River Heights City

COUNCIL MEETING AGENDA

Tuesday, July 12, 2016

Notice is hereby given that the River Heights City Council will hold its regular council meeting beginning at 6:30 p.m. in the River Heights City Office Building at 520 S 500 E.

6:30 p.m.	Opening Remarks and Pledge of Allegiance
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6:35 p.m. Adoption of Previous Minutes and Agenda

Pay Bills

Finance Director Report Purchase Requisitions Public Works Report Administrative Report Public Comment

6:45 p.m. Public Hearing to Gather Input on the Formation of a Water District

7:15 p.m. Public Hearing to Discuss and Adopt an Ordinance Regarding a Boundary

Adjustment between River Heights and Logan City

7:25 p.m. Public Hearing Regarding the Adoption of an Ordinance Providing for the

Compensation of Elected and Statutory Officers of River Heights City

7:30 p.m. Mayor and Council Reports

7:45 p.m. Adjourn

Posted this 8th day of July 2016

Sheila Lind, Recorder

In compliance with the American Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Sheila Lind, (435) 770-2061 at least 24 hours before the meeting.

River Heights City

Council Meeting July 12, 2016 5 6 7 8 Present were: Mayor James Brackner Council members: Doug Clausen 9 Robert "K" Scott 10 Dixie Wilson 11 12 Blake Wright 13 Recorder Sheila Lind 14 Public Works Director Clayten Nelson 15 Finance Director Clifford Grover 16 17 Excused: Councilmember Geoff Smith 18 Treasurer Wendy Wilker 19 20 Others Present: Gayle Brackner, Cindy Schaub, Gordon Zilles, Bob 21 Fotheringham, Darlene Craney, Leon and Betty Brackner, 22 Vic Little, Bracken Atkinson The following motions were made during the meeting: 25 26 27 Motion #1 Councilmember Clausen moved to "adopt the minutes of the June 14, 2016 Council Meeting, 28 and the evening's agenda." Councilmember Scott seconded the motion, which passed with Clausen, 29 Scott, Wilson and Wright in favor. Smith was absent. No one opposed. 30 31 32 Motion #2 Councilmember Clausen moved to "pay the bills as listed, including a bill for \$100 to the 33 Matthews family for delivery of the newsletter." Councilmember Scott seconded the motion, which 34 passed with Clausen, Scott, Wilson and Wright in favor. Smith was absent. No one opposed. 35 36 Motion #3 37 Councilmember Wright moved to "adopt Ordinance #3-2016, An Ordinance to Adjust a 38 Common Boundary between River Heights and Logan City, contingent upon the property description 39 being modified to keep 33 feet adjacent to 500 South in River Heights City for a right-of-way." 40 Councilmember Scott seconded the motion, which passed with Clausen, Scott, and Wright in favor. 41

Motion #4

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Councilmember Clausen moved to "adopt Ordinance # 4-2016, An Ordinance Providing for the Compensation of Elected and Statutory Officers of River Heights City, with a change to the payment

Wilson opposed. Smith was absent.

schedule; all elected officials and the finance director will be paid monthly, others will be paid biweekly." Councilmember Scott seconded the motion, which carried with Clausen, Scott, and Wright in favor. Wilson opposed because she didn't agree with the Council getting a raise, but agrees with the other raises. Smith was absent.

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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, July 12, 2016.

Opening Remarks and Pledge of Allegiance: Councilmember Clausen opened the meeting with patriotic comments. Mayor Brackner led the group in the Pledge of Allegiance.

Adoption of Previous Minutes and Agenda: Minutes of the June 14, 2016 Council Meetings, were reviewed.

Councilmember Clausen moved to "adopt the minutes of the June 14, 2016 Council Meeting, and the evening's agenda." Councilmember Scott seconded the motion, which passed with Clausen, Scott, Wilson and Wright in favor. Smith was absent. No one opposed.

