

River Heights City

COUNCIL MEETING AGENDA

Tuesday, September 15, 2020

Notice is hereby given that the River Heights City Council will hold a Town Hall Meeting followed by their regular council meeting, beginning at 6:00 p.m. in the River Heights City Office Building at 520 S 500 E.

Town Hall - 6:00 pm

Hear Comments on the Future of the Stewart Hill Park Property

City Council Meeting – Promptly after the Town Hall, no later than 7:00 pm

Opening Remarks (Clausen) and Pledge of Allegiance (Milbank)

Adoption of Previous Minutes and Agenda

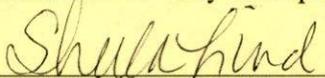
Reports and Approval of Payments (Mayor, Council, Staff)

Public Comment

Request from Crystal Zimmerman to Change City Code to Allow Goats in Residential Zones

Adjourn

Posted this 11th day of September 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

September 15, 2020

3
4
5
6
7
8 Present: Mayor Todd Rasmussen
9 Council members: Doug Clausen
10 Sharlie Gallup
11 Chris Milbank
12 Elaine Thatcher
13 Blake Wright
14
15 Recorder Sheila Lind
16 Finance Director Cliff Grover, electronic
17 Treasurer Wendy Wilker
18
19 Excused: Public Works Director Clayton Nelson
20
21 Others Present: Crystal Zimmerman and Maximus, Blaire Allen, Noel
22 Cooley, Cindy Schaub
23

24
25 The following motions were made during the meeting:

26
27 Motion #1

28 Councilmember Clausen moved to “adopt the minutes of the council meeting of September 1,
29 2020 and the evening’s agenda.” Councilmember Milbank seconded the motion, which passed with
30 Clausen, Gallup, Milbank, Thatcher, and Wright in favor. No one opposed.
31

32 Motion #2

33 Councilmember Thatcher moved to “pay the bills as listed.” Councilmember Wright
34 seconded the motion, which passed with Clausen, Gallup, Milbank, Thatcher and Wright in favor. No
35 one opposed.
36

37 Proceedings of the Meeting:

38
39 The River Heights City Council met at 7:30 p.m. in the Ervin R. Crosbie Council Chambers in
40 the River Heights City Building on Tuesday, September 15, 2020 for their regular council meeting.

41 Opening Remarks and Pledge of Allegiance: Councilmember Clausen opened the meeting with
42 an appreciation for those who expressed their thoughts at the prior town hall meeting. They dispensed
43 with the Pledge of Allegiance.

44 Adoption of Previous Minutes and Agenda: Minutes for the September 1, 2020 meeting were
45 reviewed.

46 **Councilmember Clausen moved to “adopt the minutes of the council meeting of**
47 **September 1, 2020 and the evening’s agenda.” Councilmember Milbank seconded the motion,**
48 **which passed with Clausen, Gallup, Milbank, Thatcher, and Wright in favor. No one opposed.**

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

50 Public Works Director Nelson was excused.

51
52 Treasurer Wilker

- 53 • She presented and answered questions regarding the list of bills to be paid. Councilmember
54 Wright pointed out he didn’t sign off on one of the bills from his budget. Treasurer Wilker said
55 she hasn’t been putting them in their boxes because of COVID.

56 **Councilmember Thatcher moved to “pay the bills as listed.” Councilmember Wright**
57 **seconded the motion, which passed with Clausen, Gallup, Milbank, Thatcher and Wright in**
58 **favor. No one opposed.**

59
60 Finance Director Grover

- 61 • He discussed the financial summary. The General Fund Budget is a little behind, but that is to
62 be expected this time of year. The water budget is ahead and other budgets are tracking right
63 on.
- 64 • He explained the CARES Act says employers can defer the deduction of payroll taxes (social
65 security) between March 27 and December 31, 2020. The city would be required to pay back
66 50% of it by December 31, 2021 and the other 50% by December 31, 2022. He explained a
67 second payroll deferral, which was also enacted due to COVID. He didn’t see that the city
68 needed the additional revenue and could foresee additional administrative costs by taking the
69 deferment. The council agreed not to do it.
- 70 • He explained the need for a public hearing before transferring from the sewer fund to the
71 general fund. He had drafted a letter to be sent to utility users to inform them of the proposal,
72 which explains the city’s rationale for doing so. He read part of the notice. He and Treasurer
73 Wilker have figured out a way to run mailing labels from the billing software. He proposed the
74 hearing on October 6. Citizens will be notified 7 days in advance. There can’t be any other
75 public hearing at that time. Suggested edits were discussed on the notice. Councilmember
76 Clausen asked Mr. Grover how he decided on the transfer amount of \$300,000. Mr. Grover
77 suggested they could transfer less, but the available limit would be \$300,000.

