

River Heights City

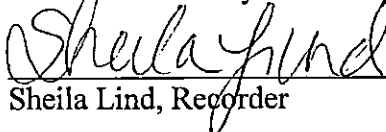
COUNCIL MEETING AGENDA

Tuesday, January 23, 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.

- 6:30 p.m. Opening Remarks (Scott) and Pledge of Allegiance (Thatcher)
- 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. Discuss Entering into an Agreement with the Cache Humane Society for Animal Impound Services
- 6:55 p.m. Motion to Ratify the Appointment of Todd Rasmussen to the Wastewater Rate Setting Committee.
- 7:00 p.m. Discuss Status of Tennis Courts and Other Park Spaces Regarding Development and Use
- 7:15 p.m. Mayor and Council Reports
- 7:30 p.m. Adjourn

Posted this 18th day of January 2018


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

January 23, 2018

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8 Present: Mayor Todd Rasmussen
9 Council members: Doug Clausen
10 Robert "K" Scott
11 Elaine Thatcher
12 Dixie Wilson
13 Blake Wright
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15 Recorder Sheila Lind
16 Finance Director Clifford Grover
17 Treasurer Wendy Wilker
18
19 Excused Public Works Director Clayton Nelson
20
21 Others Present: James Brackner, Crystal Walker, Diane Rhoton, Jaden
22 Higbee

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24
25 The following motions were made during the meeting:

26 Motion #1

27 Councilmember Clausen moved to "adopt the minutes of the January 9, 2018 Council Meeting
28 and the evening's agenda." Councilmember Wilson seconded the motion, which passed with Clausen,
29 Scott, Thatcher, Wilson and Wright in favor. No one opposed.
30

31 Motion #2

32 Councilmember Clausen moved to "pay the bills as listed, including the youth conference
33 invoice in the amount of \$345.00." Councilmember Thatcher seconded the motion, which passed with
34 Clausen, Scott, Thatcher, Wilson and Wright in favor. No one opposed.
35

36 Motion #3

37 Councilmember Thatcher moved to "accept the Agreement for Animal Impound Services
38 Between River Heights City and the Cache Humane Society with a contract date of February 1, 2018."
39 Councilmember Clausen seconded the motion, which carried with Clausen, Scott, Thatcher, Wilson
40 and Wright in favor. No one opposed.
41

42 Motion #4

43 Councilmember Thatcher moved to "appoint Mayor Todd Rasmussen to represent River
44 Heights City on the Wastewater Rate Setting Committee." Councilmember Scott seconded the motion,
45 which carried with Clausen, Scott, Thatcher, Wilson and Wright in favor. No one opposed.

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, January 23, 2018. Councilmember Scott opened the meeting with a thought. Councilmember Thatcher led the group in the Pledge of Allegiance.

Adoption of Previous Minutes and Agenda: Minutes of the January 9, 2018 Council Meeting, were reviewed.

Councilmember Clausen moved to “adopt the minutes of the January 9, 2018 Council Meeting and the evening’s agenda.” Councilmember Wilson seconded the motion, which passed with Clausen, Scott, Thatcher, Wilson and Wright in favor. No one opposed.

Pay Bills: The bills were presented and discussed. Treasurer Wilker requested the addition of a bill to reimburse Mayor Rasmussen, in the amount of \$345.00, for youth council registration to attend Local Official’s Day at the State Capitol. Ms. Willker pointed out the fire contract invoice was \$300 less than the amount stated in the contract. Mayor Rasmussen felt the bill was for this year and the higher amount will be charged next year. He will check with Logan City to make sure the invoice was correct.

Councilmember Clausen moved to “pay the bills as listed, including the youth conference invoice in the amount of \$345.00.” Councilmember Thatcher seconded the motion, which passed with Clausen, Scott, Thatcher, Wilson and Wright in favor. No one opposed.

Finance Director Report: FD Grover pointed out the financials are tracking pretty well. The large fire bill was not included on the report.

Purchase Requisition: There were none.

Public Works Report and Discussion: PWD Nelson was absent.

Administrative Report: Recorder Lind asked Mayor Rasmussen and Councilmember Thatcher if they would like to have a blurb about themselves on the City’s website. If so, they can submit one to her by email.

