

River Heights City

COUNCIL MEETING AGENDA

Tuesday, September 25, 2018

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.

Opening Remarks (Wright) and Pledge of Allegiance (Thatcher)

Adoption of Previous Minutes and Agenda

Reports and Approval of Payments (Mayor, Council, Staff)

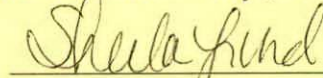
Public Comment

Discuss No-Fault Utility Claims Ordinance

ProLog Flu Repair – Discuss Notification of Nearby Residents

Adjourn

Posted this 20th day of September 2018



Sheila Lind, Recorder

Attachments for this meeting and drafts of previous meeting minutes can be found on the State's Public Notice Website (pnn.utah.gov)

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

September 25, 2018

Present: Mayor Todd Rasmussen
Council members: Doug Clausen
Robert "K" Scott
Dixie Wilson
Blake Wright
Recorder Sheila Lind
Public Works Director Clayton Nelson
Finance Director Clifford Grover
Treasurer Wendy Wilker
Absent Councilmember Elaine Thatcher
Others Present: None

The following motions were made during the meeting:

Motion #1

Councilmember Clausen moved to "adopt the minutes of the council meeting of September 11, 2018 and the evening's agenda." Councilmember Scott seconded the motion, which passed with Clausen, Scott, Wilson and Wright in favor. No one opposed. Thatcher was absent.

Motion #2

Councilmember Clausen moved to "pay the bills as listed." Councilmember Scott seconded the motion, which passed with Clausen, Scott, Wilson and Wright in favor. No one opposed. Thatcher was absent.

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, September 25, 2018 for their regular council meeting.

Opening Remarks and Pledge of Allegiance: Councilmember Wright opened the meeting with a prayer and Councilmember Clausen led the group in the Pledge of Allegiance.

Adoption of Previous Minutes and Agenda: Minutes for the September 11, 2018 meeting were reviewed.

Councilmember Clausen moved to "adopt the minutes of the council meeting of September 11, 2018 and the evening's agenda." Councilmember Scott seconded the motion,

47 **which passed with Clausen, Scott, Wilson and Wright in favor. No one opposed. Thatcher was**
48 **absent.**

49 Reports and Approval of Payments (Mayor, Council, Staff):

50
51 Public Works Director Nelson

- 52 • Mr. Nelson presented a purchase request for a mow curb in Saddlerock Subdivision, installed
53 by Custom Fence at a cost of \$1,738. It will be budgeted under stormwater since it will go
54 around a retention pond. There's one more mow strip needed in Saddlerock and one more at
55 the park.
- 56 • Mr. Nelson presented a second purchase request for Christmas tree lights to Christmas Décor,
57 in the amount of \$1,088.87. There is a discount if it is scheduled early. The company will
58 hang and take the lights down at this price. Mayor Rasmussen felt the price was high. PWD
59 Nelson assured it was worth it. They (city workers) used to hang the lights themselves and it
60 was a big headache. They also ended up spending at least \$300/year to replace burned out
61 bulbs.
- 62 • In regards to the very high water bills from Logan City on the Riverdale meter, he has
63 discovered a meter (belonging to Central Milling) that hasn't been giving a read since April.
64 When he manually read the meter recently, he found it registered 600,000 gallons since it last
65 read correctly. He assured that Central Milling will be back-billed for the amount used.

66 Also, there is a Logan resident (Lundahl) on this line, which should be a deduction to
67 the River Heights bill. Logan City is looking into this.

68 When he and Logan City checked for the leak, on three different occasions, the meter
69 was spinning. One time it stopped while they were there and since then it hasn't been a
70 problem. They wondered if someone had tapped into the line illegally and figured it was the
71 beginning of an investigation, so they stopped. They plan to replace the six meters on the line
72 to make sure they are all working correctly. He feels confident they will find the problem and
73 be able to recover the costs.

74 Treasurer Wilker informed that the gas bill in this area has gone from \$7/month to over
75 \$90.

- 76 • 700 South sidewalk update: The project is basically going well. Their goal is to keep the
77 sidewalk as level as possible, however, on 7-10 driveways the sidewalk and driveway level
78 doesn't match. To fix this, it may cost an additional \$8,000-10,000. It will make the sidewalk
79 look much better.

