

# River Heights City

---

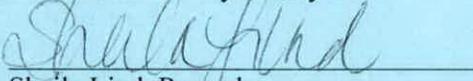
**\*\* REVISED \*\***  
**COUNCIL MEETING AGENDA**

**Tuesday, July 11, 2017**

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 (Wilson) and Pledge of Allegiance (Wright)
- 6:35 p.m. Adoption of Previous Minutes and Agenda
  - Pay Bills
  - Finance Director Report
  - Purchase Requisitions
  - Public Works Report
  - Administrative Report
  - Public Comment
- 6:50 p.m. Public Hearing to Approve an Ordinance to Adopt Changes to the City Code of River Heights City
- 6:55 p.m. Public Hearing to Approve an Ordinance to Rezone the Mitcheal and Karina Cooksey Property from Agricultural to R-1-8
- 7:00 p.m. Public Hearing to Approve an Ordinance Providing for the Compensation of Elected and Statutory Officers of River Heights City
- 7:05 p.m. Ironwood Development Presentation Regarding Chugg Property
- 7:15 p.m. Adoption of a Resolution to Raise Sewer Rates
- 7:25 p.m. Adoption of a Resolution to Allow Citizens to Vote on a ¼% Sales Tax Increase
- 7:35 p.m. Approval of the 911 Agreement with Logan City
- 7:40 p.m. Discuss and Vote on a Resolution to Decrease Water Rates
- 7:45 p.m. Discuss Installing a Sidewalk on the West Side of 1000 East Between River Heights Boulevard and 350 South and Between 500 South and 600 South
- 8:05 p.m. Discuss Default of the Utah Festival Opera Company Rental Agreement of the Old Church
- 8:10 p.m. Mayor and Council Reports
- 8:30 p.m. Adjourn

Posted this 10<sup>th</sup> day of July 2017

  
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 11, 2017

3  
4  
5  
6  
7  
8 Present: Mayor James Brackner  
9 Council members: Doug Clausen  
10 Robert "K" Scott  
11 Geoff Smith  
12 Dixie Wilson  
13 Blake Wright  
14  
15 Recorder Sheila Lind  
16 Public Works Director Clayton Nelson  
17 Finance Director Clifford Grover  
18  
19 Excused Treasurer Wendy Wilker  
20  
21 Others Present: Gayle Brackner, Cindy Schaub, Rob Gines, Mitcheal  
22 Cooksey, Elaine Thatcher, Heather Lehnig, Jeff Jackson  
and Craig Winder

25 The following motions were made during the meeting:

26  
27 Motion #1

28 Councilmember Clausen moved to "adopt the minutes of the June 13, 2017 Council Meeting  
29 and the evening's agenda." Councilmember Scott seconded the motion, which passed with Clausen,  
30 Scott, Smith, and Wright in favor. No one opposed. Wilson was absent.

31  
32 Motion #2

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

36  
37 Motion #3

38 Councilmember Wright moved to "adopt Ordinance 4-2017, An Ordinance to Adopt Changes  
39 to the City Code of River Heights City, Utah." Councilmember Scott seconded the motion, which  
40 carried with Clausen, Scott, Smith, Wilson and Wright in favor. No one opposed.

41  
42 Motion #4

43 Councilmember Wright moved to "adopt Ordinance 5-2017, An Ordinance to Rezone the  
44 Mitcheal & Karina Cooksey Property from Agricultural to R-1-8." Councilmember Clausen seconded  
45 the motion, which carried with Clausen, Scott, Smith, Wilson and Wright in favor. No one opposed.

47 Motion #5

48 Councilmember Clausen moved to “adopt Ordinance 6-2017, An Ordinance Providing for the  
49 Compensation of Elected and Statutory Officers of River Heights City.” Councilmember Wilson  
50 seconded the motion, which carried with Clausen, Scott, Smith, Wilson and Wright in favor. No one  
51 opposed.

52  
53 Motion #6

54 Councilmember Clausen moved to “adopt Resolution 5-2017, A Resolution to Raise Sewer  
55 Rates.” Councilmember Scott seconded the motion, which carried with Clausen, Scott, Smith, and  
56 Wright in favor. Wilson opposed.

57  
58 Motion #7

59 Councilmember Clausen moved to “adopt Resolution 6-2017, A Resolution to Decrease Water  
60 Rates by \$3/month, rather than \$5.” Councilmember Wright seconded the motion, which carried with  
61 Clausen, Smith, and Wright in favor. Scott and Wilson opposed.

62  
63 Motion #8

64 Councilmember Clausen moved to “have Mayor Brackner send a letter to the Utah Festival  
65 Opera Company indicating they are in default of their agreement.” Councilmember Scott seconded the  
66 motion which carried with Clausen, Scott, Smith, Wilson and Wright in favor. No one opposed.

67  
68  
69  
70

71 Proceedings of the Meeting:

72

73 The River Heights City Council met at 6:30 p.m. in the Ervin R. Crosbie Council Chambers in  
74 the River Heights City Building on Tuesday, July 11, 2017. Councilmember Clausen opened the  
75 meeting with a thought. Councilmember Wright led the group in the Pledge of Allegiance.

76 Adoption of Previous Minutes and Agenda: Minutes of the June 13, 2017 Council Meeting,  
77 were reviewed.

78 **Councilmember Clausen moved to “adopt the minutes of the June 13, 2017 Council  
79 Meeting and the evening’s agenda.” Councilmember Scott seconded the motion, which passed  
80 with Clausen, Scott, Smith, and Wright in favor. No one opposed. Wilson was absent.**

81 Pay Bills: The bills were presented and discussed.

82 **Councilmember Clausen moved to “pay the bills as listed.” Councilmember Scott  
83 seconded the motion, which passed with Clausen, Scott, Smith, and Wright in favor. No one  
84 opposed. Wilson was absent.**

85 Finance Director Report: FD Grover pointed out the finalization of year end was approaching.  
86 He noted the administrative side is very close to budget.

87 Mayor Brackner informed that Treasurer Wilker’s computer is quite old. FD Grover would  
88 like to replace it with a new one with two monitors. He guesses it will cost between \$1,500 and  
89 \$2,000. A purchase order will be presented later.

90 Purchase Requisition: PWD Nelson asked the Council to consider a request for two handicap  
91 accessible picnic tables in the park. The cost would be about \$1,812. He is aware there is RAPZ  
92 money. Mayor Brackner said the RAPZ amount is \$3,200.

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

- The asphalt on the 600 East road project will be laid Thursday or Friday. The seal coat is scheduled for the first of next week. The road should be opened through the weekend, but will be closed again for the seal coat.
- The seal coating has been done on Lamplighter, Windsor, 800 South by Conservice and part of Saddlerock. The Saddlerock road was dirty and they couldn't finish properly. Since Dan Hogan (developer) didn't seal it within the 18 month time limit, the city will hold enough to cover it from his letter of credit.
- The RAM truck sold for \$27,000 this week, which is what the city paid for it 2 years ago. (Councilmember Wilson arrived to the meeting at 6:45pm.)
- The tennis lights are installed and work well. Cindy Schaub said a person asked if the lights could come on 15 minutes earlier. Mr. Nelson said they are on a sensor and he thinks they come on plenty early. Councilmember Wilson said they will check on it but feels it's probably fine how it is.
- The Public Works Department personnel have filled in a lot of asphalt patches.
- He hopes they have solved the 800 South Conservice lighting issue. He built a shield since the one they ordered was insufficient.
- Nyman mortuary's water has been connected.

The handicap tables were discussed again at the arrival of Councilmember Wilson. She was supportive of the tables and said they will write a letter to the county to get the RAPZ money to cover it. PWD Nelson asked if they want to replace some of the defective tables with metal tables, using the leftover funds. Mayor Brackner informed the money could be used for projects already purchased. Ms. Wilson would like to replace the defective tables. She would like to spend the full amount and will look at the condition of the current tables. The Council gave their advice and consent for the handicap tables.

Administrative Report: Recorder Lind didn't have anything to report.

Public Comment: Mayor Brackner announced that Councilmember Smith had a birthday and led the group in singing and supplied doughnuts.

Public Hearing to Approve an Ordinance to Adopt Changes to the City Code of River Heights City: Councilmember Wright explained some background on the code change. The Hanovers wanted to add on to their existing home (which was over 100 years old) by continuing the building, along the side yard, but the setback was less than the required ten feet. They would like to make a significant investment in upgrading the house, but the city's current code doesn't allow them to expand the non-conforming use. Mr. Wright discussed the possibility of a variance with them. Dustin Ericson (city's appeal authority) looked at their situation and determined he wouldn't be able to grant the variance. The other option was to see if the Planning Commission would consider adjusting the city ordinance, in regards to sideyards of older homes. Following much discussion, the Commission came up with some verbiage that would exempt homes built before 1940, in residential zones, from the current setback on a remodel. However, the addition would need to follow the home's original line without getting closer than five feet to the property line.