Public Comment: Diane Rhoton handed in some requests from the Riverdale residents, as suggested by Mayor Brackner. She asked how much Logan City charges River Heights for sewer. Councilmember Clausen said it varies each month. Ms. Rhoton said its high because there is a lot of water that seeps into the system. Mr. Clausen said that may or may not be the case. Ms. Rhoton said she and some other ladies talked with someone at Logan City and that is what they were told. She also said the residents in Riverdale are all on septic. She was concerned if a city sewer line goes in someday, their high water table will infiltrate the system.

Ms. Rhoton said all the Riverdale residents (except one) are for a moratorium against building. They are very concerned about the speed limit on their road, especially when the apartments are built. They desire a fence that will keep people away from the road. Logan City told her Wasatch Properties doesn’t intend to install a fence; their plan is to landscape.

Ms. Rhoton has spoken to the Bear River Health Department. They said they won’t allow any more septic tanks in the area to prevent contamination to the water supply. There are already more septic tanks that they originally said they would allow. Mayor Rasmussen explained a city sewer system wouldn’t leach into the ground like septic systems.

Councilmember Wilson asked how far they want the fence to go. Councilmember Wright thought it would be a few hundred feet. Jim Brackner said Logan City previously said they would be willing to work with River Heights, although we probably don’t have much leverage now that the property is in Logan.

94 Ms. Rhoton asked again about a moratorium on building. Lisa Ellis has told her they plan to
95 develop townhomes in the area. Ms. Rhoton would like to see the Ellis property developed into one
96 acre lots.

97 Ms. Rhoton reviewed the resident's requests for a 10 mph speed sign and signs that say "Local
98 Traffic Only." Jim Brackner said the city's attorney has said its illegal to post local traffic only on a
99 public road. She asked if the council would agree to the other items on their request list. She was told
100 they can't discuss it tonight because it wasn't on the agenda. Mayor Rasmussen said they could
101 discuss it at one meeting and come to a decision at another meeting. He will let Ms. Rhoton know
102 when it's scheduled.

103 Crystal Walker introduced herself as a River Heights resident who is interested in renting a
104 portion of the old school building for workout and nutrition classes. She works for Reps For a Cause,
105 and explained that a portion of the fees she charges goes towards Underground Railroad and local
106 causes. She would like to hold her workout classes in the morning. Her friend runs the program in
107 Monroe City and she has seen how it's brought the community together. She would love to set up the
108 program in River Heights for the same reasons. She is also working on programs for kids to keep them
109 fit during the summer. The business is for profit, as well as the contributions they give. She expressed
110 her desire to rent the old school building. Councilmember Clausen explained they don't know yet if
111 the building will require any upgrades before renting it out. They will find this out at some point.

112 Discuss Entering into an Agreement with the Cache Humane Society for Animal Impound
113 Services: Councilmember Thatcher likes the idea of the Humane Society handling River Heights'
114 stray dogs. She said the shelter is set up for this and is a very nice facility.

115 Recorder Lind explained this idea was brought up by Animal Control Officer Floyd Powell.
116 Other cities are switching to use the Humane Society because they are open on the weekends so pet
117 owners won't have to wait until Monday to pick up their dogs. They are willing to collect fees in
118 behalf of the City, when the City Office isn't open. They also won't charge for more than 5 boarding
119 days.

120 Recorder Lind recommended setting the contract date as February 1, 2018. She asked if the
121 Council wanted to change the "six-month notice of termination" date. After discussion, they decided
122 to leave it.

123 **Councilmember Thatcher moved to "accept the Agreement for Animal Impound Services**
124 **Between River Heights City and the Cache Humane Society with a contract date of February 1,**
125 **2018." Councilmember Clausen seconded the motion, which carried with Clausen, Scott,**
126 **Thatcher, Wilson and Wright in favor. No one opposed.**

127 Motion to Ratify the Appointment of Todd Rasmussen to the Wastewater Rate Setting
128 Committee: Mayor Rasmussen informed he attended the recent Wastewater Rate Setting Committee
129 Meeting. The committee requested an official note stating he had been appointed by the City Council
130 to represent River Heights on the Board. He stated he is willing to serve on this committee, if the
131 Council were supportive.