Pay Bills: The bills were presented and discussed. Recorder Lind asked if the Council would consider adding a bill, in the amount of \$100, from the Matthews family, who delivered the newsletter this month. They agreed

Councilmember Clausen moved to "pay the bills as listed, including a bill for \$100 to the Matthews family for delivery of the newsletter." Councilmember Scott seconded the motion, which passed with Clausen, Scott, Wilson and Wright in favor. Smith was absent. No one opposed.

Finance Director Report: FD Grover presented and discussed the Financial Summary to date. Purchase Requisition: There was none. Councilmember Clausen reminded that the city requires three different bids for purchases over \$7,500. He asked that the Council see the bids before a decision is made on a purchase that exceeds this limit.

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

- He has talked with Logan Public Works Director Mark Nielson about the intersection at 1000 East and Lamplighter, which they plan to redo in conjunction with the new Johnson Subdivision. Logan City is paying for all the footwork on associated costs. Mr. Nelson said, it sounds like Logan is going to cover everything except the sidewalk/curb and gutter on the east side. It will be a Logan road afterward (rather than county) from Center Street to the Johnson Subdivision. Mr. Nelson feels Logan should maintain the curb and gutter since they will own the road. They will have a price for the project soon.
- The surveyor should be here tomorrow to get started on the 600 East Road project.
- The surveys are being drawn up on the 700 South easements.
- The 600 South road is cut. They are waiting for the guy with the laydown machine to say when he is available. Once they find out, they'll hurry and get everything in place. He's planning on the city doing as much as they can. Mayor Brackner asked if they should get bids. Mr. Nelson felt the cost of the laydown machine wouldn't reach \$7,500. Councilmember Clausen and FD Grover asked for bids anyhow. Mayor Brackner felt bids weren't needed if the work was being done internally. Mr. Nelson will find out what the cost would be for the machine. If its over \$7,500 he will get other bids.
- The 700 South water line looping should go out for bid this week.

 The roads seal coating is finished for the year.
Administrative Report: Recorder Lind didn't have anything.
Public Comment: There was none.

<u>Public Hearing to Gather Input on the Formation of a Water District:</u> Gordon Zilles and Bob Fotheringham were in attendance to present the Purpose Statement and answer questions regarding the formation of a water district. Mr. Zilles explained his position on the County Council. Mr. Fotheringham is the County Water Coordinator.

Mayor Brackner read the Call to Order and the First Protest Declaration from the hearing outline. Bob Fotheringham handed out copies of and discussed the Purpose Statement. He asked for questions.

Darlene Craney asked what would constitute a protest. Mayor Brackner said it is a written statement of opposition toward allowing the issue to go on the ballot. She asked if there needed to be a reason why. She was told there doesn't. Mayor Brackner said there would need to be 25% of the voters, of the last presidential election, to file a protest for it to make a difference. It doesn't need to be the same people who voted in the election, but they do need to be a registered voter.

Cindy Schaub asked what the District really does. She was given a handout to read. Mr. Fotheringham explained the District is a form of government that manages water under the state of Utah. The districts in Salt Lake are planning for Cache Valley's water eventually, so it needs to be protected. He assured that the District can't interfere with personal shares. It will provide continuity in the county and manage water that may become available.

Ms. Craney asked if it would be the first district in the state. Mr. Fotheringham said it will be the first board in which the members are voted in and set up in this particular way. There will be seven people voted in from the seven different areas of the valley. Additionally, one person will be appointed over agricultural.

Ms. Craney asked the reasons that some people object to the District. Mr. Fotheringham said people cant see what's in it for them. They also object because it's a taxing entity. But, they can only tax up to 2 mils. They won't have taxing ability for the first four years, until all the board is elected.

Mr. Zilles hopes everyone will think this through. The ones that will really benefit from this District is our grandkids and great-grandkids. There won't be a big benefit for those of us here. The tax is for research and studies. If they do a project, it will be for paid by those that benefit from it.

Vic Little, of Paradise Town Council, said he came to see how other cities are handling their hearings. He feels if we don't come together as a community, our valley will lose its water. They need a way to get some money for research. He used to be against the District but has changed his mind.

Dennis Rhoton asked if the District would cause River Heights to lose any control over their culinary water. Mr. Fotheringham said absolutely not. The District cannot take away water.