78
79 Councilmember Thatcher didn’t have anything.

80
81 Councilmember Milbank

- 82 • He reported that Just Jumpin’ (the group that is using the city tennis courts) is a non-profit
83 organization so it’s been decided that the city won’t charge them a use fee. He has checked the
84 courts and could find no damage from jump ropes. Mayor Rasmussen asked if the group
85 wanted to use the Old School as well. Mr. Milbank wasn’t sure and will check with them.
- 86 • Mayor Rasmussen asked if he would contact the tennis court contractor about the bubbles on
87 the court. Mr. Milbank said he would check to see if PWD Nelson had contacted them yet.
- 88 • Mr. Milbank asked if the Old Church was going to be on the next agenda. Mayor Rasmussen
89 said he would make assignments to the council members for the next meeting so they can keep
90 things moving along. He hoped they would have a decision by December.

Councilmember Clausen

- In regards to the Old Church, he wondered about talking to the Opera Company to see if they would be willing to pay rent and maybe the city could apply for RAPZ funding to fix up the exterior. He felt the Opera Company was valuable to the community and would like the council to consider it. Mayor Rasmussen said he would reach out to them.

Councilmember Gallup didn't have anything.

Councilmember Wright

- He asked to schedule further discussion of the Stewart Hill Park property. It was agreed that it will be on the October 6 agenda.

Recorder Lind

- She thanked those who submitted their newsletter items and asked if there were any others. Mayor Rasmussen wanted to add a summary of what the council had been discussing over the last few months.

Mayor Rasmussen didn't have anything.

Public Comment: Blaire Allen, who lives on Temple View Drive, expressed concern about the dangers of the intersection at Temple View and Stewart Hill Drive. She informed that yield signs were put in last year but there are still blind spots. She asked for a 4-way stop with cross walks. Councilmember Milbank suggested pedestrian signs. Councilmember Wright felt the topic should be an agenda discussion, with the possible inclusion of City Engineer Rasmussen.

Request from Crystal Zimmerman to Change City Code to Allow Goats in Residential Zones: Councilmember Wright explained that Crystal Zimmerman had petitioned the planning commission to change the city's code to allow goats on half-acre residential lots. The commission unanimously agreed not to change the code for this allowance. Mr. Wright checked with the city attorney who said Ms. Zimmerman could appeal the decision by petitioning the council.

Mayor Rasmussen added that we trust our planning commission to recommend and be the research body, who has the expertise to recommend what the council should do. He was concerned in, this case, that the decision may have been based on the property of Ms. Zimmerman, rather than city wide. He felt the city should consider allowing animals on larger properties. He has looked at Nibley's code, which allows animals, in certain numbers.

Councilmember Thatcher was supportive of people trying to be environmentally conscious and thought goats were part of that.

Councilmember Milbank said he has lived next to goats and they weren't a problem, provided they are kept in a healthy environment.

Councilmember Gallup asked Ms. Zimmerman if her dogs get along with goats. Ms. Zimmerman wasn't sure if they all do.

Ms. Zimmerman explained her plans to section her property into three and rotate the goats. She could have the dogs and goats separated, if needed. She explained the different types of goats.

Councilmember Wright didn't feel River Heights residents want goats within residential areas of the city. He's not sure they understand what it means to have goats. If the council decides to consider it, he would like to discuss other animals at the same time. He noted that some of the Commissioner's concerns have been addressed in Ms. Zimmerman's letter to the council.

138 Crystal Zimmerman said she felt frustrated at the planning commission meeting because they
139 didn't seem to have much discussion. They just said "no" unanimously.

140 Commissioner Cindy Schaub said they were not targeting her property but considered how it
141 might affect the whole community. They were impressed with Ms. Zimmerman's knowledge of goats.
142 They were concerned with the urine smell, especially in the summer and proximity of the goats to her
143 neighbors. They also had some concern about the slaughtering of goats for meat. Ms. Zimmerman
144 didn't feel she should be discriminated against because she was honest with her plans. She felt if they
145 don't want to allow slaughtering, they can add it to their code. She didn't see the allowance of goats
146 on larger properties, as having a huge impact on the city community.