132 **Councilmember Thatcher moved to "appoint Mayor Todd Rasmussen to represent River**
133 **Heights City on the Wastewater Rate Setting Committee." Councilmember Scott seconded the**
134 **motion, which carried with Clausen, Scott, Thatcher, Wilson and Wright in favor. No one**
135 **opposed.**

136 Discuss Status of Tennis Courts and Other Park Spaces Regarding Development and Use:

Councilmember Wilson has taken a tour of the park and found some issue for them to think about. The
park in Saddlerock is small and she doesn't think it will hold anything.

137 In regards to the tennis courts, Councilmember Wilson feels they need patched, resurfaced or
138 ripped up. She recommended ripping them up and replacing them with post tension. She warned this
139 could cost between \$100,000 and \$150,000, but would like to apply for RAPZ money. If they apply
140 and don't get funding, she suggested going with one of the other options. Councilmember Wright
141 explained that post tension is done with a thicker slab of concrete and metal cables that are tightened.
142 The base will never need to be replaced, but the surface still will need to be redone periodically.
143 Currently, the tennis courts base cracks due to settling and weather changes. He is very supportive of
144 the post tension idea.

145 Councilmember Wilson said the courts are not terrible right now, but she is looking ahead. She
146 asked if she could apply for the RAPZ tax this year. Councilmember Clausen suggested they decide
147 first how much the city will contribute. Ms. Wilson said they can count labor, such as the public works
148 employees taking the fencing down and putting it up again, if they are willing. Last time the city
149 received RAPZ money, the city put up 15% of the cost. Mr. Wright doesn't guess RAPZ would award
150 75%. Councilmember Thatcher said its possible, based on other cities receiving large amounts to fund
151 big projects. Mayor Rasmussen feels it would be of benefit to look up what's been granted in the past,
152 to get an idea of how much to ask for. Ms. Thatcher suggested talking to county council members to
153 find out what they are looking for in projects they award funding to. Ms. Wilson feels it's worth
154 applying for.

155 Jim Brackner asked Councilmember Wilson if she would consider adding two pickleball
156 courts. She said no, because she wants the city to take care of what we've got first.

157 Councilmember Thatcher would like to look into CGBT grants. Councilmember Clausen
158 informed they have looked into this before and found River Heights doesn't qualify, due to the median
159 household income.

160 Councilmember Wright said he is supportive of this project and pointed out the courts are well
161 used by non-citizens, as well as River Heights residents. This may be beneficial to point out on the
162 grant application.

163 Councilmember Wilson will get some bids and then have Councilmember Clausen help her fill
164 out the RAPZ application. Once the tennis courts are taken care of, she would be willing to discuss a
165 splash pad. Mr. Clausen said a splash pad might be able to be funded by impact fees.

166 Mayor Rasmussen informed that his brother has been involved in numerous developments. He
167 has a lot of data about what works in parks and what doesn't. Councilmember Wilson's idea is to have
168 different things in the various parks, to draw people to the different areas.

169 Councilmember Clausen recommended talking to PWD Nelson to find out what they would be
170 willing to do as sweat equity.

171 Councilmember Wright suggested Councilmember Wilson contact Miles Minson, who is a
172 really good resource on post tension.

173 Mayor and Council Reports: Councilmember Thatcher asked about her responsibilities on the
174 Council. Mayor Rasmussen said, as of now, she will be in charge of the same things Councilmember
175 Smith was over. He has asked Mr. Smith to meet with her to discuss the responsibilities.

176 Councilmember Clausen asked what was decided on signing the sewer contract. Mayor
177 Rasmussen has some questions he needs answered. After he talks to the people who can answer them,
178 he will bring it back to the Council.

179 Councilmember Clausen has talked to Engineer Rasmussen about a Safe to School grant for the
180 700 South sidewalk. If we do apply, we may not know until July. The grant we already have requires
181 the work to be done by June. Jim Brackner said the \$30,000 grant is to be reimbursed after the whole

183 project has been done. Mr. Clausen will discuss it further with Engineer Rasmussen. They don't want
184 to put the grant they already have in jeopardy.