Councilmember Wilson asked if the District will charge any more fees for irrigation water. Mr. Fotheringham said there are no additional fees on specific water. The charge will be through taxes. The only fees charged will be for specific projects and will be paid for by those that are benefitting from the new projects. The tax will be used for a strategy that will help all those in the valley.

Councilmember Wilson asked what the State of Utah Water Division does and if the District would take over their job. Mr. Fotheringham explained they'll do the same as they have always done. Ms. Wilson wondered if both entities would be managing the same water. Mr. Fotheringham recommended reading a specific report that explains it. Ms. Wilson asked if the District would have an arm that will ask for proof of usage. She was told no, that still belongs to the state.

Mayor Brackner continued to read from the hearing outline, explaining the process for filing a protest. There were no further questions. He closed the hearing.

Mr. Zilles thanked all those in attendance for coming.

Public Hearing to Discuss and Adopt an Ordinance Regarding a Boundary Adjustment between River Heights and Logan City: Mayor Brackner explained the location of the property that is presently in River Heights. River Heights could not provide them with water and sewer without incurring a cost of about half a million dollars. Logan City can provide the needed utilities. He reminded that the Council previously passed a resolution in support of adjusting the city boundaries to move this property into Logan.

Councilmember Wright asked if the ordinance's property description included the 500 South 33' right-of-way. Mayor Brackner said the right-of-way description hasn't been finished up yet. Bracken Atkinson verified that it has not been incorporated into the legal description yet. He requested an approval of the ordinance with a contingency of the right-of-way description.

Councilmember Wright moved to "adopt Ordinance #3-2016, An Ordinance to Adjust a Common Boundary between River Heights and Logan City, contingent upon the property description being modified to keep 33 feet adjacent to 500 South in River Heights City for a right-of-way." Councilmember Scott seconded the motion, which passed with Clausen, Scott, and Wright in favor. Wilson opposed. Smith was absent.

Public Hearing Regarding the Adoption of an Ordinance Providing for the Compensation of Elected and Statutory Officers of River Heights City: Mayor Brackner discussed the proposal from the budget workshops. He read the ordinance aloud. It was pointed out that the mayor, council and finance director get paid once/month. The other employees get paid biweekly.

Councilmember Clausen moved to "adopt Ordinance # 4-2016, An Ordinance Providing for the Compensation of Elected and Statutory Officers of River Heights City, with a change to the payment schedule; all elected officials and the finance director will be paid monthly, others will be paid biweekly." Councilmember Scott seconded the motion, which carried with Clausen, Scott, and Wright in favor. Wilson opposed because she didn't agree with the Council getting a raise, but agrees with the other raises. Smith was absent.

Mayor and Council Reports: There were none.

The meeting adjourned at 7:35 p.m.