Councilmember Wilson asked if an old home was torn down, if this would apply. Councilmember Wright said it would not, because it would be the same as building a new house. If a fire or some other act of God destroyed a non-conforming home, it can be rebuilt the same as it was, including its non-conforming state. That does not apply if its intentionally torn down by the owners.

138 Commissioner Schaub clarified the allowed five feet would not include a 16”roof overhang.  
139 Councilmember Wright agreed that the main wall of the structure would have to be at least five feet  
140 from the property line. This situation won’t happen very often, if at all. He felt in the Hanover’s case,  
141 it will be an improvement to their home and neighborhood.

142 **Councilmember Wright moved to “adopt Ordinance 4-2017, An Ordinance to Adopt**  
143 **Changes to the City Code of River Heights City, Utah.” Councilmember Scott seconded the**  
144 **motion, which carried with Clausen, Scott, Smith, Wilson and Wright in favor. No one opposed.**

145 Public Hearing to Approve an Ordinance to Rezone the Mitchael and Karina Cooksey Property  
146 from Agricultural to R-1-8: Councilmember Wright explained where the Cooksey property was  
147 located and that it was presently zoned agricultural. The Cookseys would like to build a home on it,  
148 which requires it to be zoned residential. The property is 1.23 acres and an L shape. Mr. Cooksey said  
149 if they want to sell part of it someday, they will go through the minor subdivision process.  
150 Councilmember Wright stated the rezone request falls in line with the city’s general plan.

151 Councilmember Wilson asked Commissioner Schaub if she felt the request conforms with the  
152 code, which she agreed to. Ms. Wilson was concerned with how the driveway could back out on to the  
153 road. Mr. Cooksey explained he doesn’t have a plan at this point, he is only asking for the rezone.

154 **Councilmember Wright moved to “adopt Ordinance 5-2017, An Ordinance to Rezone the**  
155 **Mitchael & Karina Cooksey Property from Agricultural to R-1-8.” Councilmember Clausen**  
156 **seconded the motion, which carried with Clausen, Scott, Smith, Wilson and Wright in favor. No**  
157 **one opposed.**

158 Public Hearing to Approve an Ordinance Providing for the Compensation of Elected and  
159 Statutory Officers of River Heights City: Mayor Brackner pointed out this is an annual ordinance  
160 adoption required by the state, to be adopted yearly.

161 **Councilmember Clausen moved to “adopt Ordinance 6-2017, An Ordinance Providing**  
162 **for the Compensation of Elected and Statutory Officers of River Heights City.” Councilmember**  
163 **Wilson seconded the motion, which carried with Clausen, Scott, Smith, Wilson and Wright in**  
164 **favor. No one opposed.**

165 Ironwood Development Presentation Regarding Chugg Property: Mayor Brackner explained  
166 that Visionary Homes is in the process of acquiring the Chugg property east of the school. The  
167 property is currently in the County and they are trying to decide on whether to annex to River Heights  
168 or Providence. He informed that he, Councilmember Wright, PWD Nelson, City Engineer Rasmussen  
169 and Jeff Jackson met a couple weeks ago to discuss the possibility of coming to River Heights. He  
170 asked Mr. Wright to explain his recommendation from that meeting.

171 Councilmember Wright explained that Mr. Jackson presented a typical subdivision plan which  
172 included 108 single family lots, which he wasn’t real thrilled about (although this area is not in the  
173 city’s annexation plan). He felt the development of 41 acres would require additional park area to be  
174 consistent with the general plan. He asked Mr. Jackson if he would consider bringing a PUD type of  
175 plan for River Heights to consider, which would group the population density and leave some open  
176 area for public use. Mr. Wright explained the city has already addressed PUDs in the city code.

177 Councilmember Clausen asked if PUD meant the development is responsible for taking care of  
178 snow removal, water lines, and parks. Councilmember Wright said it would be a typical development  
179 where the city would maintain the infrastructure. Mr. Clausen asked how the park maintenance would  
180 be funded. Mr. Wright said this could be addressed later. Mayor Brackner pointed out they are not  
181 here for approval but for a general feeling of the Council.

182 Jeff Jackson, of the Sterling Group, introduced himself and explained their company is made up  
183 of Visionary Homes, Mount Sterling Custom Homes and Ironwood (land development). They are still

184 up in the air whether they will annex to Providence or River Heights. They were in attendance to share  
185 their idea, ask questions and get feedback. They originally were planning to go with Providence, but  
186 after they met with River Heights they decided this was also an option. They have had their eye on  
187 this property since 1998. It's a great location for a special development.

188 He showed the original traditional subdivision plan they came up with (108 10,000 square foot  
189 lots) that was presented to the mayor and others at their prior meeting. After the meeting, they began  
190 working with their land planners on a mixed-use plan, which he then presented. This plan showed  
191 three sections: Active adult community (43 single level homes for 55 and older), 47 single-family  
192 traditional lots and 116 town home units (totaling 206 units) and 14.6 acres of open space (30% of the  
193 property). There are walking trails throughout. They are excited about this design because of the  
194 opportunity for diverse demographics. The community will stay vibrant. There would be no fence on  
195 1000 East. The homes on 600 South would probably want fences but there would be a trail next to the  
196 road.

197 Councilmember Clausen asked about Spring Creek Parkway. Jeff Jackson pointed it out on the  
198 plan and informed they would build half of it. Providence would be responsible for the other half, as  
199 well as the bridge.

200 Jeff Jackson handed out photos of other projects they have done with open space, to get an idea  
201 of how it would look. They would have three different HOAs for upkeep of the areas. The only  
202 public roads would be in the single-family area. The other areas roads would be maintained by their  
203 HOAs.

204 Councilmember Clausen asked if they are anticipating allowing any basements at all, based on  
205 the water level on the property. Jeff Jackson said they have talked about a land drain. If done right it  
206 works like a sewer system. PWD Nelson has heard they work really well. It's piped and protected.  
207 Mr. Clausen asked what Mr. Jackson's reaction would be if the city wouldn't allow basements. Mr.  
208 Jackson said he would push back. They have done land drains in other areas that have worked well.  
209 He also said the sewer would drain perfectly to the south and west (through the church property).

210 Heather Lehnig asked if they planned to purchase the irrigation shares that go with this  
211 property. She would like to see them use irrigation water in their project. Jeff Jackson said this is very  
212 possible on a 40-acre piece and they do own the shares.

213 Elaine Thatcher asked the Council to think about the addition of affordable 55+ housing in  
214 River Heights.

215 Discussion was held on the number of cars that would be using the development.

216 Jeff Jackson has talked with Church Facilities; they don't know what they are planning to do  
217 with their parcel at this point, but they are willing to allow the sewer through their property.

218 Councilmember Wright really liked the idea they presented. He appreciated some variety of  
219 materials and colors of homes to prevent too much of the same.

220 Councilmember Clausen asked if they would consider providing a spot for a small commercial  
221 business, such as a grocery store. Jeff Jackson said they would consider it.

222 Councilmember Wilson would like time to process the plan and implications it could cause to  
223 existing neighbors.

224 Jeff Jackson informed the land is under contract until November. They need to be annexed into  
225 a city by then. They don't want to be stuck in a standard subdivision, which means some changes  
226 would need to take place in the general plan of whichever city they go with. Either city would also  
227 need to change their annexation plan since neither has shown the whole piece in their plan. They  
228 definitely want it all in one city.

229 Councilmembers Scott and Clausen liked the idea. Councilmember Smith had a hard time with  
230 the density. Jeff Jackson realized developers are known for looking at the money end of it, but there is  
231 only \$150,000 difference for them in the two different plans. If they are going to provide so much  
232 open space, they need the density to make up the difference.

233 Jeff Jackson was asked if they would consider 12,000 square foot lots in the single family area.  
234 He explained he needs at least 10,000. If River Heights required twelve they would go to Providence.

235 Councilmember Wilson wasn't interested at this point.

236 Commissioner Schaub said it is very appealing with the green space.

237 Mayor Brackner asked the council members how they generally felt about the idea.

238 Councilmember Wright suggested Irongate discuss their plan with the Planning Commission at a  
239 meeting in which the council members attend.

240 PWD Nelson suggested discussing it with the city engineer to determine what the city can and  
241 can't do.

242 Jeff Jackson asked them to consider if public clamor would outweigh good planning. They  
243 haven't presented this to Providence yet. He feels it's a better fit for River Heights.

