

River Heights City Council
Minutes of the Meeting
October 22, 2013

Present were: Mayor William Baker
Council members: Doug Clausen
Kathryn Hadfield
Richard Okelberry
Dixie Wilson
Blake Wright

Recorder Sheila Lind
Public Works Director Clayton Nelson
Finance Director Ross Mann

Others Present: Mary Barrus, Kyrsten Smith, Bob Green, Mandy Peterson, Geoff Smith, Joan Humpherys, 2 Matthews Girls, Jim Brackner, Tara Bankhead, Ian Jensen, Lisa Ellis, Katherine Ruggeri

The following motions were made during the meeting:

Motion #1

Councilmember Okelberry moved to “adopt the minutes of the October 8, 2013 Council meeting with changes and the evening’s agenda.” Council member Wilson seconded the motion, which passed with Clausen, Hadfield, Okelberry, Wilson and Wright in favor. No one opposed.

Motion #2

Councilmember Clausen moved to “pay the bills as listed, with the library bill coming out of the Community Affairs Budget, rather than Admin.” Councilmember Clausen seconded the motion, which passed with Clausen, Hadfield, Okelberry, Wilson and Wright in favor. No one opposed.

Motion #3

Councilmember Wilson moved “not to charge convenience fees for building and park rentals.” Councilmember Clausen seconded the motion, which carried with Clausen, Hadfield, Okelberry, Wilson and Wright in favor. No one opposed.

Motion #4

Councilmember Clausen moved to “schedule a public hearing, regarding the petition to remove the statement on the Willow Springs Annexation Plat.” Councilmember Hadfield seconded the motion, which carried with Clausen, Hadfield, Okelberry and Wright in favor. Councilmember Wilson voted against.

Proceedings of the Meeting:

The River Heights City Council met at 6:30 p.m. in the Ervin R. Crosbie Council Chambers in the River Heights City Building on Tuesday, October 22, 2013.

Opening Remarks and Pledge of Allegiance: Councilmember Clausen opened with an expression of gratitude for the residents that showed up for 'Meet the Candidates Night.' He was impressed with the number of people and their interest. Councilmember Wilson led the group in the Pledge of Allegiance.

Adoption of Previous Minutes and Agenda: Minutes of the October 8, 2013 Council meeting were reviewed with three minor changes made.

Councilmember Okelberry moved to "adopt the minutes of the October 8, 2013 Council meeting with changes and the evening's agenda." Council member Wilson seconded the motion, which passed with Clausen, Hadfield, Okelberry, Wilson and Wright in favor. No one opposed.

Pay Bills: The bills were presented and discussed. Discussion was held on the Providence bill for the library, which was for 2012. Budget Officer Mann stated Providence has also billed late (into the next fiscal year) for salt and now for the library. Tara Bankhead was in attendance, representing Providence City. She apologized for the late bills and attributed it to the employee turnover they've had lately. Mayor Baker said they received an invoice, but not a letter of explanation. Ms. Bankhead said they are very sorry about the way it was handled.

Councilmember Clausen moved to "pay the bills as listed, with the library bill coming out of the Community Affairs Budget, rather than Admin." Councilmember Clausen seconded the motion, which passed with Clausen, Hadfield, Okelberry, Wilson and Wright in favor. No one opposed.

Finance Director Report: Finance Director Ross Mann has met with the auditor. They have found some differing balances. They will meet again to get it worked out before the audit is presented to the council on November 12. Councilmember Okelberry asked if the library bill can be pushed back into 2012. Mr. Mann said this can be done through the audit. Councilmember Wilson asked about some reports that weren't accurate last time; she wondered if they were now. Mr. Mann said there were only minor changes. He will report this next month. He will leave cash flow reports in the council's boxes.

Purchase Requisition Requests: There were none.

Public Works Report and Discussion: Clayton Nelson reported on the following:

- The 400 South water line is close to being finished. He's hoping by next week. Councilmember Clausen wants to discuss liquidated damages. He doesn't feel they should get totally off the hook for running late on the project. They will have discussions about this with City Engineer Rasmussen.
- The park hasn't closed yet since the weather is still good.
- They have filled in an area on the ball diamond with grass seed and have closed the diamond until it grows back.
- The sprinklers in the park area will be blown out soon.

Administrative Report: Ms. Lind didn't have anything.