James Brackner, Mayor

Sheila Lind, Recorde

River Heights Cit	ty Bills To Be Paid	ter in the					July 12	, 2016		
Payee	Description	Admin.	P&Z	Parks/Rec	Pub. Safety	Com. Aff.	Roads	Water	Sewer	Total
0-39 Online	Apple Days Banner & Web Design					\$192.50				\$192.
Alicia Price	Apple Days Rodeo and Parade Prizes					\$101.10		Same		\$101.
AT&T Wireless	Cell Phones (3)	\$93.02	6					\$92.90	\$93.07	\$278.
Blue Stakes of Utah	E-Mail Notifications						\$27.62	\$27.62	\$28.46	\$83.
Caselle, Inc.	Monthly Contract Support	\$91.69						\$91.66	\$91.65	\$275.
Chevron & Texaco	Fuel Charges			\$43.96			\$43.95	\$43.95	\$43.95	\$175
City of Logan	Sewer Late Fee						1.00	- 1	\$295.62	\$295
Forsgren Associates, Inc.	650 South, Impace Evaluation, Saddle, Ge	\$652.50	\$312.50	\$168.84			\$262.54	\$347.06	\$347.06	\$2,090
Freedom Mailing, Services, Inc.	Bill Processing	\$132.28	4.00		450	200	6536	\$44.09	\$44.09	\$220
ntermountain Farmers	Fertalizer & Weed Killer			\$318.92			\$63.79			\$382
t Works	Treasurer PC and printer, Caselle, Docuwa	\$382.50	8 %					- 1	-	\$382
Lowe's	Hose, Shovel, Wasp Spray, Shop Supplies			\$50.15			\$50.15	\$50.16	\$50.16	\$200
Renegade Rentals	Cut Weeds on 4 Acres			\$302.00		19.				\$302
Rocky Mountain Power	Electricity	\$135.41		\$94.17	\$22.02		\$1,192.78	\$4,854.97	\$35.69	\$6,335
Roto Rooter	Portable Toilet Soccer			\$100.00		- 31				\$100
Sam's Club	Office Paper	\$27.98								\$27
Secure Instant Payments	Online Payments Processing Fee	\$20.07					2.0	\$20.06	\$20.07	\$60
Sunrise Environmental Scientific	Glare, Zappers, Preen	100		\$239.31			\$55.65	\$55.65	\$55.65	\$406
The Clean Spot	Cleaning Supplies/Bathroom Supplies			\$144.75						\$144
Twin "D" Inc.	Sewer Main Line Cleaning								\$8,000.00	\$8,000
Utah Municipal Clerks' Association	Recorder Dues Annual	\$100.00								\$100
Janet matthews	Newsletter Petivery					100.00				
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ine #7 City Of Logan Late Fee Paid or	n 07/06/16 delivered 07/08/16 \$295.62						_ 1			
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River Heights City Financial Summary July 12, 2016

			Cash B	alance			
			05/31/16	06/30/16	Net Change	% of Total	
⊸h Ba	alance By Fund						
		General Fund	307,268.48	276,586.15	(30,682.33)	22.49%	
		Capital Projects Fund	(21,464.16)	3,380.05	24,844.21	0.27%	
		Water Fund	74,873.20	103,626.75	28,753.55	8.43%	
		Sewer Fund	839,927.25	846,296.41	6,369.16	68.81%	
	Total Cash Bal	ance	1,200,604.77	1,229,889.36	29,284.59	100.00%	
Budget	Summary						
						% Of	
					Unexpended	Budget	% Of Time
			YTD Actual	Annual Budget	Budget	Incurred	Incurred
Ge	eneral Fund						
	Revenue		701,486.61	631,681.00	(69,805.61)	111.05%	100.27%
	Expenditures	Administrative	136,274.47	147,050.00	10,775.53	92.67%	100.27%
		Office	12,284.83	13,185.00	900.17	93.17%	100.27%
		Community Affairs	11,627.06	17,600.00	5,972.94	66.06%	100.27%
		Planning & Zoning	7,095.30	10,200.00	3,104.70	69.56%	100.27%
		Public Safety	95,990.06	96,700.00	709.94	99.27%	100.27%
		Roads	76,889.61	89,900.00	13,010.39	85.53%	
		Parks & Recreation	51,170.98	61,650.00	10,479.02	83.00%	
		Sanitation	126,751.18	120,000.00	(6,751.18)	105.63%	
		Transfer To CP Fund	75,000.00	-	(75,000.00)		100.27%
	Total Expendit	ures	593,083.49	556,285.00	(36,798.49)	106.62%	100.27%
	Net Revenue C	Over Expenditures	108,403.12	75,396.00	(33,007.12)		
Ca	pital Projects Fu	od.					
Ca	Revenue	ild	75,114.84	200.00	(74,914.84)		100.27%
			,		(
	Expenditures	Administrative	6,686.69	8,050.00	1,363.31		100.27%
		Roads	396,822.77	457,672.00	60,849.23		100.27%
		Parks & Recreation	7,616.75		(7,616.75)		100.27%
	Total Expendit	ures	411,126.21	465,722.00	54,595.79		100.27%
	Net Revenue C	Over Expenditures	(336,011.37)	(465,522.00)	(129,510.63)		
W	ater Fund						
MARKET HITCHISTORY	Revenue		411,979.19	344,250.00	(67,729.19)	119.67%	100.27%
	Expenditures		225,191.39	302,175.00	76,983.61		100.27%
		Over Expenditures	186,787.80	42,075.00	(144,712.80)		
Se	ewer Fund Revenue		230,382.48	199,300.00	(31,082.48)	115.60%	100.27%
	Expenditures		155,355.10	191,575.00	36,219.90		100.27%
		Over Expenditures	75,027.38	7,725.00	(67,302.38)	01.05/0	100.27/0
	Net Revenue C	over expenditures	73,027.38	7,725.00	(07,302.38)		