244 Councilmember Scott felt it would be a premier look for River Heights. Councilmember  
245 Wilson said, "Or not."

246 Councilmember Wright suggested Mr. Jackson come back to the Council in two weeks to  
247 answer more questions.

248 Adoption of a Resolution to Raise Sewer Rates:

249 **Councilmember Clausen moved to "adopt Resolution 5-2017, A Resolution to Raise Sewer**  
250 **Rates." Councilmember Scott seconded the motion, which carried with Clausen, Scott, Smith,**  
251 **and Wright in favor. Wilson opposed.**

252 Adoption of a Resolution to Allow Citizens to Vote on a ¼% Sales Tax Increase: Mayor

253 Brackner tried to get a copy of a proposal from Mayor Petersen. Executive Craig Buttars responded  
254 that they no longer want to pursue this tax increase this year because it's an off-election year. It will  
255 be on hold until next year.

256 Approval of the 911 Agreement with Logan City: Mayor Brackner has discussed Logan's  
257 agreement with Attorney Jonathan Jenkins, who reviewed and tweaked it. He handed out and  
258 discussed the Logan contract and the one proposed by River Heights, pointing out the differences,  
259 which include: 1) River Heights must approve changes to the agreement. 2) Extra funds can't be  
260 transferred to their general fund, but must remain in the 911 budget, and 3) Logan would be required to  
261 give an accounting at the end of each fiscal year.

262 All Council members agreed to present this to Logan.

263 Discuss and Vote on a Resolution to Decrease Water Rates: Mayor Brackner pointed out some  
264 facts and figures. Currently there is nearly \$200,000 in the water fund. By next year there will be an  
265 additional \$161,000. If the city goes with the new Irongate development, the lower and upper wells  
266 will probably need to be redeveloped. If the large well goes down, the smaller ones can't make up the  
267 difference. PWD Nelson reported the city is going through about 1 ½ million gallons a day right now.  
268 Engineer Rasmussen estimated it would cost about \$140,000/well to improve them. Mayor Brackner  
269 pointed out there may be a need for more in the water fund.

270 PWD Nelson reminded that upsizing the line on 600 East, from 700 South to Providence is  
271 their next water project. If the new development takes the sewer through the church area, the city  
272 should loop the water at this time.

273 Councilmember Clausen asked if the city really needed to upsize the two smaller wells. PWD  
274 Nelson said it should be done regardless if the new development comes in or not.

275 Mayor Brackner said if water rates were reduced by \$5/month, it would reduce the city's  
revenue by \$32,000/year.

277 Councilmember Smith wondered why they would consider lowering the rates in light of these  
278 upcoming expenses. Councilmember Clausen said he feels River Heights' water rates are really high  
279 compared to other city's rates. He'd like to be more in line with them and be fair, within reasons.

280 Commissioner Schaub would rather the city have a slush fund than take a cut in her bill.

281 Councilmember Wilson liked the idea of giving residents a break, but she likes a reserve. She  
282 would like to stay the course. She doesn't feel \$200,000 is very much to have in reserves.

283 Councilmember Wright would like to send a message to the citizens that we want to keep rates  
284 low and spend their money wisely. He feels the City has sufficient reserves when considering the  
285 sewer enterprise fund, yet can still build the water fund reserves even with a \$3 per month rate  
286 reduction.

287 **Councilmember Clausen moved to "adopt Resolution 6-2017, A Resolution to Decrease**  
288 **Water Rates by \$3/month, rather than \$5." Councilmember Wright seconded the motion, which**  
289 **carried with Clausen, Smith, and Wright in favor. Scott and Wilson opposed.**

290 Discuss Installing a Sidewalk on the West Side of 1000 East Between River Heights Boulevard  
291 and 350 South and Between 500 South and 600 South: Councilmember Wright reminded that the  
292 Saddlerock development will install sidewalk along their property on 1000 East. The city could install  
293 above and below this project for about \$25,000. No one had talked to the Luus, who live on the corner  
294 of 600 South 1000 East. There will be issues on their property with their fence. Mr. Wright reminded  
295 that the city committed to the developer that they would install a connecting sidewalk at some point,  
296 but didn't say when.

297 Mayor Brackner reminded the bids for the 700 South sidewalk will go out in February or  
March..

299 Councilmember Scott reminded if they want a better deal, they should look at having it  
300 installed when Saddlerock was doing theirs. PWD Nelson agreed it would cost less to have Dan  
301 Hogan do it at that time. Councilmember Wright asked Mayor Brackner and Mr. Nelson to discuss it  
302 with Mr. Hogan so they could bring a line item price on each section to present at the next meeting.

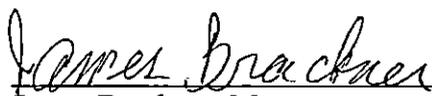
303 Discuss Default of the Utah Festival Opera Company Rental Agreement of the Old Church:  
304 Councilmember Clausen asked for this agenda item to point out the Utah Festival Opera Company has  
305 not completed what they said they would on the exterior of the Old Church. Jonathan Jenkins has  
306 recommended sending them a letter stating they have defaulted on their contract.

307 **Councilmember Clausen moved to "have Mayor Brackner send a letter to the Utah**  
308 **Festival Opera Company indicating they are in default of their agreement." Councilmember**  
309 **Scott seconded the motion with carried with Clausen, Scott, Smith, Wilson and Wright in favor.**  
310 **No one opposed.**

311 Mayor and Council Reports: Councilmember Wilson handed out the Eagle project form to  
312 show what was decided.

313 Councilmember Smith reminded Apple Days is coming along for August 26.

314 The meeting adjourned at 8:40 p.m.

315  
316  
317  
318   
319 James Brackner, Mayor

  
Sheila Lind, Recorder

River Heights City Bills To Be Paid

July 11, 2017

	Payee	Description	Admin.	P&Z	Parks/Rec	Pub. Safety	Com. Aff.	Roads	Water	Sewer	Total
1	AT&T Wireless	City Owned Cell Phones	\$110.33						\$110.20	\$110.39	\$330.92
2	Blue Stakes of Utah	E-Mail Notifications						\$28.26	\$28.26	\$29.11	\$85.63
3	Chevron & Texaco	Fuel for City Vehicles			\$40.31			\$40.31	\$40.31	\$40.31	\$161.24
4	Cindy Schaub	Planning Commission Qtr. Stipend		\$48.00							\$48.00
5	Danny Petersen	Planning Commission Qtr. Stipend		\$48.00							\$48.00
6	Forsgren & Associates	General, Saddlerock, 600 East	\$431.25	\$250.00				\$1,767.50			\$2,448.75
7	Gabriela Alcalá	Utility Deposit Refund							\$34.67		\$34.67
8	Intermountain Farmers Association	Weed Spray Park			\$128.99						\$128.99
9	Jake Zollinger	Planning Commission Qtr. Stipend		\$24.00							\$24.00
10	Jessica Ricker-Harper	Utility Deposit Refund							\$19.18		\$19.18
11	Kendrick Electric	Lift 800 South						\$95.00			\$95.00
12	Lance Pitcher	Planning Commission Qtr. Stipend		\$48.00							\$48.00
13	LeGrand Johnson	Manhole Repairs								\$105.00	\$105.00
14	Mark Malmstrom	Planning Commission Qtr. Stipend		\$48.00							\$48.00
15	Peterson Plumbing	Valve Boxes Orchard and RH. Blvd.							\$143.68		\$143.68
16	Providence City	Library 2017 Fee					\$4,600.00				\$4,600.00
17	Rocky Mountain Power	Electricity	\$130.53		\$72.54	\$21.66		\$1,186.83	\$4,920.69	\$35.89	\$6,368.14
18	Secure Instant Payments	Monthly Fees June	\$17.32						\$17.31	\$17.32	\$51.95
19	South Fork Hardware	Supplies Nuts & Bolts			\$27.60			\$37.59	\$27.60	\$27.61	\$120.40
20	Sprinkler Supply Co., Inc.	Sprinkler Repairs			\$481.52						\$481.52
21	The Clean Spot	Bathroom Supplies - Park			\$125.30						\$125.30
22	Thomas Petroleum	Fuel for City Vehicles			\$47.22			\$47.21	\$47.21	\$47.21	\$188.85
23	Thurcon, Inc.	City Clean Up Dumpster					\$795.40				\$795.40
24	USA BlueBook	Chlorine Testing						\$127.21			\$127.21
25											
26		<b>JULY \$</b>									
27	Cache Valley Fire Protection	Annual Fire Extinguisher Inspection	\$88.00								\$88.00
28	Caselle	Monthly Support Fee	\$91.69						\$91.66	\$91.65	\$275.00
29	Freedom Mailing Services, Inc.	Bill Processing	\$134.55						\$44.85	\$44.85	\$224.25
30	Janet Mathews	Newsletter Delivery	\$100.00								\$100.00
31	Wasatch Document Solutions, Inc.	Zerox Color Copier	\$4,900.00								\$4,900.00
32											
33											
34											
35											
36											
37											
38											
39											
40											
41											
42											
43											
44											
45											
46											

