

River Heights City

COUNCIL MEETING AGENDA

Tuesday, March 31, 2020

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

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

Adoption of Previous Minutes and Agenda

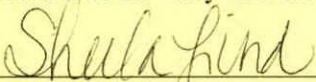
Reports and Approval of Payments (Mayor, Council, Staff)

Public Comment

Adoption of An Ordinance Establishing Option for Electronic Meetings for River Heights City

Adjourn

Posted this 26th day of March 2020



Sheila Lind, Recorder

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

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

River Heights City

Council Meeting

March 31, 2020

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8 Present: Mayor Todd Rasmussen
9 Council members: Doug Clausen, attended electronically
10 Sharlie Gallup
11 Chris Milbank
12 Elaine Thatcher, electronic
13 Blake Wright
14
15 Finance Director Cliff Grover, electronic
16
17 Excused: Recorder Sheila Lind
18 Public Works Director Clayton Nelson
19 Treasurer Wendy Wilker
20

21 Others Present:
22
23

24 The following motions were made during the meeting:
25

26 Motion #1

27 Councilmember Thatcher moved to “adopt the minutes of the council meeting of March 3,
28 2020 and the evening’s agenda.” Councilmember Milbank seconded the motion, which passed with
29 Clausen, Gallup, Milbank, Thatcher, and Wright in favor. No one opposed.
30

31 Motion #2

32 Councilmember Thatcher moved to adopt Ordinance 2-2020, An Ordinance Establishing Option for
33 Electronic Meetings for River Heights City, with the changes discussed, and after approval from the
34 city attorney.” Councilmember Wright seconded it, which passed with Clausen, Gallup, Milbank,
35 Thatcher and Wright in favor. None opposed.
36
37

38 Proceedings of the Meeting: 39

40 The River Heights City Council met at 6:30 p.m. in the Ervin R. Crosbie Council Chambers in
41 the River Heights City Building on Tuesday, March 31, 2020 for their regular council meeting. In the
42 absence of Recorder Lind, Councilmember Wright took minutes.

43 Opening Remarks and Pledge of Allegiance: Councilmember Thatcher opened the meeting
44 with a thought.

45 Adoption of Previous Minutes and Agenda: Minutes for the March 3, 2020 meeting were
46 reviewed.

47 **Councilmember Thatcher moved to “adopt the minutes of the council meeting of March**
48 **3, 2020 and the evening’s agenda.” Councilmember Milbank seconded the motion, which passed**
49 **with Clausen, Gallup, Milbank, Thatcher, and Wright in favor. No one opposed.**

50
51 Reports and Approval of Payments (Mayor, Council, Staff):

52 Public Works Director Nelson was absent.

53
54 Finance Director Grover

- 55 • He will email monthly financial reports.
- 56 • There’s been a drop in sales tax revenue due to a drop in the economy (by as much as half).
57 Other taxes should be about the same as usual.
- 58 • Mayor Rasmussen is thinking about deferring utility payments for those who lose their jobs.
59 Councilmember Clausen has already postponed utility shut offs. Councilmember Thatcher and
60 Clausen agreed this should apply to those who lose their job as opposed to late-payers. They
61 wondered if it should be considered on a case by case basis. They will discuss this in more
62 detail at the next meeting, to be held April 21.

63
64 Treasurer Wilker was absent.

65
66 Councilmember Thatcher

- 67 • The 400 South road improvement project was approved at a total of \$494,129.13. LeGrand
68 Johnson Construction got the bid. They are not sure of the construction start date. She will
69 follow up with Engineer Rasmussen and PWD Nelson. She was advised to contact Mr.
70 Rasmussen often.

71
72 Councilmember Milbank

- 73 • He has talked with a contractor about a shade structure in the Saddlerock Park.
- 74 • He wondered if they should postpone park improvements based on the current economic
75 concerns.
- 76 • David Thunell has provided a sample Tree City ordinance, which he will get a copy of to the
77 Planning Commission so they can get going on it.
- 78 • Mayor Rasmussen has met with all the homeowners along the proposed trail that will follow
79 Pro-Log Irrigation channel above Stewart Nature Park. About 80% of them are leaning
80 towards approving it. He suggested they all meet together to discuss it, after the current
81 condition subsides.

82
83 Councilmember Clausen

- 84 • He asked the status of the Old Church. Mayor Rasmussen reported he had met with Michael
85 Ballam and Gary Griffin. They are suppose to get the keys to the mayor. He is working with
86 Tony Johnson, who seems willing to work with the city.
- 87 • Mr. Clausen asked the status of the Old School. Mayor Rasmussen said there has been no
88 movement. Councilmember Milbank asked if the audiologist could stay in the building for a
89 while. Mr. Clausen said they would need to check on liability to the city. Mayor Rasmussen
90 said the school superintendent told him the audiologist would be out by June (although the
91 audiologist didn’t know that yet).

- 92 • He asked if the plow and sander could be removed from the Dodge so it could be used this
93 summer and the newer truck (Chevy) could be parked.

94
95 Councilmember Gallup

- 96 • She asked Councilmember Milbank how tall the Saddlerock Park shade structure would be
97 because she is concerned about kids climbing it and for their safety. He responded that it
98 would be a safe height.