CACHE WATER DISTRICT

SUGGESTED PUBLIC HEARING OUTLINE

- I. Call to Order: After the pledge of allegiance and/or prayer, according to the custom of the county or municipal council, and any other appropriate business has been conducted, the person chairing the meeting should declare something like: "The public hearing of the Public Hearing of the Public Hearing of the purpose of allowing the public to ask questions and obtain further information regarding issues contained in or raised by a Resolution adopted by the Council that will place before the voters the question of whether a water conservancy district to be known as the Cache Water District should be created is declared to be open at p.m. on Indian Market Mar
 - First Protest Declaration [A declaration at the start of the hearing is statutorily mandated]: The person chairing the meeting should declare: "The proposal for the voters to vote on the creation of the Cache Water District is the subject of a series of public hearings to be held by the Cache County Council and by the legislative body of each participating municipality within Cache County. Following the public hearings, the question of whether the Cache Water District will be created will be placed before the voters during the November, 2016 general election. Owners of private land or registered voters residing within a participating municipality who do not want the proposition to be placed before the voters may file a protest with the clerk or recorder of that municipality and owners of private land or registered voters residing within unincorporated portions of Cache County may file a protest with the Cache County Clerk. All protests must be filed by no later than September 12, 2016, which is 60 days after the last public hearing. If sufficient protests are timely filed, either the election will not be held or the municipality or unincorporated Cache County, for which adequate protests have been timely filed, will be removed from the proposal to create the Cache Water District and from the election. Protests are adequate if filed by the owners of at least 25% of the total private land area and at least 15% of the private land value within the subject municipality or unincorporated Cache County (each of which is an "applicable area") or by registered voters residing within the applicable area equal in number to at least 25% of the number of votes cast in the area for the office of President of the United States at the most recent election prior to the adoption of the Resolution. If adequate protests are not filed, the election will be held and the voters will decide whether the Cache Water District will be created."
 - III. Presentation of Information: The person chairing the meeting should introduce the person(s) who will explain the reasoning behind the proposal to create the Cache Water District and benefits that are anticipated as a result of the creation of the District and will

- respond to questions from members of the public. Time should then be turned over to the identified person(s) to present basic information.
- IV. Public Comments and Questions: The Chair should invite members of the public in attendance to identify themselves for the record and present questions and comments respecting the proposition to present before the voters the creation of the Cache Water District. [Reasonable time limitations may consistently be applied and the chair may exercise reasonable control over the comments, but it is recommended that anyone wishing to speak be given an opportunity to do so. It is also recommended that questions be answered as they are raised, rather than be deferred.]
- V. Final Protest Statement [A second declaration at the end of the public hearing is mandated by statute]: After everyone has been heard, the Chair should thank them for attending and participating and state the following: "As stated at the beginning of this public hearing, any owner of private land and any registered voter who desires that the election on the question of the creation of the Cache Water District not take place may file a protest with the Cache County Clerk, if the land is located or the registered voter resides in the unincorporated portion of Cache County, or with the municipal clerk or recorder if the land is located within a participating municipality or the registered voter resides within the municipality. The protest must be filed on or before September 12, 2016, which is 60 days after the date of the last of the series of public hearings dealing with the proposed creation of the Cache Water District."
- VI. Close Hearing: Declare the public hearing to be closed.
- VII. Other Business and Adjournment: Conduct other business on the agenda, if any, before declaring the meeting to be adjourned.

