council approved.

224 Councilmember Smith reported on the CVTD tax increase proposal. They have reworded their
225 resolution, which he doesn't feel is any better than the previous one. He would like a discussion about
226 it on the next agenda.

227 Councilmember Smith asked for suggestions on an Apple Days chair. The co-chairs are all in
228 place. Councilmember Wilson gave a name of a person Mr. Smith could try. Mr. Smith said the
229 Youth Council is coming along fine.

230 Councilmember Okelberry is going to work on the city emails again in order to cut back on the
231 spam.

232 Mayor Brackner reported that the city received a letter from the DEQ, stating River Heights is
233 not in compliance. PWD Nelson is aware of it and explained how the water sampling works. He feels
234 the city doesn't need to run the smallest well. He will ask the state if it can be taken off line to save
235 money on sampling.

236 Mayor Brackner has received a letter from the County, explaining that there is a certain amount
237 of RAPZ money available to River Heights. The city needs to turn in a request for it to be used on a
238 specific parks related project. Councilmember Wilson will apply for a concrete border to go around the
239 old playground.

240 Councilmember Wright reported the Commission is working on the biannual moderate income
241 housing report.

242 The meeting adjourned at 8:45 p.m.

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Sheila Lind, Recorder

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248 James Brackner, Mayor