80 Another issue is, many of the driveways have been dirt and gravel on the city side. He
81 feels the city should pave this area and install a small swale to help with the ongoing drainage
82 problem. This would add another \$8,000-10,000 since driveways were not in the original bid.
83 The question was raised on why the engineers didn't have this figured into the project. Mr.
84 Nelson explained they have changed elevations in places to match existing grade. Mayor
85 Rasmussen felt this would be a smart idea. The same contractor will do the work. The
86 engineer is putting a revised change-order together. They are still waiting for RMP to move a
87 light and for some trees to be removed before they can finish all the concrete. It looks like the
88 project will still stay on schedule.

- 89 • The fence on the sidewalk project needs to be upgraded since the city's ordinance doesn't allow
90 chain link on corner lots. Mayor Rasmussen agreed the city needs to set a precedence with a
91 nice fence along the road/sidewalk. Mr. Nelson will ask Custom Fence for bids on rod iron
92 fences. Rather than have this come back to the Council, they agreed Councilmember Wright

could give his approval. They also agreed with Mr. Nelson's recommendation to extend the concrete from the sidewalk to under the fence. Councilmember Wilson suggested looking into a fence like the one on Logan's dugway. She likes the stamped concrete look.

Mr. Nelson asked for approval on the additional sidewalk project jobs he had discussed, the PR for the Saddlerock mow strip and the PR for the Christmas tree lights. Councilmembers Clausen, Scott and Wright agreed with all of the requests.

- Mr. Nelson was asked about the Saddlerock street lights that were supposed to be installed last week but aren't. He will check with Kendrick Electric on what the hold up is.

Finance Director Grover

- He discussed the Financial Summary. It may look like there are areas of concern, but they have to do with timing. Property taxes will come in during November, which will bump up certain accounts.
- He informed they have closed the Cache Valley Bank account. The \$265,000 they have pulled out will go into the PTIF fund. Councilmember Clausen has heard the CD rate is pretty good right now. Mr. Grover said the PTIF generally tracks with CDs, but he will check before depositing the money. He reiterated the sewer fund is still a concern since it doesn't have a positive cash flow.

Treasurer Wilker

- She presented and answered questions regarding the list of bills to be paid.

Councilmember Clausen moved to "pay the bills as listed." Councilmember Scott seconded the motion, which passed with Clausen, Scott, Wilson and Wright in favor. No one opposed. Thatcher was absent.

Councilmember Thatcher was absent.

Councilmember Scott didn't have anything to report.

Councilmember Clausen

- He and PWD Nelson met with ProLog Irrigation today. They told the irrigation company if they have extra shares they could consider selling them to the city. The Weston's have 25.5 shares they are willing to sell. Bart Weston said the city could make an offer. Mr. Clausen would like to discuss this as a council in one month. ProLog said shares are going for \$250/each.

Councilmember Wilson

- Ms. Wilson expressed appreciation for the beauty of the parks.

Councilmember Wright

- The planning commission has scheduled a public hearing on the Commercial Parking Ordinance on October 2. They will most likely send it to the council to be decided on at their next meeting. The planning commission heard loud and clear from residents that they are concerned about Conservice putting a building on the property they are proposing for a parking lot. The commission has been very restrictive in drafting the commercial parking ordinance.

139 Mayor Rasmussen asked if all the commissioners are on board. Councilmember Wright
140 assumed they were but couldn't guarantee how they would vote. Mr. Rasmussen hoped they
141 felt they could say, "no," if they felt inclined. It bothers him that there is an assumption that the
142 city must accommodate a requestor.

- 143 • The no-fault ordinance went to the planning commission but then he realized they were ill
144 equipped to deal with it since they hadn't been involved with it like the council has.

145
146 Recorder Lind

- 147 • Ms. Lind notified the group that Todd Miller will be retiring this week from being the River
148 Heights mailman for many years. She passed around a card for those who wanted to sign it.
149 Mayor Rasmussen had given approval to include a mayor's recognition coin with the card,
150 thanking him for his service to the residents of River Heights.
- 151 • She didn't end up buying a new scanner because she doesn't believe the scanner is the problem.
152 It is something with her computer system. PWD Nelson thinks it may have something to do
153 with the server and the fact that all our systems are networked.