Page 1 SubTotals

\$6,003.67

\$466.00

\$923.48

\$21.66

\$5,395.40

\$3,202.70

\$5,652.83

\$549.34

\$22,215.08

Page 1 Total Amount to be Paid \$22,215.08

River Heights City  
Financial Summary  
July 11, 2017

	<b>Cash Balance By Fund</b>		Net Change	% of Total
	05/31/17	06/30/17		
General Fund	330,648.48	383,699.15	53,050.67	29.38%
Capital Projects Fund	(48,026.16)	(57,432.05)	(9,405.89)	-4.40%
Water Fund	177,600.40	195,247.69	17,647.29	14.95%
Sewer Fund	780,037.04	784,591.10	4,554.06	60.07%
<b>Total Cash Balance</b>	<b>1,240,259.76</b>	<b>1,306,105.89</b>	<b>65,846.13</b>	100.00%

**Budget Summary - June 30, 2017**

	YTD Actual	Annual Budget	Unexpended Budget	% Of	
				Budget Incurred	% Of Time Incurred
<b>General Fund</b>					
Revenue	758,252.43	791,836.00	33,583.57	95.76%	100.00%
Expenditures					
Administrative	150,459.30	155,970.00	5,510.70	96.47%	100.00%
Office	14,829.13	14,298.72	(530.41)	103.71%	100.00%
Community Affairs	15,179.71	22,600.00	7,420.29	67.17%	100.00%
Planning & Zoning	6,045.25	6,650.00	604.75	90.91%	100.00%
Public Safety	98,858.97	102,578.00	3,719.03	96.37%	100.00%
Roads	94,541.41	90,800.00	(3,741.41)	104.12%	100.00%
Parks & Recreation	57,547.69	79,066.00	21,518.31	72.78%	100.00%
Sanitation	135,583.34	144,000.00	8,416.66	94.16%	100.00%
Transfer To CP Fund	-	375,000.00	375,000.00		
Total Expenditures	573,044.80	990,962.72	417,917.92	57.83%	100.00%
<b>Net Revenue Over Expenditures</b>	<b>185,207.63</b>	<b>(199,126.72)</b>	<b>(384,334.35)</b>		
<b>Capital Projects Fund</b>					
Revenue	89.01	50.00	(39.01)		100.00%
Transfer From General Fund	-	375,000.00	375,000.00		
Expenditures					
Administrative	-	35,000.00	35,000.00		100.00%
Parks & Recreation	27,389.50	-	(27,389.50)		100.00%
Roads	149,190.91	420,000.00	270,809.09		100.00%
Electricity	4,162.74	4,162.74	-		100.00%
Total Expenditures	180,743.15	459,162.74	278,419.59		100.00%
<b>Net Revenue Over Expenditures</b>	<b>(180,654.14)</b>	<b>(84,112.74)</b>	<b>96,541.40</b>		
<b>Water Fund</b>					
Revenue	396,640.39	380,480.00	(16,160.39)	104.25%	100.00%
Expenditures	349,920.55	369,357.00	19,436.45	94.74%	100.00%
<b>Net Revenue Over Expenditures</b>	<b>46,719.84</b>	<b>11,123.00</b>	<b>(35,596.84)</b>		
<b>Sewer Fund</b>					
Revenue	192,091.18	184,612.00	(7,479.18)	104.05%	100.00%
Expenditures	224,196.96	248,031.00	23,834.04	90.39%	100.00%
<b>Net Revenue Over Expenditures</b>	<b>(32,105.78)</b>	<b>(63,419.00)</b>	<b>(31,313.22)</b>		

**Ordinance 4-2017**

**AN ORDINANCE TO ADOPT  
CHANGES TO THE CITY CODE OF RIVER HEIGHTS CITY, UTAH**

After the River Heights City Planning Commission held a duly noticed public hearing on Wednesday, June 7, 2017, the River Heights City Council adopted the following change to be made to the City Code 10-12-2B. Table 3 of River Heights City, Utah.

Table 2, Residential Space Requirement Chart

<u>Residential Uses</u>	<u>A</u>	<u>R-1-8</u>	<u>R-1-10</u>	<u>R-1-12</u>	<u>PUD</u>
Lot Setbacks					
Principal Uses (in feet):					
Front Yard	50	25	25	30	*
Side Yard (interior lot)	20	10 *****	10	12	*
Side Yard (on street)	30	25	25	30	*
Rear Yard	30	20	25	30	*

\*\*\*\*\* Properties with residential homes built prior to 1940 in the R-1-8 zone are exempt from the 10-foot minimum sideyard (interior lot) setback with the following conditions: Additions or remodels made to said homes may extend the same non-conforming line of such an existing home, but in no case, shall any addition or remodel (including structural overhang and cantilevers) be closer to the adjacent property line than five (5) feet, i.e., a five (5) foot setback shall be maintained in all cases. The eaves shall not extend beyond 16" of existing roof line or eave.

*the*

Passed by the River Heights Municipal Council this 11<sup>th</sup> day of July 2017.

\_\_\_\_\_  
James Brackner, Mayor

ATTEST

\_\_\_\_\_  
Sheila Lind, Recorder

ORDINANCE 5-2017

AN ORDINANCE TO REZONE THE MITCHEAL & KARINA COOKSEY PROPERTY  
FROM AGRICULTURAL TO R-1-8

WHEREAS, Mitchael Cooksey owns property at approximately 550 East 800 South, River Heights, Utah, and

WHEREAS, the property is currently zoned agricultural, and

WHEREAS, Mitchael Cooksey, has requested the property be rezoned to R-1-8, and

WHEREAS, a public hearing was held by the Planning Commission on June 7, 2017 to address the request, and

WHEREAS, the Planning Commission has recommended to the City Council that the Cooksey property be considered for an R-1-8 zone.

NOW THEREFORE IT IS HEREBY RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF RIVER HEIGHTS, that the above property be zoned R-1-8.

ADOPTED BY THE RIVER HEIGHTS MUNICIPAL COUNCIL THIS 11<sup>th</sup> DAY OF JULY 2017.

---

James Brackner, Mayor

Attest:

---

Sheila Lind, Recorder

ORDINANCE NO. 6-2017

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

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

1. Repealer. All previous salary of compensation ordinances regarding elected and statutory officers hereby are repealed.
2. Compensation. The monthly compensation of the elected and statutory officers shall be as follows:

Mayor .....	\$600.00
Council member .....	400.00
Finance Director .....	458.33
Treasurer .....	19.76/hr
Recorder .....	23.40/hr
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

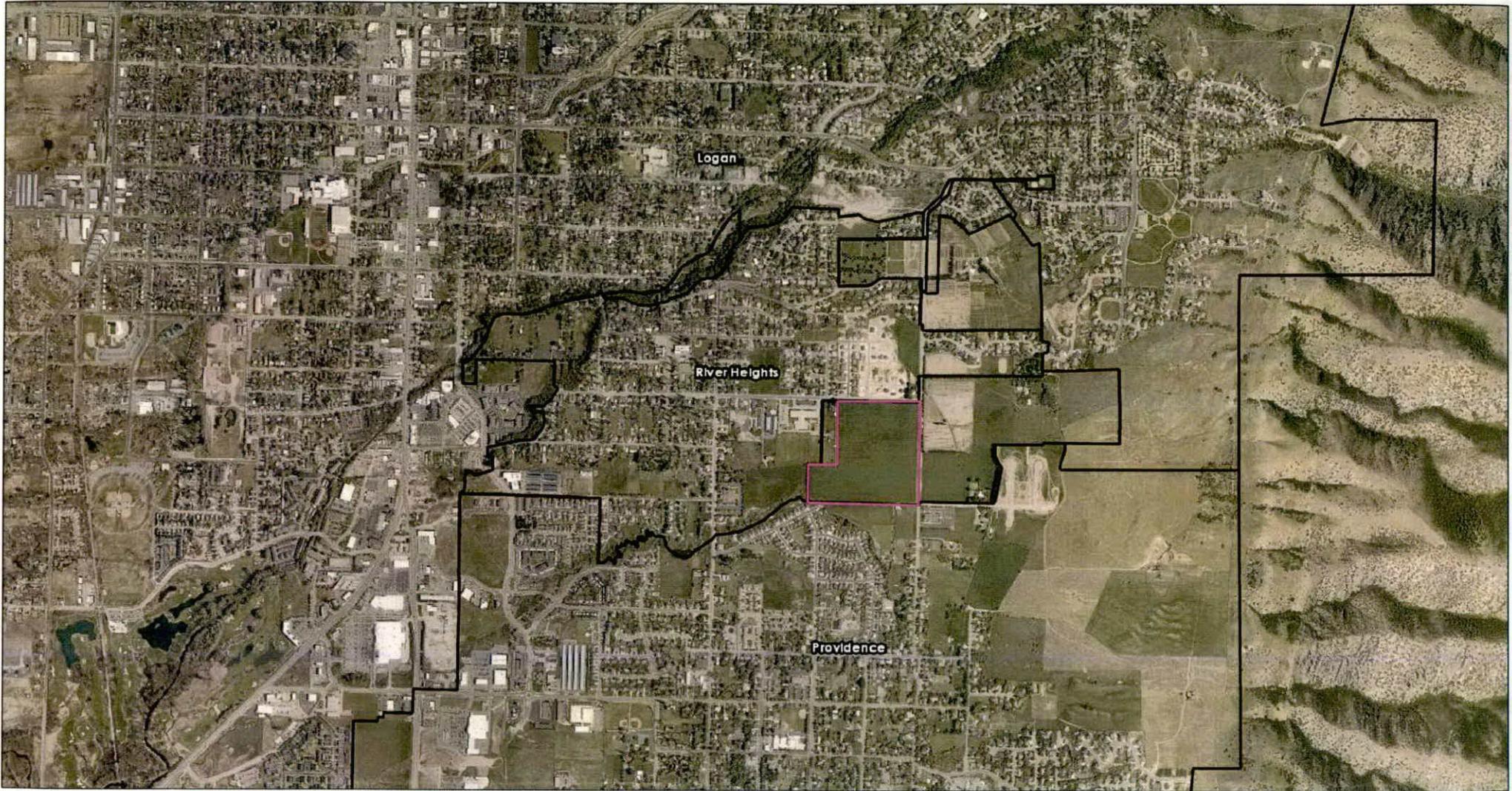
Adopted this 11<sup>th</sup> day of July, 2017.