184 Mayor Rasmussen discussed his negotiation ideas for the Anna Marie Anderson property. Jim
185 Brackner said his letter informed Ms. Anderson she had until January 17, to contact the city.
186 Councilmember Clausen suggested the 700 South sidewalk be on the next agenda so the engineers can
187 get it out for bid in February. Jim Brackner recommended hurrying to work with Mark Nielson (of
188 Logan City) before he starts another job. Mr. Nielson has said Logan would have made Wasatch
189 Properties install their portion of the 700 South sidewalk at the time of their development. Mayor
190 Rasmussen will work on this.

191 Councilmember Wright said he had been thinking about the privacy fence on Riverdale
192 Avenue, discussed earlier in the meeting. River Heights didn't cause the problem. He suggested
193 checking with Logan since it's in their jurisdiction. He thinks someone should try to get Logan and the
194 developer to see what they are willing to do since they are the cause. Mayor Rasmussen agreed and
195 will make some contacts. Diane Rhoton asked if there were some type of law to disallow buildings to
196 be so close to private properties when they are between two different cities. Mr. Wright said he hasn't
197 heard of this. Councilmember Wilson remembered something about Wasatch planning to install a
198 crash gate. Ms. Rhoton said it will be four feet high. Jim Brackner suggested contacting Mark Nielson
199 about this, as well as the 700 South sidewalk. He will know the background on the issue. He was
200 tremendously helpful on their 1000 East project.

201 Councilmember Clausen reminded Mayor Rasmussen about an email he sent concerning a
202 1000 East resident wanting rocks in his yard to keep cars from crashing into his house. Mr. Rasmussen
203 said they will go for a ride to see and discuss it.

204 Mayor Rasmussen said Providence City is discussing annexing 17 acres up to the line of the
205 Chugg property. He wonders if the intent is to combine the two properties. Councilmember Thatcher
206 said Providence discussed this area for a future reservoir, at the meeting she attended. Jim Brackner
207 said Providence staff has told him, the Ironwood development may be done in three phases. Mayor
208 Rasmussen has talked to Providence Mayor John Drew multiple times and also to Developer Jeff
209 Jackson. He wants them to know River Heights' desire to be involved, no matter where the property
210 ends up. He requested a workshop with the Council on their ideas. Diane Rhoton asked how a
211 development would impact the traffic by the school and wonders what can be done about it. She was
212 told it will be part of the discussions.

213 The meeting adjourned at 8:10 p.m.

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Todd Rasmussen, Mayor


Sheila Lind, Recorder

River Heights City Bills To Be Paid

January 23, 2018

	Payee	Description	Admin.	P&Z	Parks/Rec	Pub. Safety	Com. Aff.	Roads	Water	Sewer	Total
1	Bear River Health Department	Water Coliform Testing							\$40.00		\$40.00
2	City of Logan	Fire Contract				\$30,900.00					\$30,900.00
3	City of Logan	Garbage, 911, Sewer	\$12,165.85			\$1,941.00				\$14,193.96	\$28,300.81
4	Denny's Business	Office Supplies	\$75.95								\$75.95
5	Forsgren & Associates	River Heights Elementary Review, 700 So	\$250.00					\$2,718.75			\$2,968.75
6	Logan City	Water Consumption							\$268.20		\$268.20
7	Napa Auto Parts	Shop Supplies			\$52.14			\$52.13	\$52.14	\$52.14	\$208.55
8	Square One Printing	Office Supplies	\$130.47								\$130.47
9	Taylor Heninger	Utility Overpayment Refund	\$13.00			\$1.20		\$2.75	\$22.30	\$21.00	\$60.25
10	Thomas Petroleum	Fuel for City Vehicles			\$11.03			\$11.02	\$11.02	\$11.02	\$44.09
11	Wendy Wilker	Tax Forms for 2017 Filing	\$94.96								\$94.96
12											
13											
14											
15											
16											
17											
18											
19	VISA PAYMENT										
20	Amazon	Map Holder		\$49.95							\$49.95
21	Autozone	Radio Orange Truck						\$21.31	\$10.66	\$10.66	\$42.63
22	BlueBird Restaurant	Christmas Dinner	\$494.67								\$494.67
23	Adobe	AcroPro Monthly Bill	\$15.98								\$15.98
24	Denny's Business	Office Supplies	\$84.65								\$84.65
25	National Background Check	New Crossing Guard Background				\$15.95					\$15.95
26	Amazon	Office Supplies (No Receipt)	\$30.98								\$30.98
27	Amazon	Labels	\$5.96								\$5.96
28	Google	Office Suite	\$44.61								\$44.61
29	Google	Gmail Monthly	\$50.00								\$50.00
30	Nextiva	Phones & Fax for Office	\$44.05						\$44.06	\$44.05	\$132.16
31	DRI Crash	Cloud	\$9.99								\$9.99
32											
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35		Visa Total + \$977.53									
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Page 1 SubTotals