147 Councilmember Clausen supported the planning commission's decision.

148 Commissioner Schaub said the commission recognized goats are allowed in agricultural zones.
149 Commissioner Pitcher had suggested she could raise them on another property.

150 Blaire Allen informed that the DWR allows slaughtering on a person's property as long as its
151 done properly.

152 Commissioner Cooley was not in favor of allowing goats city wide, but would consider a
153 Conditional Use Permit, which would allow neighbors to be notified and have an opportunity to
154 comment.

155 Councilmember Thatcher wanted to read the Nibley code further and other city's codes. She
156 believes people are interested in having back yard livestock to some degree and didn't see a problem
157 with it right now.

158 Councilmember Milbank doubted many residents would actually have goats.

159 Councilmember Clausen pointed out the city has more half-acre and larger lots than people
160 realize.

161 Councilmember Gallup supported the idea of a Conditional Use Permit.

162 Councilmember Wright said he would be willing to consider a more comprehensive code on
163 animals. He expressed support for the commission. He liked Commissioner Cooley's idea of a
164 Conditional Use Permit. He discussed how it might look in the code. He would like to find out
165 somehow if residents were generally in favor of goats in neighborhoods or not.

166 Mayor Rasmussen said because of his experience living in a rural area, he would prohibit dogs
167 before many other animals. He surmised that the council seemed to want to pursue the allowance of a
168 comprehensive approach.

169 Councilmember Milbank felt the primary concern was the health of the people in the
170 community as well as the animals.

171 Commissioner Schaub informed goats need to come in twos.

172 Mayor Rasmussen asked for further discussion on the topic at the October 20 council meeting.
173 He advised the council should have a clear recommendation and framework to send back to the
174 Commission.

175 The meeting adjourned at 8:30 p.m.

176

177

178

179



Sheila Lind, Recorder

180

181

182



Todd A. Rasmussen, Mayor

River Heights City
 Financial Summary
 August 31, 2020

		Cash Balance By Fund			
		07/31/20	08/31/20	Net Change	% of Total
General Fund		192,632.99	379,714.88	187,081.89	19.05%
Capital Projects Fund		(71,757.41)	(147,827.80)	(76,070.39)	-7.42%
Water Fund		782,917.24	808,199.62	25,282.38	40.55%
Sewer Fund		982,633.00	953,206.89	(29,426.11)	47.82%
Total Cash Balance		1,886,425.82	1,993,293.59	106,867.77	100.00%

		YTD Actual	Annual Budget	Unexpended Budget	% Of Budget Incurred	% Of Time Incurred
General Fund						
Revenue		88,015.53	816,080.00	728,064.47	10.79%	16.99%
Expenditures	Administrative	13,249.25	182,690.00	169,440.75	7.25%	16.99%
	Office	2,313.76	22,600.00	20,286.24	10.24%	16.99%
	Community Affairs	1,977.03	21,600.00	19,622.97	9.15%	16.99%
	Planning & Zoning	(337.50)	3,625.00	3,962.50	-9.31%	16.99%
	Public Safety	13,554.21	104,215.00	90,660.79	13.01%	16.99%
	Roads	16,092.89	128,200.00	112,107.11	12.55%	16.99%
	Parks & Recreation	10,135.91	73,150.00	63,014.09	13.86%	16.99%
	Sanitation	27,703.03	150,000.00	122,296.97	18.47%	16.99%
	Transfer To CP Fund	-	130,000.00	130,000.00	0.00%	
Total Expenditures		84,688.58	816,080.00	731,391.42	10.38%	16.99%
Net Revenue Over Expenditures		3,326.95	-	(3,326.95)		
Capital Projects Fund						
Revenue		27.24	3,000.00	2,972.76		16.99%
Reimbursement Income		171,779.39	177,532.00	5,752.61		
Transfer From General Fund			130,000.00	130,000.00		
Expenditures	Administrative		-	-		16.99%
	Parks & Recreation		90,000.00	90,000.00		16.99%
	Roads	392,206.04	168,000.00	(224,206.04)		16.99%
						16.99%
Total Expenditures		392,206.04	258,000.00	(134,206.04)		16.99%
Net Revenue Over Expenditures		(220,399.41)	52,532.00	272,931.41		
Water Fund						
Revenue		89,413.27	441,700.00	352,286.73	20.24%	16.99%
Expenditures		27,327.06	475,340.00	448,012.94	5.75%	16.99%
Net Revenue Over Expenditures		62,086.21	(33,640.00)	(95,726.21)		
Sewer Fund						
Revenue		63,642.85	377,900.00	314,257.15	16.84%	16.99%
Expenditures		86,073.59	468,290.00	382,216.41	18.38%	16.99%
Net Revenue Over Expenditures		(22,430.74)	(90,390.00)	(67,959.26)		
Combined - All Funds						
Net Revenue Over Expenditures - Combined		(177,416.99)	(71,498.00)	105,918.99		