\_\_\_\_\_  
James Brackner, Mayor

Attest:

\_\_\_\_\_  
Sheila Lind, Recorder

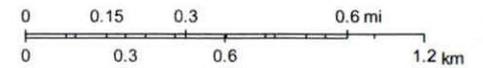
# Parcel Map



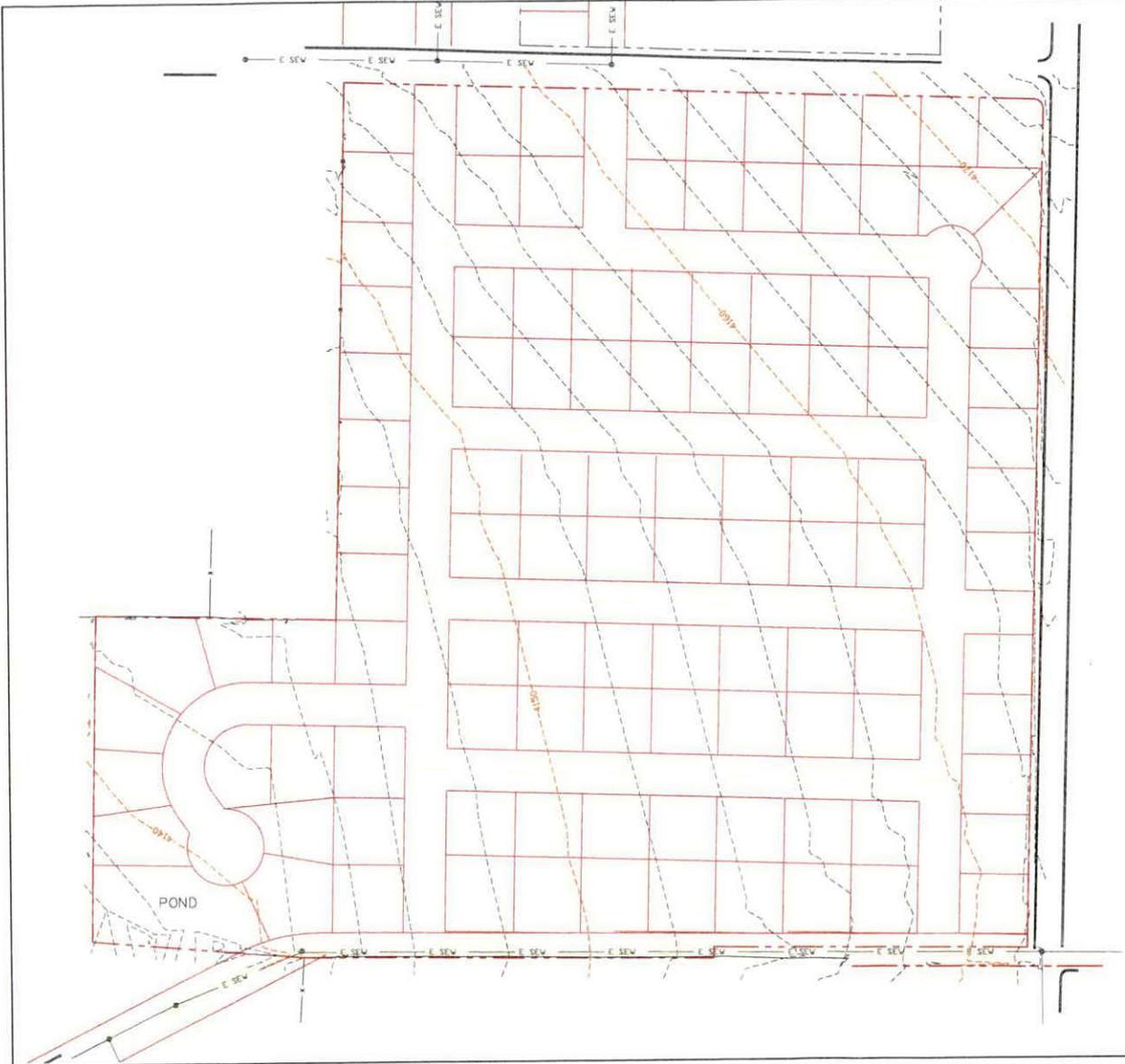
July 11, 2017

- County Boundary
- Municipal Boundaries

1:15,371



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



ELEGANT ACRES SUBDIVISION  
CONCEPT PLAN

SCALE: 1"=80' (24x36 PLAN SET)  
SCALE: 1"=160' (11x17 PLAN SET)

108 lots



ALLIANCE CONSULTING  
ENGINEERS  
150 EAST 200 NORTH SUITE P  
LOGAN, UTAH 84321  
alliancece@psds.com



NO.	REVISION / DESCRIPTION	DATE

PROJECT FILE	
DRAWING FILE	

DATE: MAY, 2017  
DRAWING NO. 1



**Site Summary** River Heights Property, River Heights, Utah - Ironwood Const.

Site	Dedication: 1000 East	1.7 Acres	41.0 Acres
	Dedication: Spring Creek Parkway	1.3 Acres	
Net Area:			38.1 Acres
Units:			206
	Single Family Lots: 4,000 to 10,000 square feet		
	13.6 Acres gross	47 Lots	3.4 U/AC
	Average SF = 3,785 sq. ft.		
	Active Adult Single Family Lots: 60 x 95 ft. minimum		
	12.0 Acres gross	43 Lots	3.6 U/AC
	Average SF = 6,952 sq. ft.		
	Town Homes: 12.3 Acres gross	115 Units	9.4 U/AC
Net Density			5.4 Units/Acre
Streets:	5,520 LF. of 66 ft. =		3.4 Acres
Open Space			14.6 Acres 38.3 %
	Single Family Lots		
	Buffer	1.1 Acres	
	Park	0.5 Acres	
	Active Adult		
	Buffer	2.7 Acres	
	Park	0.2 Acres	
	Town Homes	10.0 Acres	