154
155 Mayor Rasmussen

- 156 • Michael Ballam has contacted him about setting up a meeting to discuss their use of the Old
157 Church. The meeting hasn't been set yet.
- 158 • He attended a Sewer Rate Committee meeting yesterday. When the new sewer plant first went
159 out for bid it came in at 90 million dollars. Next Logan shrank the footprint and made the plant
160 more efficient. This jumped the price to 110 million in 2016. The agency who does the
161 estimates has a current estimate of 135 million. The board came up with three options to deal
162 with the increase cost: 1) Increase sewer rates, 2) increase the CIV loan which is currently at
163 2.5 %, or 3) Go back to the state and ask for an additional \$30 million and have Logan City pay
164 another 5 million. This is the option the committee voted for, which would extend the loan
165 from 20 to 30 years. Mayor Rasmussen clarified, this plant is only to replace the existing
166 volume, not to deal with future volume. They may start the new plant by November 15, if they
167 get funding. If they don't get funding, they will start next spring.
- 168 • Providence City Council has agreed to pay for a portion of the bridge on the Chugg property.
169 The annexation will now move forward again in Providence. Mayor Rasmussen would like
170 River Heights to have something in place to protect 600 South. They discussed not allowing
171 street access and requiring the developer to pay for their portion of developing 600 South.
172 PWD Nelson suggested purchasing a buffer on 600 South and annexing it to River Heights.
173 Councilmember Clausen wanted to make sure River Heights doesn't become responsible for
174 1000 East. Mr. Rasmussen suggested requiring a larger setback on this street. It was unsure
175 how this would work if the property were in Providence. Councilmember Wright suggested
176 asking the city attorney.
- 177 • Providence is unsure if the bridge will go in by the charter school. They may not get COG
178 money.
- 179 • Councilmember Clausen wondered if the property east of the church, in River Heights, will
180 soon be developed. He reminded there is no access. Councilmember Wilson said the Church
181 hasn't sold the property at this point; they haven't declared it as surplus yet.

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183 Public Comment: There was none.

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Discuss No-Fault Utility Claims Ordinance: Discussion was held on the maximum payout and that insurance deductibles could be part of the claim. They discussed getting rid of verbiage that addressed the council budgeting for these payouts, since they felt that would obviously happen.

Councilmember Wright will research a few items and run the draft past the city attorney. He will plan to have the new draft ready in two weeks. He guessed a public hearing may be scheduled for October 23.

ProLog Flu Repair – Discuss Notification of Nearby Residents: Councilmember Clausen said ProLog will take care of notifying the residents when they fix their flu.

The meeting adjourned at 8:30 p.m.



Todd A. Rasmussen, Mayor



Sheila Lind, Recorder

River Heights City
 Financial Summary
 September 25, 2018

Cash Balance By Fund

	08/31/18	09/25/18	Net Change	% of Total
General Fund	218,621.85	108,980.98	(109,640.87)	6.72%
Capital Projects Fund	123,236.11	192,103.00	68,866.89	11.85%
Water Fund	459,296.03	477,782.77	18,486.74	29.47%
Sewer Fund	822,461.64	842,204.54	19,742.90	51.95%
Total Cash Balance	1,623,615.63	1,621,071.29	(2,544.34)	100.00%

		YTD Actual	Annual Budget	Unexpended Budget	% Of Budget Incurred	% Of Time Incurred
General Fund						
Revenue		122,978.60	757,030.00	634,051.40	16.24%	23.84%
Expenditures	Administrative	13,591.40	162,050.00	148,458.60	8.39%	23.84%
	Office	3,180.17	17,120.00	13,939.83	18.58%	23.84%
	Community Affairs	7,095.49	18,400.00	11,304.51	38.56%	23.84%
	Planning & Zoning	(325.36)	8,470.00	8,795.36	-3.84%	23.84%
	Public Safety	4,898.10	86,400.00	81,501.90	5.67%	23.84%
	Roads	20,799.83	104,000.00	83,200.17	20.00%	23.84%
	Parks & Recreation	11,937.66	90,800.00	78,862.34	13.15%	23.84%
	Sanitation	27,085.57	150,000.00	122,914.43	18.06%	23.84%
	Transfer To CP Fund	120,000.00	120,000.00	-	100.00%	
Total Expenditures		208,262.86	757,240.00	548,977.14	27.50%	23.84%
Net Revenue Over Expenditures		(85,284.26)	(210.00)	85,074.26		
Capital Projects Fund						
Revenue		180.97	400.00	219.03		23.84%
Transfer From General Fund		120,000.00	120,000.00	-		
Expenditures	Administrative		130,000.00	130,000.00		23.84%
	Parks & Recreation		152,750.00	152,750.00		23.84%
	Roads	99,220.08	757,750.00	658,529.92		23.84%
		-	-	-		23.84%
Total Expenditures		99,220.08	1,040,500.00	941,279.92		23.84%
Net Revenue Over Expenditures		20,960.89	(920,100.00)	(941,060.89)		
Water Fund						
Revenue		95,641.24	346,130.00	250,488.76	27.63%	23.84%
Expenditures		39,368.36	272,250.00	232,881.64	14.46%	23.84%
Net Revenue Over Expenditures		56,272.88	73,880.00	17,607.12		
Sewer Fund						
Revenue		48,592.61	249,500.00	200,907.39	19.48%	23.84%
Expenditures		70,143.90	310,250.00	240,106.10	22.61%	23.84%
Net Revenue Over Expenditures		(21,551.29)	(60,750.00)	(39,198.71)		