\$13,511.12

\$49.95

\$63.17

\$32,858.15

\$2,805.96

\$448.38

\$14,332.83

\$64,069.56

Page 1 Total Amount to be

\$64,069.56

River Heights City
 Financial Summary
 January 23, 2018

Cash Balance By Fund

	12/31/17	01/23/18	Net Change	% of Total
General Fund	253,682.19	226,339.99	(27,342.20)	15.44%
Capital Projects Fund	61,297.90	51,067.90	(10,230.00)	3.48%
Water Fund	342,122.31	352,421.23	10,298.92	24.04%
Sewer Fund	822,633.86	836,078.34	13,444.48	57.03%
Total Cash Balance	1,479,736.26	1,465,907.46	(13,828.80)	100.00%

		YTD Actual	Annual Budget	Unexpended Budget	% Of Budget Incurred	% Of Time Incurred
General Fund						
Revenue		482,357.62	767,990.00	285,632.38	62.81%	56.71%
Expenditures						
	Administrative	92,313.38	160,120.00	67,806.62	57.65%	56.71%
	Office	8,559.43	14,975.00	6,415.57	57.16%	56.71%
	Community Affairs	9,449.90	22,600.00	13,150.10	41.81%	56.71%
	Planning & Zoning	11,564.13	7,100.00	(4,464.13)	162.88%	56.71%
	Public Safety	33,982.19	99,460.00	65,477.81	34.17%	56.71%
	Roads	49,020.66	104,150.00	55,129.34	47.07%	56.71%
	Parks & Recreation	35,800.96	80,846.00	45,045.04	44.28%	56.71%
	Sanitation	72,146.50	144,000.00	71,853.50	50.10%	56.71%
	Transfer To CP Fund	-	100,000.00	100,000.00		
Total Expenditures		312,837.15	733,251.00	420,413.85	42.66%	56.71%
Net Revenue Over Expenditures		169,520.47	34,739.00	(134,781.47)		
Capital Projects Fund						
Revenue		335.33	50.00	(285.33)		56.71%
Transfer From General Fund			375,000.00	375,000.00		
Expenditures						
	Administrative	4,900.00	35,000.00	30,100.00		56.71%
	Parks & Recreation	114.90	-	(114.90)		56.71%
	Roads	66,568.66	420,000.00	353,431.34		56.71%
	Electricity	-	4,162.74	4,162.74		56.71%
Total Expenditures		71,583.56	459,162.74	387,579.18		56.71%
Net Revenue Over Expenditures		(71,248.23)	(84,112.74)	(12,864.51)		
Water Fund						
Revenue		266,364.69	332,480.00	66,115.31	80.11%	56.71%
Expenditures		163,549.59	241,305.00	77,755.41	67.78%	56.71%
Net Revenue Over Expenditures		102,815.10	91,175.00	(11,640.10)		
Sewer Fund						
Revenue		183,184.50	231,300.00	48,115.50	79.20%	56.71%
Expenditures		145,170.94	259,411.00	114,240.06	55.96%	56.71%
Net Revenue Over Expenditures		38,013.56	(28,111.00)	(66,124.56)		

Memo

To: City Council
From: Sheila Lind
Date: January 18, 2018
Re: Cache Humane Society Agreement

A couple of weeks ago our animal control officer, Floyd Powell, informed us that the other cities are using the Cache Humane Society for boarding dogs, rather than Bridgerland Animal Hospital. Some of the reasons are:

1. Bridgerland is a veterinary clinic and not set up for boarding many dogs. CHS is set up for housing many animals.
2. Bridgerland is closed on the weekends so dogs which are impounded on a Friday can't be picked up by the owners until Monday. CHS is open on the weekends.
3. CHS will work with us on collecting fees on the weekends so dog owners don't have to wait until Monday.
4. If a dog hasn't been licensed, CHS will release the dog (only on a weekend) with a fix-it ticket. During RHC office hours, dogs will need to be licensed before getting released to their owners.
5. CHS will not charge the City for more than 5 days boarding (for unclaimed dogs).
6. CHS charges \$15/night. Bridgerland charges \$18.50.