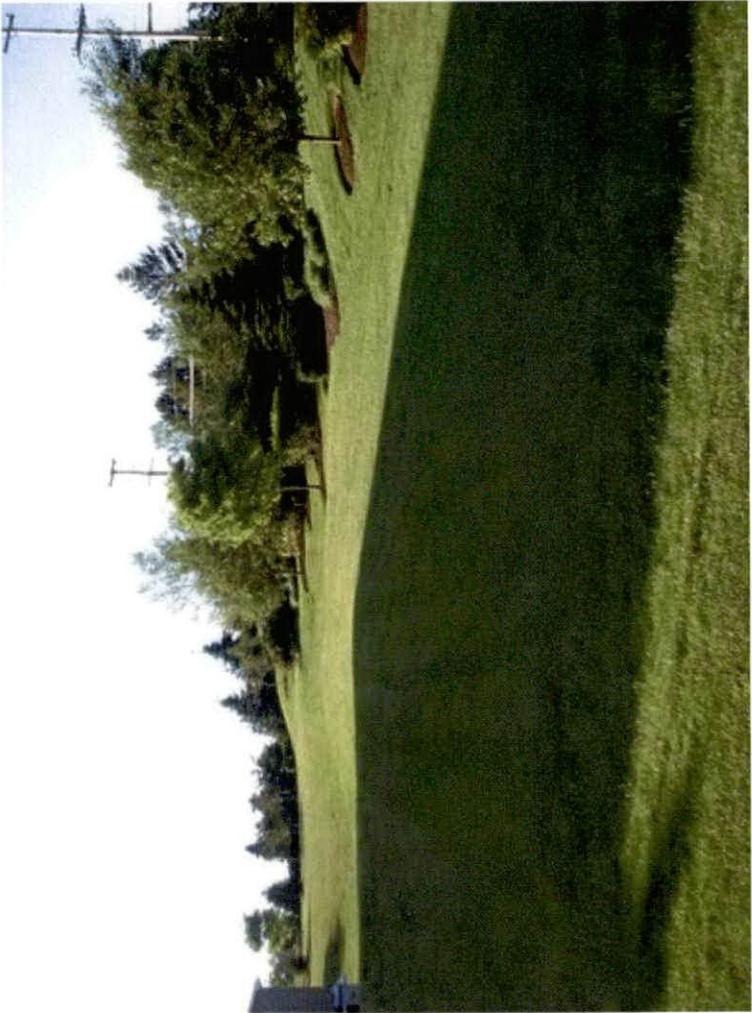
27 JUNE 2017  
Concept Plan

# RIVER HEIGHTS PROPERTY

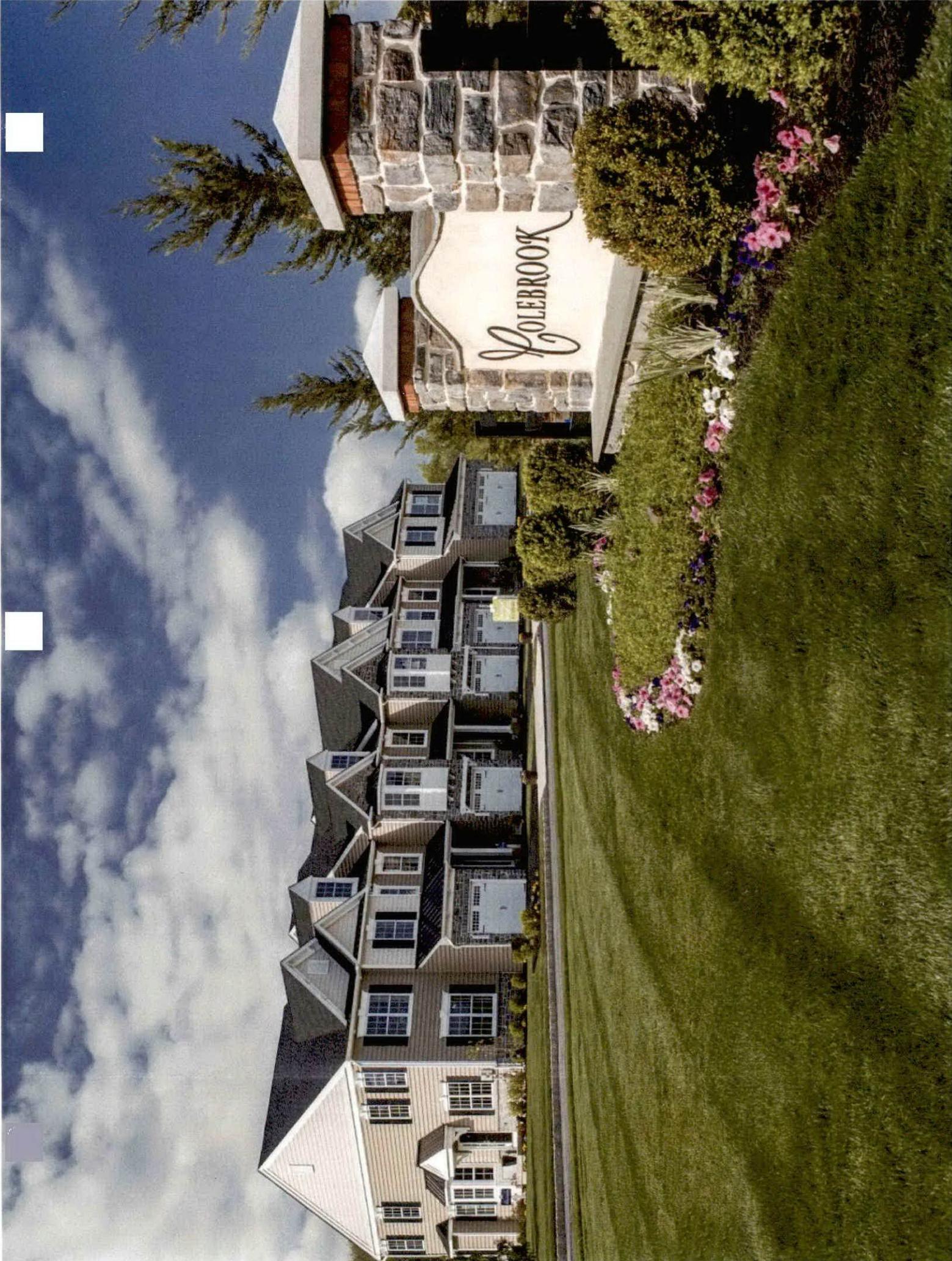
River Heights, Utah  
Ironwood Construction, 50 East 2500 North, North Logan, Utah

**R. MICHAEL KELLY**  
CONSULTANTS

LAND PLANNING - LANDSCAPE ARCHITECTURE  
203. Beehive Building, UT 84302 435.733.2933







SOLEBROOK

# Site Summary

River Heights Property, River Heights, Utah . Ironwood Constr.

---

Site		41.0 Acres
Dedication: 1000 East	1.7 Acres	
Dedication: Spring Creek Parkway	1.2 Acres	
Net Area:		38.1 Acres
Units:		206
Single Family Lots: 6,000 to 10,000 square feet		
13.8 Acres gross	47 Lots	3.4 U/Ac.
Average lot = 7,785 s.f.		
Active Adult Single Family Lots: 60 x 95 ft. minimum		
12.0 Acres gross	43 Lots	3.6 U/Ac.
Average lot = 6,800 s.f.		
Town Homes	12.3 Acres gross	116 Units
		9.4 U/Ac.
Net Density		5.4 Units/Acre
Streets:	5,520 L.F. at 66 ft. =	8.4 Acres
Open Space		14.6 Acres 38.3%
Single Family Lots		
Buffer	1.1 Acres	
Park	0.5 Acre	
Active Adult		
Buffer	2.7 Acres	
Park	0.3 Acre	
Town Homes	10.0 Acres	

---

## 108 Single Family Lots

	Data		Totals	
Number of Lots	108	units		108
Total Revenue	\$	75,000	lot price	\$ 8,100,000
Land Costs	\$	2,250,000		\$ 2,250,000
Development Costs	\$	38,000	per lot	\$ 4,104,000
Total Costs				\$ 6,354,000
<b>Project Gross Profit</b>				<b>\$ 1,746,000</b>
<b>Gross Margin as % of Revenue</b>				<b>21.56%</b>

## Mixed Use

	Data		Totals	
<b>Unit Mix</b>				
Single Family	47	units		47
Active Adult	43	units		43
Townhomes	116	units		116
Total Units	206	units		206
<b>Sales Price</b>				
Single Family	\$	70,000	lot price	\$ 3,290,000
Active Adult	\$	65,000	lot price	\$ 2,795,000
Townhomes	\$	38,000	lot price	\$ 4,408,000
Total Revenue				\$ 10,493,000
<b>Development Costs</b>				
Land Costs	\$	2,250,000		\$ 2,250,000
Single Family	\$	35,000	per lot	\$ 1,645,000
Active Adult	\$	35,000	per lot	\$ 1,505,000
Townhomes	\$	22,000	per lot	\$ 2,552,000
14.6 acres open space/parks	\$	43,560	per acre	\$ 635,976
Total Costs				\$ 8,587,976
<b>Project Gross Profit</b>				<b>\$ 1,905,024.00</b>
<b>Gross Margin as % of Revenue</b>				<b>18.16%</b>

RESOLUTION NO. 5-2017

**A RESOLUTION TO RAISE SEWER RATES**

WHEREAS, Logan City has contracted with River Heights City to process River Heights City wastewater; and

WHEREAS, Logan City is required by EPA standards to upgrade its wastewater treatment facilities at a cost of \$116 million; and

WHEREAS, River Heights City intends to agree to a rate increase to Logan City to share the cost of treating River Heights City wastewater; and

WHEREAS, the increased rate which Logan will charge River Heights City is approximately \$10.10 per connection.