NOTICE TO RIVER HEIGHTS CITY UTILITY CUSTOMERS

Transfer from the Sewer Fund to the General Fund

State law requires that the City provide an annual disclosure on amounts transferred from utility enterprise funds to the General Fund. This transfer represents 39.05% of total budgeted Sewer Fund expenditures (\$768,290) for fiscal year 2021.

	Dollar Amount	% of Expenditures
Transfer from the Sewer Fund to the General Fund	\$300,000	39.05%

These transferred funds are used to help cover the costs of important services like police, street maintenance and snow removal, fire and emergency medical services, parks, and similar City services. The utility transfer helps keep property taxes in River Heights low. The transfers provide a means for reimbursement of the General Fund for services provided to non-property tax paying groups such as non-profit organizations, churches, and governmental entities. Viewed in another way, these transfers are a "dividend" to River Heights taxpayers as the result of the taxpayers' original investment in the City's sewer infrastructure. If City sewer services were provided by private entities, these dividends would instead be paid to investor-owners; because River Heights taxpayers are the investor-owners, these dividends are used to offset what otherwise would be a significant increase in property tax rates.

A public hearing will be held on Tuesday, October 6th, 2020 at 6:30 p.m. at River Heights City Offices located at 520 South 500 East, River Heights. The public hearing will be to discuss the proposed transfer from the Sewer Fund to the General Fund and amending the fiscal year 2021 budget for the proposed transfer. All interested parties are invited to attend.

Written Request

To: River Heights City
From: Crystal Zimmerman
612 S 600 E River Heights

Request: code change for goats

On 8/13/2020 I submitted this written request to the planning and zoning comity chair Cindy Schaub:

I have been advised that Goats are considered livestock and are only allowed in the agricultural zone (10-12-1:A.19). Dogs and cats are allowed in residential; as well as indoor pets. I am currently not zoned for agricultural use but would like to have goats.

I am writing to request a change to this code. I would like the city to consider allowing homeowner within the city that are in residential areas that have at least a 1/2 acre lot or larger AND an enclosed fenced yard to be allowed to have up to 2 goats per 1/2 acre of land within city limits not zoned as agriculture.

Thank you.

On 8/25/2020 I attended the planning commission meeting via FaceTime to discuss this request. The comity tased a few questions and had a short discussion however my request for goats to be allowed on residential properties 1/2 acer or larger with a fence was denied. I have been informed that the code is silent on whether I can appeal to the city council or not and the city attorney said this means I can. So I am now writing this request to appeal the planning commissions decision to deny goats and ask them to consider allowing this change to residential households within River Heights.

My Request:

Up to two goats will be allowed on residential properties that are at least 1/2 acer or bigger.

There were some concerns that came up in the planning meeting on 8/25/20, I will address them now, to help the council be more prepared for this request. In preparation for this consideration I encourage the city council members to visit the house with goats just East of River Heights Elementry school. I don't know them personally, but they have goats. It is my understanding this is an agricultural parcel, but they have a lot of goats. Please take some time to go walk by and observe the noise, the smell, and the condition of the land (from the goat waste). Keep in mind they also have cow's, so please take a moment to observe and consider the difference in impact from the goats to the cows. It's the cows that have been most harsh on the land there, not the goats.

1. Goats stink:

1. Goats can stink, if you get a billy. A billy is an intact male goat that has reached maturity and starts to secrete a very stinky smell.