I've asked enough questions and trust Floyd Powell's opinion to the point I feel comfortable recommending this change to the Council. A copy of the agreement is in the Drive.

**AGREEMENT FOR ANIMAL IMPOUND SERVICES BETWEEN RIVER HEIGHTS CITY AND THE CACHE
HUMANE SOCIETY**

THIS AGREEMENT ("Agreement"), dated for convenience this 23rd day of January, 2018 is made and entered into between River Heights City ("Entity"), a Municipal Corporation of the State of Utah and the Cache Humane Society ("CHS") a non-profit corporation.

RECITALS

WHEREAS, the Entity wishes to contract with CHS for the performance of animal impound and like services; and

WHEREAS, CHS is agreeable to rendering services on the terms and conditions set forth.

NOW THEREFORE, in consideration of the promises and covenants contained herein and for other good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, the Parties agree as follows:

A. DEFINITIONS

ADOPTION: The placement of an un-owned or relinquished animal in a new home.

IMPOUNDING JURISDICTIONS: All jurisdictions holding current Impound Service Contracts with CHS.

RELINQUISHED ANIMAL: One that has been held the required period of time without being claimed.

B. ENTITY'S RESPONSIBILITIES:

1. Payment of Fees. The Entity shall, within 20 days after receiving an invoice for services, remit payment to CHS based on the following fee schedule:
 - a. Canine Boarding \$15.00 per day
 - b. Quarantine \$20.00 per day
 - c. Canine Euthanasia & Disposal \$20.00
2. Delivery of Animals. The Entity shall deliver to the shelter maintained by CHS at 2370 West 200 North, Logan, any animal deemed appropriate for impound.

C. CACHE HUMANE SOCIETY'S RESPONSIBILITIES

Canine Impound

1. Ensure 24-hour access to the building for Entity's law enforcement personnel.
2. Reserve 10 kennels for use by Impounding Jurisdictions.
3. Provide shelter, food, water, and vaccination of impounded animals.
4. Bill Entity for services provided at least on a monthly basis.
5. Comply with the provisions of the Utah State Municipal Animal Shelter Pet Sterilization Act.

D. GENERAL PROVISIONS

1. **Existing Agreements:** Upon execution of this Agreement, any prior existing service agreements between Entity and CHS for the provision of animal services will be terminated.
2. **Shelter Services:** CHS shall provide staff and facilities for the execution of this Agreement, including the impounding, receiving of unwanted animals, housing, and feeding of animals through the required hold period. Disposition of animals after the hold period shall be at the discretion of CHS.
3. **Maintenance of Records:** Records of animals impounded, including the description of each animal, date of impound shall be entered by the Animal Control Officer delivering the animal to the shelter facility. CHS will add to this record: date and manner of disposal, treatment received, the name of the person redeeming the animal (if applicable). These records will be maintained by CHS and made available to Entity when appropriate.
4. **Term and Effective Period:** This Agreement shall become effective on ~~January 23, 2018~~ ^{February 1} and shall remain in effect until terminated by either party, or until ~~January 23, 2019~~ ^{February 1}, whichever occurs first.
5. **Termination of Agreement:** This Agreement may be terminated by either party, with or without cause by giving written notice to the addresses listed in this Agreement, at least six months prior to the termination date.
6. **Entire Agreement; Modification; Additional Agreements:** This Agreement constitutes the entire agreement between the Parties pertaining to the subject matter hereof and supersedes all prior agreement and understandings between the Parties with respect to the subject matter hereof. This Agreement may not be modified, amended or supplemented or otherwise changed, except by a written document executed by an authorized representative of each of the Parties. The Parties will request and seek written consent of the other Party prior to entering into an agreement that impacts or relates to the purposes of this program.
7. **Hold Harmless and Indemnification:** The Entity shall hold harmless, indemnify, and defend CHS, their officers, employees and agents from and against any and all claims, suits or actions of any kind brought for or on account of injuries to or death of any person or damage to any property of any kind and to whomsoever belonging which arrive out of the performance or negligent or wrongful acts of the Entity, its officers or employees.