THEREFORE, the River Heights City Council voted to raise the River Heights City monthly sewer rate from \$19.05 to \$29.15 as of July 1, 2017.

The revised Sewer Rate Schedule is hereby signed and adopted this 11<sup>th</sup> day of July, 2017.

\_\_\_\_\_  
James Brackner, Mayor

ATTEST:

\_\_\_\_\_  
Sheila Lind, Recorder



## DEVELOPMENT SERVICES DEPARTMENT

BUILDING | SURVEYING | ENGINEERING | GIS | PLANNING & ZONING | ROADS | WEEDS

### COUNTY OPTION ¼-CENT SALES TAX: TRANSPORTATION MAINTENANCE FUNDING

#### LEGISLATIVE INFORMATION:

HB362 (2015) developed an alternative funding stream for local jurisdictions to be used for roadway maintenance.

- Counties were allowed to implement a ¼ cent sales tax option which would be split between the county (20%), cities (40%), and transit (40%)
    - Individual city allocation based on the sales tax distribution model (50% point of sale, 50% population)
  - Eligible activities include:
    - Maintenance and traffic/pedestrian improvements on Class B & C roads.
    - Sidewalk, curb/gutter, safety improvements, traffic signals or signage, lighting
    - Non-motorized or multimodal transportation that connects origins with destinations (no recreational trails; but allowed for bike lanes, mixed use paths connecting residential areas to shopping/job center, etc.)
  - New revenue generated from this tax may not be used to replace existing general fund commitments already made for transit (cannot be used to offset existing funds, but rather to increase total transportation dollars).
  - Requires the county to place it on the ballot and a majority of votes to pass
- HB183 (2016) allowed an alteration to the transit portion of the funding in HB362 (2015)
- Option to provide between 10% and 40% of the funding to transit
  - Anything not provided to transit is split equally between cities (50%) and county (50%)

#### WHAT IT PROVIDES:

Option 1: Maximum transit allocation (40% or \$1.3M)

- Cities (40%) - Average a 20.2% increase to existing FY2016 Class C funding
  - Increase ranges from 8.6% to 44.6% depending on the city
- County (20%) - 44.5% increase to FY2016 Class B funding

Option 2: Minimum transit allocation (10% or \$325,000)

- Cities (55%) - Average a 27.8% increase to existing FY2016 Class C funding
  - Increase ranges from 11.9% to 61.4% depending on the city
- County (35%) - 77.9% increase to FY2016 Class B funding

Other Options can include funding CVTD at any rate between 10% and 40%

\*Total funding assumption is based on CCCOG funds received which is ~\$3.25M per year

\*\*All figures are estimates based on FY2016 Class B/C and July 2015 sales tax

Page 1 of 1

		Distribution Rates		% Increase to Class B/C	
		Original HB362 ('15)	HB183 ('16)	Original HB362 ('15)	HB183 ('16)
1/4 Cent Sales Tax	County	20.0%	35.0%	44.5%	77.9%
\$3,250,000	Cities	40.0%	55.0%	20.2%	27.8%
	Transit	40.0%	10.0%	NA	NA

Class B/C (FY2016)					
Cache	\$1,460,730	\$650,000	\$1,137,500	44.5%	77.9%
Amalga	\$37,664	\$4,439	\$6,104	11.8%	16.2%
Clarkston	\$36,948	\$4,858	\$6,680	13.1%	18.1%
Cornish	\$26,236	\$2,262	\$3,110	8.6%	11.9%
Hyde Park	\$171,375	\$48,006	\$66,009	28.0%	38.5%
Hyrum	\$284,939	\$74,734	\$102,759	26.2%	36.1%
Lewiston	\$143,246	\$14,125	\$19,421	9.9%	13.6%
Logan	\$1,543,825	\$689,052	\$947,447	44.6%	61.4%
Mendon	\$59,296	\$10,239	\$14,078	17.3%	23.7%
Millville	\$77,971	\$14,074	\$19,352	18.1%	24.8%
Mewton	\$38,951	\$5,439	\$7,479	14.0%	19.2%
Nibley	\$220,907	\$47,301	\$65,039	21.4%	29.4%
North Logan	\$339,712	\$146,342	\$201,220	43.1%	59.2%
Paradise	\$56,803	\$6,583	\$9,052	11.6%	15.9%
Providence	\$260,586	\$68,028	\$93,538	26.1%	35.9%
Richmond	\$110,790	\$20,463	\$28,136	18.5%	25.4%
River Heights	\$65,592	\$13,570	\$18,659	20.7%	28.4%
Smithfield	\$385,397	\$100,058	\$137,579	26.0%	35.7%
Trenton	\$40,098	\$3,658	\$5,029	9.1%	12.5%
Wellsville	\$160,264	\$26,770	\$36,809	16.7%	23.0%
Transit		\$1,300,000	\$325,000	20.2%	27.8%
				8.6%	11.9%
				44.6%	61.4%
					Avg Inc
					Min Inc
					Max Inc

**From:** [Jonathan Jenkins](#)

**Sent:** Tuesday, July 11, 2017 4:32 PM

**To:** '[jamesbrackner@riverheights.org](mailto:jamesbrackner@riverheights.org)'; 'James Brackner'

**Subject:** 911 Dispatch Contract

.Mayor: Please see the attached 911 Dispatch contract for your review. I made changes similar to Nibley city requiring an annual accounting and the use of surplus funds exclusively for 911 purposes. See Para 3 D and E. On paragraph 5, the proposed agreement presented by Logan stated that we could withdraw upon resolution adopted by "Cache County Council"???. I assume that was a mistake. I inserted withdrawal upon resolution of River Heights City Council. Also, the ability of either party to withdraw as provided in Paragraph 5 seems to contradict paragraph 9 stating the contract runs for 5 years. I left it alone because I assume we like the ability to withdraw, if necessary.

Let me know if you have questions or concerns.

Thanks,  
Jon

# Logan's Agreement

## INTERLOCAL AGREEMENT FOR DISPATCH SERVICES

This agreement is made and entered into by and between the City of Logan, a Municipal Corporation, hereinafter referred to as "LOGAN" and "RIVER HEIGHTS CITY", hereinafter referred to as "USER" in this agreement.

This agreement is made and entered into by and between the parties based on the following recitals:

- A. WHEREAS the USER is in need of dispatch service, and;
- B. WHEREAS LOGAN is in a position to provide dispatch service, and;
- C. WHEREAS this agreement is made and entered into pursuant to the authority granted to the parties by the Utah Interlocal Cooperation Act as set forth in Chapter 13, Title 11, Utah Code Annotated, 1953 as amended, and Section 10-1-202, Utah Code Annotated, 1953 as amended, and;
- D. WHEREAS LOGAN is able to provide centralized dispatch services which the USER needs and is not necessarily able to reasonably provide separately.

NOW THEREFORE, in consideration of the mutual terms and conditions contained herein, the parties do hereby agree as follows:

### 1. PARTICIPATION:

The USER agrees to participate in the centralized communications center by and through this Interlocal Cooperation Agreement and in accordance with the terms and conditions found herein.

### 2. SERVICES:

LOGAN shall provide centralized dispatch and communications services to the USER including dispatch and communications services for law enforcement, fire, emergency medical functions, and other emergency governmental functions. In addition, LOGAN shall provide, or cause to be provided, the necessary administrative services required for the reasonable and appropriate implementation of centralized dispatch and communications services to provide service as described herein, including auditing, fiscal services, and other administrative services.

### 3. ASSESSMENTS FOR OPERATING COSTS:

- A. The USER shall be assessed for services received and the assessment shall be currently equivalent to \$3.00 (Three Dollars) per month per household or commercial site located within the USER'S boundaries. This assessment may be amended by LOGAN upon due notice to the USER. There will be the opportunity for the USER to appear before LOGAN with respect to the amount of the assessment.
- B. The USER shall be billed and required to make payments to LOGAN monthly for its assessments.
- C. The operating costs shall:
  - 1. Include at least the following categories:
    - a. 911 Services
    - b. Dispatch Services

- c. Record and Recording Services
  - d. Radio Services; and
  - e. Miscellaneous.
2. Include, but not be limited to lease payments, building or land acquisition or leases, building maintenance, data systems, equipment, utilities, insurance, administrative costs, and financial services.

D. Any unencumbered funds remaining in LOGAN's operating budget at the end of the year will be held in LOGAN's reserve capital improvement and equipment funds for the operation of service.

*altered*

*E. ADDED*

**4. CAPITALIZATION:**

No initial contribution capital shall be required of the USER.

**5. WITHDRAWAL:**

The USER may withdraw during the initial term upon the adoption by the Cache County Council of a Resolution of Intention to Withdraw and upon the giving of written notice to LOGAN at least six (6) months prior to the end of LOGAN's fiscal year. Withdrawal by Resolution shall become effective on the last day of LOGAN's fiscal year in which notice of withdrawal is given.