99
100 Councilmember Wright

- 101 • He has received a proposal from Mike Kelly to update a landscape plan for the proposed park
102 by the cemetery. He forwarded it to Councilmember Milbank. The proposed amount was
103 \$2,500. Mr. Wright suggested going ahead with the update but then holding off on other park
104 progress until the current COVID-19 situation and the economy has subsided.

105
106 Recorder Lind was absent.

107
108 Mayor Rasmussen didn't have anything.

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110 Public Comment: There was none.

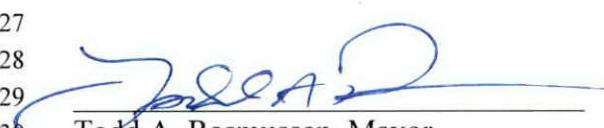
111 Adoption of An Ordinance Establishing Option for Electronic Meetings for River Heights City:

112 Mike Jablonski's written comments were reviewed. Mayor Rasmussen explained the governor's
113 directive and the reasons for the proposed ordinance. He clarified that the new ordinance would
114 replace section 1-5-6 of the current city code. Councilmember Wright pointed out that the ordinance
115 should apply to the Planning Commission as well as the Council. The mayor stated the ordinance draft
116 came from Attorney Jenkins, but he desired to modify it slightly. He wanted to run the modifications
117 past the attorney for his approval. Councilmember Wright suggested paragraph E (last paragraph)
118 should include that the council would be able to vote in the meeting. He also suggested adding F from
119 the current code, to the end of the new E.

120 **Councilmember Thatcher moved to adopt Ordinance 2-2020, An Ordinance Establishing**
121 **Option for Electronic Meetings for River Heights City, with the changes discussed, and after**
122 **approval from the city attorney." Councilmember Wright seconded it, which passed with**
123 **Clausen, Gallup, Milbank, Thatcher and Wright in favor. None opposed.**

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

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126
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128 _____
129 Blake Wright, Councilmember and Minute Taker

130 
131 Todd A. Rasmussen, Mayor

e-mail approved

River Heights City Bills To Be Paid

3/17/2020

	Payee	Description	Admin.	P&Z	Parks/Rec	Pub. Safety	Com. Aff.	Roads	Water	Sewer	Total
1	10-39 Online	1 Year Web Hosting and some Design	\$395.00								\$395.00
2	Bear River Health Department	Water Coliform Testing							\$40.00		\$40.00
3	Cache Valley Publishing	Meeting Ads	\$18.77	\$18.77							\$37.54
4	Caselle	Monthly Support	\$91.69						\$91.66	\$91.65	\$275.00
5	Forsgren Associates, Inc.	400 South, General, Lower Well	\$105.00					\$2,345.00	\$245.00		\$2,695.00
6	Freedom Mailing	Bill Processing	\$142.71						\$47.57	\$47.57	\$237.85
7	Rocky Mountain Power	Electricity	\$87.93		\$57.36	\$25.57		\$902.37	\$1,607.92	\$24.28	\$2,705.43
8	Semi Service Inc.	Salt Spreader Repair						\$306.02			\$306.02
9	Thomas Petroleum	Fuel Charges			\$63.00			\$63.01	\$63.01	\$63.02	\$252.04
10	Verizon Wireless	Monthly Cell Phones	\$55.81						\$55.81	\$55.82	\$167.44
11	Xerox	Copier Monthly Use	\$32.00								\$32.00
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	Page 1 SubTotals		\$928.91	\$18.77	\$120.36	\$25.57		\$3,616.40	\$2,150.97	\$282.34	\$7,143.32

Page 1 Total Amount to b: \$7,143.32

ORDINANCE NO. 2-2020 ELECTRONIC MEETINGS:

**AN ORDINANCE ESTABLISHING OPTION FOR ELECTRONIC MEETINGS FOR
RIVER HEIGHTS CITY**

Whereas, the Utah State Legislature has passed legislation providing for public meetings to be held by telephonic conference device and/or electronic means; and,

Whereas, the City Council of River Heights desires to provide the option to conduct certain meetings by telephonic conference device and/or electronic means; and,

Whereas, a public meeting of the City Council convened and conducted by means of telephonic conference device and/or electronic means can be conducted in compliance with the Utah Open and Public Meetings Act;

Therefore, be it ordained, by the City Council of the City of River Heights that:

Chapter 1-5-6 be replaced in the River Heights municipal code as follows:

Electronic Meetings

A. Definitions: The following terms are defined as follows for the purpose of this section:

ANCHOR LOCATION: The Council Chambers located in the City offices at 520 S 500 E River Heights, Utah, or other approved location, where interested persons and the public may attend and monitor the open portions of the meeting.

ELECTRONIC MEETING: A public meeting of the City Council convened and conducted by means of a telephonic conference device or other electronic means, allowing each member of the City Council to be in contact with the anchor location and participate concurrently with all other members of the City Council in the conduct of such meeting.