4845-9060-8177, v. 1

CACHE WATER DISTRICT PURPOSE

Our water. Our future. Our choice

The purposes of the District include planning for and facilitating the long-term conservation, development, protection, and stabilization of water rights and water supplies for domestic, irrigation, power, manufacturing, municipal, recreation and other beneficial uses, including the natural stream environment, in a cost effective way to meet the needs of the residents and growing population of Cache County.

In furtherance of protecting and preserving water supplies that are necessary for Cache County's future, the District will:

- Assist in water conservation education and programs
- Assist local municipalities and Cache County as they establish and implement water management policies and ordinances, while maintaining the autonomy of existing water suppliers
- Undertake environmental and other studies to provide information necessary to make proper, timely water use decisions
- Obtain grants and low cost loans for the upgrade and construction of needed water infrastructure

ORDINANCE 3-2016

AN ORDINANCE TO ADJUST A COMMON BOUNDARY BETWEEN RIVER HEIGHTS CITY AND LOGAN CITY

BE IT ORDAINED BY THE RIVER HEIGHTS MUNICIPAL COUNCIL, STATE OF UTAH, AS FOLLOWS:

WHEREAS, the Municipal Council of the City of River Heights finds that it is in the best interest of River Heights to adjust the boundary between the City of River Heights and the City of Logan; and

WHEREAS, the property is identified as parcel #02-026-0002 in the parcel records of Cache County, State of Utah, located at approximately 200 East and 600 South in River Heights, Utah, and comprising approximately 5.44 acres; and

WHEREAS, the boundary adjustment as set forth below will not materially injure the public in general or any person.

NOW, THEREFORE, BE IT ORDAINED, that the River Heights City Council has approved the adjustment of the common boundary in accordance with Utah Code Section 10-2-419, between River Heights City and Logan City to reflect that the following described parcel, which is currently located within the municipality of River Heights City now be located in Logan City with the common boundary being adjusted accordingly:

BEG AT A PT N 1.70 CHS & N 89*10' E 333.96 FT & S 88*07' E 97.07 FT FROM A PT S 6.767 CHS & E 8.1615 CHS FROM THE NW COR OF SW/4 SEC 3 T 11NR 1E N 1*53' E 508.48 FT S 88*21' E 446.35 FT TO NE COR J KARL WOOD PROP S 1*30' W 263 FT S 77*28' E 31FT S 1*20' W 58.5 FT S 28*46' E 39.7 FT S 30*51' W TO PT 424.89 FT FROM BEG W 424.89 FT TO BEG CONT 5.436 AC B1194A.

This ordinance shall take effect immediately upon publication and passage of a similar appropriate ordinance by the City of Logan.

Approved, this 12 th day of July, 2016 by the Riv	ver Heights City Council.
James Brackner, Mayor	
American Company	
ATTEST:	

Sheila Lind, City Recorder

ORDINANCE NO. 4-2016

AN ORDINANCE PROVIDING FOR THE COMPENSATION OF ELECTED AND STATUTORY OFFICERS OF RIVER HEIGHTS CITY

NOW, THEREFORE	, BE IT	ORDAINED	BY TH	E RIVER	HEIGHTS	CITY	COUNCIL	,
THAT:								

1.	Repealer.	All previous	salary of	compensation	ordinances	regarding	elected	and
	statutory o	officers hereby	v are rep	ealed.				

2.	Compensation.	The monthly	compensation	of the	elected	and	statutory	officers
	shall be as follo	ws:						

Mayor \$600.00
Council member
Finance Director
Treasurer
Recorder

- 3. Payment. The treasurer shall pay each elected official and the Finance Director monthly. All other statutory officers will be paid bi-weekly. Payments will be by automatic deposit or by delivery of a check drawn on the municipal checking account.
- 4. Per Diem. Each member of the governing body shall receive mileage and per diem for all trips approved by the governing body according to the schedules adopted by the Utah Department of Finance.
- 3. Effective Date: July 1, 2016

Adopted this 12 th day of July, 20	016.
James Brackner, Mayor	
Attest:	
Sheila Lind, Recorder	