2. In writing a new code for the city it can be considered that the goats must either be castrated before they reach full maturity and start to stink, usually between 12-18 months, or must be a Nanny (a female goat). This will prevent the animal itself from stinking.
2. Goat waste will be a problem.
 1. Goats waste is not typically a problem. The concern with goats is in the spring when the snow melts the feeding areas can become bogged down because of the wetness. This area will need to be mucked out each spring to keep it clean. Any animal owner knows this. Anything mucked out will be used for fertilizer on gardens and only help the ground more.
 2. Every night we get lots of deer down in our city. I see them all the time by my house and across the street in Bob's property. They are everywhere in town. Goat waste is not different than the deer waste that is already getting deposited all over town every night anyway. If you are not familiar with goat waste it comes out in small raisin like and size pebbles. They don't produce large pile that need to be constantly cleaned up. The waste breaks down quickly and easily. This will not be a problem or cause an unpleasant smell on a larger residential lot of land.
 3. Another argument was the urine. This is no different than dogs urinating and will not be a problem. Goats often walk and urinate at the same time, this will spread it out even more.
3. The planning commission suggested that all animals should be restricted to the back yard only.
 1. On a 1/2 acer lot, this is unrealistic. There is not harm having goats in front yards. They are calm and very friendly animals and will not cause a problem in the front yard.
4. They are noisy.
 1. Goats are herd animals and want to be with others. That is why I am requisition 2 goats. When they are together they don't cry out all the time. The most noise they make is when they are hungry and want to be fed. When kept on a regular schedule they don't typically cry out.
 2. Goats are quieter than dogs, which are already allowed on residential lots. You'll find goats are super chill and friendly animals that can bring a lot of fun and happiness to those who own them.
5. Goats will eat the neighbors trees, shrubs, etc.
 1. It is my understanding that if a tree branch or shrub is hanging over or is on my lot I can dispose of it as I see fit. This would be the only things that goats would eat from another property, the stuff they can reach from my property.
 2. This is why I have written into my request that it must be a feed yard, to keep the goats in. You can even add into the new code that the fence must be cattle fence or chain link that will be strong enough to keep them in. Typically if the goats are fed and played with, they are happy to stay in their area.

6. What will they eat and how will it be stored?

1. I feed my goats a hay product called Chaffhey. It's a processed hay that comes in 50 lb bags. They can be stored outside and keep very well. For just two goats, I wouldn't need a ton of bags.
2. There is zero waste in this product, the goats eat every bit of it. This is a fantastic choice for goats in a smaller lot and prevents the need to have a large area to store hay.
3. In considering this code for residential parcels, it may be wise to add a section about what is allowed to be fed to the goats and what is not. It is acceptable to restrict having hay bales on residential properties.

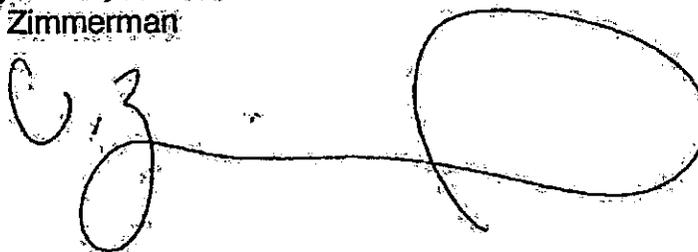
7. 1/2 acer is not large enough for goats.

1. 1/2 an acer certainly is large enough for 2 goats. I grew up on a 1/3 acer lot in Tooele and we had a herd of goats (over 10). It certainly is enough space for the goats to be very happy. They will have plenty of room to graze and sleep and be happy.
2. If the city sees it fit they can restrict the size of the goats to not surpass a certain size. My suggestion would be 150 lbs. My dogs range between 130-145 lbs. So the goats will be just slightly larger than a large dog.
3. I caution the city from restricting based on breeds, such as a minute goat known as a pigmy. This will limit those wishing to use the goats for milk and will end up with unproductive goats. I encourage if the city feels they need to set a size limit they do it based on size (in lbs) not breed.

I have had goats for most of my life. I know them well and love them very much. It is my hope to become more self sufficient and having goats will be one step closer to that for me. I will be able to milk them and make cheese and other products that will help my family be more self reliant. I also think bringing goats into the city would enhance the lives of those that have them and those that see them, they are such fun and friendly animals, they make every one smile. There are so many productive and self sufficient households in this city, goats will only help this process, not hinder it.

I am asking the city council to please take some time and consider this request. On the meeting on the 25th I asked the planning commission how many residential household this would effect? How many residential parcels are there in River Heights that are 1/2 acer or larger (not already zoned for agriculture) that have fencing and can support goats? I hope there will be other residential households that want goats, but I also know there will not be a lot, I don't feel it will be overwhelming for the city.

Thank you for your time,
Crystal Zimmerman

 Sep 9, 2020