

River Heights City Council  
Minutes of the Meeting  
December 23, 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  
Treasurer Wendy Wilker

Others Present: Gayle Brackner, Engineer Craig Rasmussen, Brent Skinner, Christian Wilson

The following motions were made during the meeting:

Motion #1

Councilmember Clausen moved to “adopt the minutes of the December 9, 2014 Council Meeting, and the evening’s agenda.” Council member Okelberry seconded the motion, which passed with Clausen, Okelberry, Smith, Wilson and Wright in favor. No one opposed.

Motion #2

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

Motion #3

Councilmember Clausen moved to “adopt Ordinance 6-2014, An Ordinance to Adopt Changes to the City Code of River Heights City, Utah, which changes the height of a non-residential building from 40 to 45 feet.” Councilmember Okelberry seconded the motion, which carried with Clausen, Okelberry and Smith in favor. Wilson opposed. Wright abstained.

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, December 23, 2014.

46 Opening Remarks and Pledge of Allegiance: Councilmember Wilson opened the meeting with  
47 a prayer. Councilmember Okelberry led the group in the Pledge of Allegiance.

48 Adoption of Previous Minutes and Agenda: Minutes of the December 9, 2014 Council  
49 Meeting, were reviewed.

50 **Councilmember Clausen moved to “adopt the minutes of the December 9, 2014 Council  
51 Meeting, and the evening’s agenda.” Council member Okelberry seconded the motion, which  
52 passed with Clausen, Okelberry, Smith, Wilson and Wright in favor. No one opposed.**

53 Pay Bills: The bills were presented and discussed. Treasurer Wilker discussed the recent raise  
54 in the Logan waste water bill with Councilmember Clausen. PWD Nelson will check on infiltration.

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

58 Finance Director Report: FD Grover informed the audit results have been reported to the State.  
59 He explained the impact fees have a 6 year life. There isn’t a deadline in the upcoming year. He’ll  
60 bring a report at the next meeting.

61 Purchase Requisition Requests: There were none.

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

- 63 • They have installed the welcome sign on 1000 East for Jonah McKell’s eagle project. There is  
64 still landscaping left, which may wait until spring.
- 65 • He has been checking with other cities to see what they pay Logan for fire protection. River  
66 Heights pays \$46,000/year, (very pricey). Providence pays \$47,000/year. Millville pays  
67 \$13,000/year to Hyrum. Engineer Rasmussen explained that Hyrum City uses volunteers to  
68 respond to their calls (in the cities they have contracts with). They also have an interlocal  
69 agreement with Logan that if they have a structure fire, they will receive back-up. He  
70 explained there is state funding for trucks but not fire houses. Mr. Nelson tried to check with  
71 other cities but found that Providence was the only other city that contracts with Logan for fire  
72 protection. Mayor Brackner wondered if Providence and River Heights could go in on a truck  
73 together.
- 74 • Two ‘slow’ signs have been installed on Lamplighter.

75 Administrative Report: Recorder Lind said there are many calendars to choose from in the  
76 office.

77 Public Comment: There was none.

78 Consider Adoption of Ordinance 6-2014, An Ordinance to Adopt Changes to the City Code of  
79 River Heights City, Utah: Mayor Brackner asked for the council’s consideration on the ordinance. He  
80 stated that Logan and Providence both permit 45 feet for non-residential buildings.

81 Councilmember Wilson discussed the 30 foot setback requirement. She said it seemed there  
82 should be more of a setback, depending on the height of the building which is next to a residential area.  
83 She asked what the ratio of setback to height was. Engineer Rasmussen said there is no ratio and the  
84 30 foot standard is fairly liberal. He isn’t aware of any ordinance in the valley that has a graduated  
85 setback based on height. Councilmember Okelberry is aware of different setbacks in Logan based on  
86 area, but not on height. Ms. Wilson is concerned about the building height, next to the residential area.  
87 Mr. Rasmussen explained that the 30 foot setback has been in the code since the commercial section  
88 was adopted.

89 Councilmember Wilson asked the council to remember they are representing the people in the  
90 city. What would they consider if it was their own backyard?

91 Engineer Rasmussen agreed this was a valid statement. He also reminded that the process  
92 begins with the Planning Commission. In the next few weeks they will be considering Conservice’s  
93 design, details of the building and landscaping. He encouraged the council members to be involved as  
94 citizens, at the commission meetings.

95 Councilmember Smith asked what setbacks Conservice is requesting, per their design. He was  
96 told they are all 30 feet. Engineer Rasmussen said the Commission can’t require them to have a larger  
97 setback than their code states.