Public Comment: Bob Green announced that the bad renters at 680 East 400 South have moved out and someone else has bought the property. Mayor Baker said he has talked to the previous property owner who told him the property will be cleaned up. PWD Nelson said the new owner reported the inside of the building was quite clean. He will make it look very nice.

92 Discuss Credit vs. Debit Cards to be used on Building Rental Deposits: Councilmember
93 Wilson said she has checked into this and found that banks give the customer an option of whether
94 their debit card will have a credit line. But, the city would have no way to know this. She feels the
95 city shouldn't take a debit cards since they may not have the funds if the city needed to charge
96 additional fees for damages.

97 Recorder Lind asked about waiving the convenience fee since the renter would have no other
98 option to pay. Councilmember Wilson agreed.

99 **Councilmember Wilson moved "not to charge convenience fees for building and park
100 rentals." Councilmember Clausen seconded the motion, which carried with Clausen, Hadfield,
101 Okelberry, Wilson and Wright in favor. No one opposed.**

102 Survey Requirements for Vacation Plat: Mayor Baker said the survey didn't get done in time
103 for the meeting. He described the property as a piece of ground that defaulted to the city when the
104 Weston property was annexed to River Heights. The city needs to have it surveyed and recorded
105 before they can vacate/sell it.

106 Riverdale Road Discussion: Mayor Baker explained, at the request of the Council, the
107 residents of the Riverdale Area petitioned the city for: "... governing body to amend the original plat
108 by removing the old paragraph and accompanying signatures from the plat to better represent the
109 conditions and undersigned of the present property owners."

110 All but two of the property owners signed the petition. Howard Demars (Griffin property) sent
111 a letter (included with the minutes) stating they oppose removing the wording from the plat. Mike
112 Jablonski also sent a letter which states his, and his wife's position, which Mayor Baker read in the
113 meeting (also included with the minutes).

114 Mayor Baker asked the Council to discuss whether the city will remove the asphalt sections of
115 the road and add 2-3 inches of recycled asphalt over the top. He has been told this will hold up better
116 than gravel and will last 2-3 years. PWD Nelson said this method is much more expensive initially as
117 well as maintenance.

118 Councilmember Clausen clarified: The residents are asking the city to remove the entire
119 statement which would then make the city responsible for water, sewer lines and roads? Mary Barrus
120 said this is correct. Mr. Clausen read from City Attorney Jenkins comments regarding the situation.
121 He recommended an amended statement to the current wording of the plat. The residents have now
122 asked for removal of the whole statement (except for 2 property owners).

123 Councilmember Hadfield asked if the city owns the lane. Mayor Baker said the city is
124 responsible for it since it has been used as a road for so many years. Mayor Baker said if the statement
125 is removed then the city can widen the road at their discretion.

126 PWD Nelson reminded that this only applies from the sharp corner going south. Mayor Baker
127 said anything that happens east of there will be done by the property owners. Mary Barrus said the
128 Humpherys were not part of the newer subdivisions east of the sharp corner.

129 Mayor Baker said this lane is one of the most expensive things the city will pay for. He
130 discussed the costs of upgrading. Mary Barrus agreed that it is costly, but they pay their taxes, too.
131 It's not their fault their road has been neglected.

132 Discussion was held on the water lines. Some of the properties are fed from a Logan City line.
133 Others are on River Heights' water. If a River Heights line needed to be replaced, who would replace
134 it? PWD Nelson said the city would 'fix it,' not replace it. Councilmember Okelberry assumed the
135 road resurfacing would hold up for a long time since there won't be much traffic on it. Mr. Nelson
136 explained that the snow plow ruins the road more than traffic.

137 Councilmember Hadfield asked if resurfacing and adding speed bumps would save money in
138 the long run. Mayor Baker said this will be brought up at the hearing. Ms. Hadfield would like the
139 city to revisit the Humpherys' situation.

140 PWD Nelson reminded that the 4 property owners on the east are supposed to get the road up to
141 code, as well as curb, gutter and sidewalk. The boundaries and verbiage are shown on their
142 subdivision plats.

143 Councilmember Clausen asked if the hearing will only address the lower (west) half of the
144 road, not the upper part. PWD Nelson asked the council to decide on the entire road all at once, even
145 though they are two different situations. He was told there will be further discussion on the newer
146 (east) area.