River Heights City Bills To Be Paid

9/25/2018

	Payee	Description	Admin.	P&Z	Parks/Rec	Pub. Safety	Com. Aff.	Roads	Water	Sewer	Total
1	Bright Stripes & Sweeping LLC	School Crosswalks, Handicap Painting						\$2,530.00			\$2,530.00
2	City of Logan	Garbage, Recycle, 911, Sewer	\$14,135.06			\$2,013.00				\$12,077.80	\$28,225.86
3	Comcast	Business Internet	\$21.97						\$21.96	\$21.96	\$65.89
4	Daines & Jenkins LLP	Legal Fees 10th East, City Criminal, Grant	\$508.33								\$508.33
5	Dominion Energy	Gas	\$10.36		\$10.32			\$3.22	\$60.58	\$3.22	\$87.70
6	Forsgren & Associates	700 South, 1000 East, Storm Water Insp.						\$3,921.25			\$3,921.25
7	Freedom Mailing	Monthly Billing Processing	\$144.20						\$48.07	\$48.07	\$240.34
8	It Works	Troubleshoot Backups	\$67.50								\$67.50
9	Kendrick Electric	Park LED lights			\$668.00						\$668.00
10	Lloyd H. Facer Trucking, Inc.	Slag for 700 South Sign						\$14.00			\$14.00
11	Logan City	Water Consumption							\$1,640.48		\$1,640.48
12	Roto Rooter	Soccer-Porta Potty			\$100.00						\$100.00
13	Ryan Wood	Park Rental Deposit Refund			\$50.00						\$50.00
14	The Clean Spot	Cleaning Supplies			\$297.81			\$25.59	\$25.59	\$25.58	\$374.57
15	Thomas Petroleum	Fuel for City Vehicles			\$57.80			\$57.83	\$57.83	\$57.83	\$231.29
16	Utah Local Government Trust	Monthly Workers Comp.	\$34.58		\$53.10			\$162.14	\$205.36	\$216.18	\$671.36
17	Custom Fence	Storm Water Mow Curb						\$1,738.00			\$1,738.00
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21											
22	VISA Paid 09/25/2018 (\$790.31)										
23	Best Buy	Recorder Computer	\$532.99								\$532.99
24	Adobe	Monthly Fee	\$15.98								\$15.98
25	Google	Monthly Fee	\$50.00								\$50.00
26	USPS	Roll of Stamps	\$16.67						\$16.67	\$16.66	\$50.00
27	Nextiva	Phones & Fax	\$43.78						\$43.78	\$43.79	\$131.35
28	DRI	Crash Plan Monthly	\$9.99								\$9.99
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Page 1 SubTotals \$15,591.41 \$1,237.03 \$2,013.00 \$8,452.03 \$2,120.32 \$12,511.09 \$41,924.88

Page 1 Total Amount to be Paid \$41,924.88

TITLE 8

CHAPTER 3

NO-FAULT UTILITY CLAIMS

SECTION:

- 8-3-1: Intent
- 8-3-2: Definitions
- 8-3-3: Administration and Establishment of Regulations
- 8-3-4: Reimbursement Claims, Time Limitations
- 8-3-5: Claims Investigation and Recommendation
- 8-3-6: Criteria for Payment
- 8-3-7: Maximum Payment
- 8-3-8: Payment Does Not Imply Liability, Release Required
- 8-3-9: Annual Budget Expenditures
- 8-3-10: Claims from Other Governmental Agencies.