98 Councilmember Okelberry reminded that the council doesn’t have the authority to micro  
99 manage the project.

100 Mayor Brackner said Conservice’s property, adjacent to the neighbors, is mostly parking lot.  
101 The height impact is only near two homes and one shop. There are trees between the properties that  
102 are higher than 40 feet.

103 Councilmember Okelberry asked if 45 feet was standard for this type of building. Christian  
104 Wilson explained how it is based on 3 stories. Engineer Rasmussen said it is measured from natural  
105 ground level to the flat roof. The parapet is designed to go about 2 to 3 feet higher (which will hide air  
106 conditioners, mechanical systems, etc.).

107 Councilmember Smith feels going from 40 to 45 feet is pretty immaterial. He wondered how  
108 they came up with 40 feet to begin with. Engineer Rasmussen explained that typically cities will look  
109 at what surrounding cities are requiring. He guesses that is what happened.

110 **Councilmember Clausen moved to “adopt Ordinance 6-2014, An Ordinance to Adopt**  
111 **Changes to the City Code of River Heights City, Utah, which changes the height of a non-**  
112 **residential building from 40 to 45 feet.” Councilmember Okelberry seconded the motion, which**  
113 **carried with Clausen, Okelberry and Smith in favor. Wilson opposed. Wright abstained.**

114 Mayor and Council Reports: Councilmember Wright reported the Planning Commission will  
115 discuss the Conservice Preliminary Plat again on January 6. They are anticipating a public hearing at  
116 their next meeting on the 20th.

117 Councilmember Clausen asked Treasurer Wilker if she could pull fire contract costs, paid to  
118 Logan City, for the last 25 years.

119 Councilmember Wright said he is trying to meet with Johnson Construction about the  
120 acquisition of part of their property (north of the cemetery). Mayor Brackner has talked to the  
121 Providence mayor who said they would be willing to manage the River Heights cemetery property but,  
122 they don’t want to manage a park.

123 Councilmember Wilson thanked the public works department for doing such a good job taking  
124 care of the parks. PWD Nelson said he’s received a lot of positive comments on the Christmas tree  
125 lights in the park.

126 Councilmember Clausen corrected a statement made at a previous meeting regarding the sewer  
127 contract with Logan City. It was stated that River Heights or Logan could cancel the contract anytime  
128 with a one year notice. This is not true. The contract is in effect until 2025. Mr. Clausen asked PWD  
129 Nelson if he had heard from Rocky Mountain Power. Mr. Nelson hadn’t. Mr. Clausen wants to meet  
130 with him to discuss finding money for LED lighting for Saddlerock Phase 1 and to replace existing  
131 lights.

132 Councilmember Okelberry is still working on a website manual for the office. He plans to  
133 work all year on updating it.

134 Councilmember Wright was asked how close the code is to being updated. He responded that  
135 it is very close. The whole ordinance will need to be readopted because there are so many little

136 changes. Prior to the Council adopting it, the Planning Commission will hold a public hearing on the  
137 changes.

138 Councilmember Smith said Merry Christmas to everyone.

139 Mayor Brackner informed that Commissioner Lorin Zollinger has submitted his resignation.  
140 Nina Knowles, Bob Green and Kerry Coleman have been recommended to fill the vacancy. Ms.  
141 Knowles has worked many years with a title company. Mr. Greene has been active in the community  
142 for a number of years. Councilmember Smith said Mr. Coleman worked on the city's beautification  
143 committee in the spring and did a good job. Ms. Knowles has been talked to and is willing and able to  
144 serve. Councilmember Wilson said the others should be asked before a decision is made.  
145 Councilmember Wright said he votes for Ms. Knowles. Councilmember Clausen agreed.  
146 Councilmember Okelberry agrees with whatever Mayor Brackner recommends. Councilmember  
147 Smith would like the others to be asked before deciding and would support what Mayor Brackner  
148 recommends. Mayor Brackner will talk to the others and then make the decision himself.  
149 Councilmember Wright gave a review of when the terms expire for the other commissioners.

150 Mayor Brackner discussed the River Heights/Logan City sewer contract that is in effect until  
151 2025. Logan City has challenged the contract once in court, and another time, but it was dropped.  
152 Mayor Brackner has met with Attorney Jenkins concerning the matter. Mr. Jenkins recommended  
153 three different options. The favorite option was to stick with the current contract until it expires.

154 Mayor Brackner met with the mayors of the sister cities (regarding the Logan sewer situation)  
155 and an attorney they have hired to advise them. The attorney will come up with a contract, run it past  
156 the state and then present it to Logan to see if they will accept it. PWD Nelson reminded that if River  
157 Heights signs a new contract, it will void the current contract.

158 The meeting adjourned at 7:30 p.m.

159

160

161

162

163

164

---

Sheila Lind, Recorder

---

James Brackner, Mayor