147 Councilmember Okelberry asked Councilmember Wright if the city ordinance dictates the
148 city's need to expand the road if they takes it over. Mr. Wright said he isn't aware of anything of this
149 nature. He explained that the General Plan has laid out the roads and sizes for the future. It will
150 happen when development occurs. Those that will benefit most from a larger road will pay for it.

151 Councilmember Hadfield doesn't begrudge doing anything on the road. It's the city's
152 responsibility, even though it is costly. PWD Nelson feels the letter says the city can take care of
153 things until the residents don't like it, then they'll put a stop to it.

154 Mary Barrus said the 16 foot boundary of the road has eroded over time. Mayor Baker said a
155 survey will need to be done at some point. Ms. Barrus asked if it would be advisable for the group to
156 pursue disconnection from River Heights. The Council didn't agree with this. Councilmember Wilson
157 said they want the area in River Heights. She also agrees that property owner's rights are important
158 and they need to do what they feel is best. Ms. Barrus said they fought hard to get in River Heights but
159 they feel bad when the city says how expensive they are.

160 Mayor Baker reminded that the city attorney recommended the city keep the statement on the
161 plat and add an amendment of clarification. This is not what the residents are requesting.

162 Lisa Ellis remembers when part of 600 South was a dirt road. When there was a need, it was
163 paved. She said as time goes on, they would like a nice road in the Riverdale Area. The entity needs
164 to do what's best for the city. She asked who would make the decision. Mayor Baker said it will be up
165 to the Council. Mary Barrus said there are no property owners that oppose maintenance of the road.

166 **Councilmember Clausen moved to "schedule a public hearing, regarding the petition to**
167 **remove the statement on the Willow Springs Annexation Plat." Councilmember Hadfield**
168 **seconded the motion, which carried with Clausen, Hadfield, Okelberry and Wright in favor.**
169 **Councilmember Wilson voted against.**

170 Councilmember Clausen guesses they will hold the hearing and then at their next meeting the
171 Council would discuss and make a decision about the road.

172 Mayor Baker said if it snows before a decision is made, we will be waiting until spring. PWD
173 Nelson said the city may not want to spend the money on the road just before winter.

174 Discussion was held on the nebulousness of the statement on the plat. Mayor Baker said the
175 Council can decide whether or not to grade the road because the city has done it in the past. The
176 Council wasn't sure about this. Councilmember Okelberry suggested waiting for the public hearing.
177 Councilmember Hadfield would like copies of the petition and letters that were read at the meeting.

178 Mary Barrus asked Mayor Baker if each property owner will get an invitation to the public
179 hearing. He agreed. The hearing will be held on November 12.

180 Mayor and Council Reports: Councilmember Wright informed that the Planning Commission
181 is going to hold a public hearing on November 5 to consider a handful of ordinance changes. He
182 anticipates it will be sent to the Council for consideration the following week.

183 Councilmember Wilson asked about an eagle project idea. Mayor Baker said the city has a trail
184 to install from 800 South to 100 East. The scout can call Mayor Baker or Councilmember Clausen for
185 details. Ms. Wilson reported the carpet samples for the basement are ready to look at. She will make
186 the final decision this week. She likes the 'No Dogs' signs that she's seen in the park.

187 Councilmember Clausen reported that he and Recorder Lind are still working with the school
188 district and Logan City regarding utility billing.

189 Councilmember Okelberry didn't have anything.

190 Councilmember Hadfield said the Tree Lighting is the first Monday in December.

191 Mayor Baker has asked Apria Martin and Paige Mansell (crossing guards) to help the school
192 children get around the open trenches on the roads, due to Saddle Rock construction. He asked for
193 three cones that could be used in the area. He also asked for a temporary sidewalk. PWD Nelson
194 would like Dan Hogan to pour the sidewalk going east and west or they'll be fighting a mess all winter.
195 Mayor Baker will discuss this with City Engineer Rasmussen.

196 Mayor Baker said he will get copies of the vacation plat to the council members, as soon as he
197 has them, for their review before the next meeting.

198 PWD Nelson informed there is a scout doing a bench painting project in the park right now.
199 They will match the tables in the pavilion.

200 Councilmember Hadfield asked about the Christmas Party. Councilmember Wright suggested
201 putting the Planning Commission in charge. It will be held on Dec 10.

202 The meeting adjourned at 7:45 p.m.

203
204
205
206
207 _____
208 Sheila Lind, Recorder

209 _____
William Baker, Mayor