MEETING ADMINISTRATOR: The City Recorder or another employee of the City specifically assigned and designated to operate the electronic meeting equipment at the anchor location to assure that all members of the City Council are continuously able to participate in the electronic meeting and to advise the party conducting the meeting of the initiation, recess, if appropriate, or adjournment of an electronic meeting.

B. Notice Of Electronic Meetings: The City Council may convene electronic meetings when necessary pursuant to specific public notice of an electronic meeting by posting written notice of the electronic meeting at the anchor location and providing written or electronic notice to the media as otherwise provided by law. Notice of the electronic meeting shall also be provided to each member of the City Council at least twenty-four (24) hours before the meeting, including a description of how members will be connected to the electronic meeting. The notice to members of the City Council shall indicate the process, including telephone numbers, access codes, internet addresses, etc., in order to connect to the electronic meeting.

C. Quorum Verification: Before an electronic meeting may be called to order, all members of the City Council shall be given an opportunity to participate in the meeting and no electronic meeting shall be convened unless the quorum of the City Council is able to participate either in person or electronically in the meeting.

D. Public Attendance: Each electronic meeting shall be convened by the Meeting Administrator by announcing the parties present at the meeting and by making available to members of the public at the anchor location an amplified speaker enabling members of the public to hear the comments of City Council members and participate, if appropriate.

E. Conduct Of Meeting: Upon determining that a sufficient number of the City Council is present for the electronic meeting to be convened and members of the public can adequately hear the comments of all members of the City Council and participate, if appropriate, the Mayor or Mayor Pro Tem shall formally convene the meeting and take or cause a roll call of those participating. The Mayor or Mayor Pro Tem shall provide opportunity for each matter on the agenda to be presented, ~~and~~ discussed in an order set forth in the agenda, as amended. *← Add F. from current code.*
and voted on, if applicable,

F. Compliance With Law: In all other respects, electronic meetings shall be conducted and recorded, and minutes shall be kept, as required by law.

Adopted this 31st day of March 2020, by the River Heights City Council.

Todd A Rasmussen, Mayor

Attest: .

Sheila Lind, Recorder

1-5-6 ELECTRONIC MEETING; PROCEDURE

- A. Prior to or at the beginning of an electronic meeting, the mayor shall verify that proper notice of the meeting was given pursuant to Utah Code Annotated, unless closed under said State Code.
- B. Prior to or at the beginning of the electronic meeting or portion of the electronic meeting in which nonpresent members will be participating, the Mayor shall confirm that the nonpresent members are connected via electronic means (i.e.: telephonic or telecommunications conference).
- C. The electronic connection shall be such that all members, both present and nonpresent, may hear the proceedings of the meeting, or portion of the meeting, in which they are participating.
- D. If voting is required, the Mayor shall require a roll call vote, so that the nonpresent members' votes may be counted.
- E. The Mayor shall require all participants in the electronic meeting to verbalize their statements and responses, so that the nonpresent members may hear them.
- F. The Mayor shall require that all visual aids and written materials not available to the nonpresent members be verbally described. (1-2015, 6-23-15)

Add to new code paragraph E.

From: Michael Jablonski <michael@natrescon.com>
Sent: Tuesday, March 31, 2020 5:28 PM
To: Todd Rasmussen; Sheila Lind; blakewright@riverheights.org; chrismilbank@riverheights.org; douglclausen@riverheights.org; elainethatcher@riverheights.org; sharlegallup@riverheights.org
Subject: comments for public hearing, March 31, 2020

Dear Mayor and Council,

I have reviewed Ordinance No. 2-2020 Electronic Meetings as posted on the City's web site.

Please accept this email as my public comments on the proposed ordinance. At present, my wife Cindy and I, like many others in our community, are simply staying home out of an abundance of caution.

I realize, however, that you set a cutoff for written comments at noon today. I did not learn about the public hearing until 4:00 P.M. today.

Please consider extending that cutoff time, until 6:30 P.M., when your meeting starts, so that my comments can be officially accepted.

Given the severity of the covid-19 virus, I fully understand the need for such an ordinance.

This ordinance, however, should explicitly state that electronic meetings are held only under extreme circumstances, like the covid-19 crisis, and that future meetings will be held, once again, in person, after the crisis or other need for electronic meetings have passed.

As I understand the proposed ordinance, the public may attend the meeting at the City office building. That's good. But it should also allow the public to attend the meeting via electronic means as well. Many, but not all, have an Internet connection, with tools, to attend meeting remotely. I realize, however, that having the public also connected, in the privacy of their homes, to the meetings, via technology, would be difficult for the City to setup and manage.

As one experienced with electronic meetings, I know how easy, and how difficult, they can be to setup and manage. It's easy for many, and equally difficult for others. In my judgement and experience, face to face meetings are always the better choice.

The problem, as you know, is that not all members of the public can be expected, or required, to have hardware and software, with an Internet connection, making it essential that the City provide the means to attend the meeting at an "Anchor Location."

This is a difficult problem, so I support the ordinance, but with concerns and reservations.

Could one of you please acknowledge receipt of these public comments, and if the Council will accept them after your noon deadline.

Thank you!

Michael Jablonski

125 East 500 South

River Heights, Utah