LOGAN may withdraw during the initial term only in the event of changes in Utah laws or regulations that prevent or significantly impact LOGAN's ability to provide the Services described in section 2 of this Agreement, including LOGAN's ability to fund said Services from state and local resources. The effective date of a LOGAN withdrawal will be set to facilitate continuity in 911 Services but will not exceed six (6) months from the date of LOGAN's written notice of withdrawal.

**6. RECORDS CONFIDENTIALITY:**

LOGAN shall adopt a policy in accordance with applicable state law regarding the maintenance, dissemination, and retention of confidential records and information. The USER agrees to abide by the provision of that policy at all times during the term of this Agreement and after the termination of this Agreement and withdrawal of membership by the USER.

**7. RESOLUTIONS:**

The USER agrees to adopt such resolutions and take any required action as may be necessary and appropriate to carry into effect the terms of this Agreement.

**8. COOPERATION:**

The USER commits itself to render mutual cooperation to LOGAN and other users of the service provided by the terms of this Agreement and agrees to move towards standardization and unification of those functions relating to dispatch, communication services, emergency dispatching and other needed procedures.

**9. TERM:**

The term of this agreement shall be for five (5) years from the date of this Agreement. It shall continue in effect for one-year periods thereafter unless terminated by either party by giving the other party at least six (6) months written notice of termination prior to the other party's fiscal year end.

**10. AUTHORIZATION:**

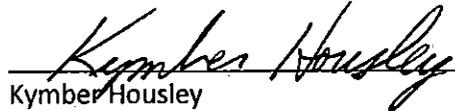
The undersigned representative of the USER confirms his authority to execute this Agreement on behalf of the USER and the approval of this Agreement by the Cache County Council in a public meeting.

IN WITNESS WHEREOF, the parties hereto have each executed this Agreement in duplicate, each of which shall be deemed an original, on the 23rd day of MAY, 2017.

CITY OF LOGAN:

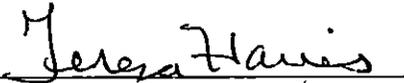


H. Craig Petersen  
Logan City Mayor



Kymber Housley  
Logan City Attorney

ATTESTED TO:



Teresa Harris  
Logan City Recorder

RIVER HEIGHTS CITY:

\_\_\_\_\_  
James Brackner  
River Heights City Mayor

ATTESTED TO:

\_\_\_\_\_  
River Heights City Recorder

# River Heights Amended

## INTERLOCAL AGREEMENT FOR DISPATCH SERVICES

This agreement is made and entered into by and between the City of Logan, a Municipal Corporation, hereinafter referred to as "LOGAN" and "RIVER HEIGHTS CITY", hereinafter referred to as "USER" in this agreement.

This agreement is made and entered into by and between the parties based on the following recitals:

- A. WHEREAS the USER is in need of dispatch service, and;
- B. WHEREAS LOGAN is in a position to provide dispatch service, and;
- C. WHEREAS this agreement is made and entered into pursuant to the authority granted to the parties by the Utah Interlocal Cooperation Act as set forth in Chapter 13, Title 11, Utah Code<sup>3</sup> Annotated, 1953 as amended, and section 10-1-202, Utah Code Annotated, 1953 as amended, and;
- D. WHEREAS LOGAN is able to provide centralized dispatch services which the USER needs and is not necessarily able to reasonably provide separately.

NOW THEREFORE, in consideration of the mutual terms and conditions contained herein, the parties do hereby agree as follows:

### 1. PARTICIPATION:

The USER agrees to participate in the centralized communications center by and through this Interlocal Cooperation Agreement and in accordance with the terms and conditions found herein.

### 2. SERVICES:

LOGAN shall provide centralized dispatch and communications services to the USER including dispatch and communications services for law enforcement, fire, emergency medical functions, and other emergency government functions. In addition, LOGAN shall provide, or cause to be provided, the necessary administrative services required for the reasonable and appropriate implementation of centralized dispatch and communications services to provide service as described herein, including auditing, fiscal services, and other administrative services.

### 3. ASSESSMENTS FOR OPERATING COSTS:

- A. The USER shall be assessed for services received and the assessment shall be currently equivalent to \$3.00 (Three Dollars) per month per household or commercial site located within the USER'S boundaries. This assessment may be amended by LOGAN upon due notice to and with USER'S Approval. There will be the opportunity for the USER to appear before LOGAN with respect to the amount of the assessment.
- B. The USER shall be billed and required to make payments to LOGAN monthly for its assessments.

- C. The operating costs shall:
- a. Include at least the following categories:
    - i. 911 Services.
    - ii. Dispatch Services
    - iii. Record and Recording Services
    - iv. Radio Services; and
    - v. Miscellaneous
  - b. Include, but not be limited to lease payments, building or land acquisition or leases, building maintenance, data systems, equipment, utilities, insurance, administrative costs, and financial services.
- D. Any unencumbered funds remaining in LOGAN's operating budget at the end of the year will be held in LOGAN's reserve capital improvement and equipment fund for the exclusive operation of those services detailed in Paragraph 2, above.
- E. An annual accounting shall be completed by LOGAN and provided to USER within Ninety (90) days after the completion of LOGAN's fiscal year. Said accounting shall fully detail funds received and expenditures made by LOGAN in providing the above referenced services.

#### **4. CAPITALIZATION:**

No initial contribution capital shall be required of the USER.

#### **5. WITHDRAWAL:**

The USER may withdraw during the initial term upon the adoption by the River Heights City Council of a Resolution of Intention to Withdraw and upon the giving of written notice to LOGAN at least six (6) months prior to the end of LOGAN's fiscal year. Withdrawal by Resolution shall become effective on the last day of LOGAN's fiscal year in which notice of withdrawal is given.

LOGAN may withdraw during the initial term only in the event of changes in Utah laws or regulations that prevent or significantly impact LOGAN's ability to provide the Services described in section 2 of this Agreement, including LOGAN's ability to fund said Services from state and local resources. The effective date of a LOGAN withdrawal will be set to facilitate continuity in 911 Services but will not exceed six (6) months from the date of LOGAN's written notice of withdrawal.

#### **6. RECORDS CONFIDENTIALITY:**

LOGAN shall adopt a policy in accordance with applicable state law regarding the maintenance, dissemination, and retention of confidential records and information. The USER agrees to abide by the provision of that policy at all times during the term of this Agreement and after the termination of this Agreement and withdrawal of membership by the USER.

**7. RESOLUTIONS:**

The USER agrees to adopt such resolutions and take any required action as may be necessary and appropriate to carry into effect the terms of this Agreement.

**8. COOPERATION:**

The USER commits itself to render mutual cooperation to LOGAN and other users of the service provided by the terms of this Agreement and agrees to move towards standardization and unification of those functions relating to dispatch, communication services, emergency dispatching and other needed procedures.

**9. TERM:**

The term of this agreement shall be for five (5) years from the date of this Agreement. It shall continue in effect for one-year periods thereafter unless terminated by either party by giving the other party at least six (6) months written notice of termination prior to the other party's fiscal year end.

**10. AUTHORIZATION:**

The undersigned representative of the USER confirms his authority to execute this Agreement on behalf of the USER and the approval of this Agreement by Cache County Council in a public meeting.

IN WITNESS WHEREOF, the parties hereto have each executed this Agreement induplicate, each of which shall be deemed an original, on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**CITY OF LOGAN:**

\_\_\_\_\_  
H. Craig Petersen  
Logan City Mayor

\_\_\_\_\_  
Kymber Housley  
Logan City Attorney

**RIVER HEIGHTS CITY:**

\_\_\_\_\_  
James Brackner  
River Heights City Mayor

\_\_\_\_\_  
Jonathan Jenkins  
River Heights City Attorney

**ATTEST:**

---

Teresa Harris  
Logan City Recorder

---

River Heights City Recorder

**RESOLUTION 6-2017**

**A RESOLUTION TO DECREASE WATER RATES**

BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF  
RIVER HEIGHTS, UTAH THAT:

The City Council voted to reduce the monthly water base rate by \$~~7~~<sup>3</sup>.00. The new rate will be:  
<sup>29</sup>  
**\$27.75/month**

Logan serviced water users on 1000 East rates will stay the same.

Other Logan serviced water users are billed the new rate.

Residents in the County, on River Heights water will be billed the new rate.

PASSED BY THE RIVER HEIGHTS MUNICIPAL COUNCIL, STATE OF UTAH, THIS 11<sup>th</sup>  
DAY OF July 2017.

Effective as of July 1, 2017

\_\_\_\_\_  
James Brackner, Mayor

Attest:

\_\_\_\_\_  
Sheila Lind, Recorder