8-3-1: INTENT

It is the city's intent to compensate persons for loss sustained as the result of a break or backup in a city-owned and maintained water main or sewer line, regardless of fault on the part of the city, within the restrictions, limitations, and other provisions of this chapter.

8-3-2: DEFINITIONS

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Chapter, shall have the meanings hereinafter designated:

- CITY:** River Heights City Corporation, a political subdivision of the state of Utah.
- PERSON OR APPLICANT:** An individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, or any other legal entity (except the United States Government or any of its agencies, or the state of Utah and any of its political subdivisions) or their legal representatives, agents, or assigns.
- POLITICAL SUBDIVISION:** Any political subdivision of the state of Utah, including state departments and agencies, cities, towns, counties, and school districts.

8-3-3: ADMINISTRATION AND ESTABLISHMENT OF REGULATIONS

The Mayor may establish regulations sufficient to provide for the handling of such claims and disbursement of those funds which are set aside for payment of claims under this chapter.

8-3-4: REIMBURSEMENT CLAIMS, TIME LIMITATIONS

All claims for reimbursement under this chapter must comply with the Governmental Immunity Act of Utah, Utah Code Annotated §63-30d-101 et seq., as amended, and be submitted to the city recorder within thirty (30) days after the incident giving rise to the loss occurs.

8-3-5: CLAIMS INVESTIGATION AND RECOMMENDATION

Claims received by the city recorder shall be referred to the mayor, the public works director and the councilmember assigned to water and sewer for investigation and recommendation. The report may be forwarded to the city attorney for determination under the criteria of this chapter. A recommendation to the city council will be made by the mayor, public works director and councilmember assigned to water and sewer. All payments authorized by the city council shall be made by the City of River Heights.

8-3-6: CRITERIA FOR PAYMENT

- A. The determination as to whether to make payment of a claim submitted pursuant to this chapter shall be based on the following criteria:
1. Whether an eligible claimant suffered an otherwise uninsured property loss, caused by breach or backup of a city-owned water main or sewer line, under circumstances where the claimant acted responsibly to avoid the loss; and,
 2. If so, whether the extent of the loss has been adequately substantiated.
- B. The following shall result in the denial of a claim:
1. Claim not timely submitted;
 2. Loss fully covered by private insurance;
 3. Claimant ineligible under the terms of this chapter;
 4. Loss caused by an irresponsible act of the claimant, claimant's agent, or member of claimant's business or household; or
 5. Loss or eligibility unsubstantiated.
- C. The following shall result in a reduction of payment:
1. Loss partially covered by private insurance;
 2. Loss exceeds funding limits of this chapter;
 3. Verification of loss inadequate or incomplete; or
 4. Claimant did not cause the problem but failed to act responsibly to minimize the loss.

8-3-7: MAXIMUM PAYMENT

- A. Payments under this chapter shall not exceed \$5,000 per claim.
- B. For budgeting purposes, payments under this chapter shall not exceed \$100,000 per fiscal year. However, the city council may, in its sole discretion and without amendment to this Section, budget additional funds in any given fiscal year by resolution.

8-3-8: PAYMENT DOES NOT IMPLY LIABILITY, RELEASE REQUIRED

- A. Any payment of a claim made under this chapter shall not be construed as an admission of, nor does it imply, any negligence or responsibility on the part of the city. Any payment made under this chapter is strictly voluntary on the part of the city.
- B. This chapter shall not in any way supersede, change, or abrogate the Government Immunity Act of Utah, and its application to the city, or establish in any person a right to sue the city under this chapter.
- C. Any payment of a claim made under this chapter and accepted by the claimant shall constitute a full and complete release of any and all claims against the city, its officers, employees, and agents for any damage or loss arising from the incident.
- D. Any payment of a claim made under this chapter shall be expressly conditioned upon the city first receiving a written release of liability, signed and notarized by the claimant, in a form acceptable to the city attorney.

8-3-9: ANNUAL BUDGET EXPENDITURES

The City of River Heights is authorized to provide for and include within its budget a fund from which payment of claims may be made pursuant to this chapter.

8-3-10: CLAIMS FROM OTHER GOVERNMENTAL AGENCIES

Notwithstanding any other provisions of this chapter, no claim shall be accepted from the United States or any of its departments or agencies, or from the state of Utah or any of its political subdivisions.