Furthermore, CHS shall hold harmless, indemnify, and defend Entity, their officers, employees and agents from and against any and all claims, suits or actions of any kind brought for or on account of injuries to or death of any person or damage to any property of any kind and to whomsoever belonging which arrive out of the performance or nonperformance of CHS's obligations under this Agreement and which result from the negligent or wrongful acts of the CHS, its officers or employees.

8. **Independent Contractor:** CHS and their employees and agents are independent contractors with respect to the performance of any obligation hereunder or connected herewith and not employees or agents of the Entity.
9. **Non-Discrimination:** No person shall illegally be excluded from participation in, denied the benefits of, or be subjected to discrimination under this Agreement on account of their race, color, religion, national origin, age, sex, sexual orientation, ancestry, marital status, pregnancy, childbirth or related conditions, medical condition, mental or physical disability or veteran's status.
10. **Assignments:** Except as otherwise provided for herein, neither party shall assign any of its obligations or rights hereunder without permission of the other.
11. **Notices:** Any notices required to be given in pursuant to this agreement shall be given in writing and shall be mailed or otherwise delivered at the addresses of each of the parties, as follows:
- To Entity: River Heights City
520 S 500 E
River Heights, Utah 84321
- To CHS: Cache Humane Society
Attention: Stacey Frisk, Director
2370 West 200 North
Logan, Utah 84321
12. **Construction of Agreement:** Each Party acknowledges that it has participated in the negotiation of this Agreement and that no provision of this Agreement shall be construed against or interpreted to the disadvantage of any Party hereto by any court or other governmental or judicial authority by reason of such Party having or deemed to have structured, dictated or drafted such provision.

As evidence of their agreement to the terms and conditions set forth herein, the parties affix their authorized signatures hereto:

Stacey Frisk Executive Director Cache Humane Society	Date	Todd Rasmussen Mayor River Heights City	Date
<hr style="border: 0; border-top: 1px solid black; margin: 0;"/>			
Floyd Powell River Heights Animal Control Officer, Cache County Sheriff's Department	Date		

January 23, 2018

From: The Citizens of Riverdale Ave.

Attention: River Heights Mayor and City Council

In consideration of the expansion of the Falls Apartments, increased traffic on Riverdale Avenue, and regular road maintenance needs, the citizens of Riverdale Avenue have come together to make requests that will help reduce traffic and make the surrounding area safer for the residents of Riverdale Avenue.

Following last Fall's council meeting where many voices from Riverdale Avenue were heard, the citizens of Riverdale Avenue met to discuss measures that can be taken to reduce traffic, lower speeds and deter trespassing along Riverdale Avenue. For the first time in many years, the citizens of Riverdale Avenue came together in agreement on measures that would fulfill these goals.

At this time the citizens of River Heights residing on Riverdale Avenue are requesting the following:

- 1) Remove "Rough Road" signs & replace with 10mph speed limit placed at both Riverdale Avenue entrances. Please install "local traffic only" & "Riverdale Ave" signs at both ends of the road.
 (on East End) and "500 South" at West End
- 2) A Privacy fence be placed along Riverdale Avenue from the beginning of the Falls expansion through to the end of expansion at the SE corner of the Ellis's property.
 - a. It has been requested that this fence not be barbed-wire.
- 3) Appropriate maintenance of the road consisting of filling potholes, plowing snow, etc. being done in a timely manner and on a regular basis.

Sincerely,

Residents of River Heights Residing on Riverdale Avenue

Mary Barnes
Whisper Jensen
Constantine Jensen
Tanya Dawn Davidson

Savannah Davidson

Janet Mathews

Dana Elgin
Dorothy Skumacher
Joan Humphrey
Jill Klugger
Deanne W. Kinton
Dennis Kinton
Melina Lunsen

January 1, 2018

From: The Citizens of Riverdale Ave.

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 - a. It has been requested that this fence not be barbed-wire.
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Sincerely,

Residents of River Heights Residing on Riverdale Avenue

Michael A. Jablonki

125 EAST 500 South

Cynthia K Johnson

125 E 500 S

165 E 500 S