

# River Heights City

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## COUNCIL MEETING AGENDA

**Tuesday, February 2, 2021**

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

The meeting will be held through Zoom. Those wishing to provide comment on any of the agenda items or other topics can do so by email to [office@riverheights.org](mailto:office@riverheights.org) (by noon on the date of the meeting).

Opening Remarks (<sup>Huntly</sup>~~Milbank~~) and Pledge of Allegiance (<sup>Callup</sup>~~Huntly~~)

Adoption of Previous Minutes and Agenda

Recognition of 2020 Youth Ambassadors

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

Public Comment

Re-appointment of Heather Lehnig to the Planning Commission

Public Hearing to Adopt an Ordinance: Temporary Land Use Regulations Including Moratorium on Development, Building Activity and All Subdivision Applications on Lands Described Herein Within the City of River Heights

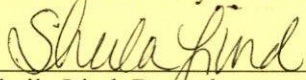
Adjourn

To join the Zoom meeting:

<https://us02web.zoom.us/j/87149994467?pwd=WXRnYXRPS0xFWUY2QldEUVB0NnArZz09>

Dial: 1 346 248 7799, Meeting ID: 871 4999 4467, Passcode: 650080

Posted this 29<sup>th</sup> day of January 2021

  
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Sheila Lind, Recorder

Attachments for this meeting and previous meeting minutes can be found on the State's Public Notice Website ([pmn.utah.gov](http://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

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## Council Meeting

February 2, 2021

Present: Mayor Todd Rasmussen  
Council members: Doug Clausen  
Sharlie Gallup  
Nancy Huntly  
Chris Milbank, electronic  
Blake Wright  
Recorder Sheila Lind  
Finance Director Cliff Grover, electronic  
Treasurer Wendy Wilker, electronic

Excused: Public Works Director Clayton Nelson

Others Present in Person: Aleena, McKelty and David Astle, Kaylenn, Wren and Lawson Gallup, Avery and Everett Ball, Olivia Brown, Cami Halling, Jack McFarland, Heather Lehnig, Lydia Walker, Brenden and Heighley Johnson, Matt Thompson

Present Electronically: Bob Ellis, Vern Fielding, Rita Minkler, Lisa Aedo, Frank Howe, Barbara Farris, Levi Roberts, Cindy Schaub

The following motions were made during the meeting:

### Motion #1

Councilmember Gallup moved to “adopt the minutes of the council meeting of January 19, 2021 and the evening’s agenda.” Councilmember Wright seconded the motion, which passed with Clausen, Gallup, Huntly, Milbank, and Wright in favor. No one opposed.

### Motion #2

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

### Motion #3

Councilmember Wright moved to “adopt Ordinance 1-2021, A Temporary Land Use Regulations Including Moratorium on Development, Building Activity and All Subdivision Applications on Lands Described Herein Within the City of River Heights, with the addition of an ‘s’

46 on the end of ‘resident’ in the second paragraph.” Councilmember Gallup seconded the motion, which  
47 carried with Clausen, Gallup, Huntly, Milbank and Wright in favor. No one opposed.  
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50 Proceedings of the Meeting:

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52 The River Heights City Council met at 6:30 p.m. in the Ervin R. Crosbie Council Chambers in  
53 the River Heights City Building on Tuesday, February 2, 2021 for their regular council meeting. The  
54 meeting was held through Zoom.

55 Opening Remarks and Pledge of Allegiance: Councilmember Huntly opened the meeting with  
56 a thought and Councilmember Gallup led the group in the Pledge of Allegiance.

57 Adoption of Previous Minutes and Agenda: Minutes for the January 19, 2021 council meeting  
58 were reviewed.

59 **Councilmember Gallup moved to “adopt the minutes of the council meeting of January  
60 19, 2021 and the evening’s agenda.” Councilmember Wright seconded the motion, which passed  
61 with Clausen, Gallup, Huntly, Milbank, and Wright in favor. No one opposed.**

62 Recognition of 2020 Youth Ambassadors: Mayor Rasmussen recognized Councilmember  
63 Gallup’s efforts as the youth ambassador leader. He thanked the ambassadors for the many events and  
64 activities they carried out during 2020 in the community. They were each presented with a certificate  
65 and mayor’s coin. Councilmember Gallup introduced and thanked Aleena Astle for being a parent  
66 helper. The following ambassadors were recognized: Wren Gallup, Kaylenn Gallup, Lydia Walker,  
67 Cami Halling, Olivia Brown, Brendan Johnson, Heighley Johnson, McKelty Astle, David Astle,  
68 Everett Ball, Avery Ball, and Jack McFarland.

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

70 FD Grover

- 71 • He asked the council if they plan to raise taxes in the next year. They agreed they plan to keep  
72 them the same as last year, for now. Mr. Grover will let the county auditor know and set a  
73 public hearing (in case they change their minds) for May 18, 2021.

74 Treasurer Wilker

- 75 • She presented and answered questions regarding the list of bills to be paid.  
76 • Councilmember Clausen thought some bills were missing. Treasurer Wilker reminded she paid  
77 some bills last Tuesday, the recurring ones which she has permission to pay, in between  
78 meetings.

79 **Councilmember Clausen moved to “pay the bills as listed.” Councilmember  
80 Wright seconded the motion, which passed with Clausen, Gallup, Huntly, Milbank, and  
81 Wright in favor. No one opposed.**

82 Councilmember Clausen asked FD Grover if he had a chance to look at the sewer  
83 revenue to explain some of the questions that came up during the audit. Mr. Grover will  
84 address this at the next meeting when he discusses the financials.

85 Councilmember Milbank

- 86 • He has been working with Councilmember Wright on a request for proposal for the  
87 improvements at the Stewart Hill park area. After they finish up, he will get it to Recorder  
88 Lind to publish.  
89 • He asked the council to start thinking about what they want to name the Stewart Hill park area.  
90 He suggested not using Stewart since there is another park nearby with this name.  
91 Councilmember Huntly suggested there might be a family in River Heights, willing to donate

to the project, who the park could be named for. Mr. Milbank felt using the name Stewart might also suggest some exclusivity for the neighborhood. He is working on grant applications and suggested applying for one for the construction drawings. Once he gets a timeline together, he will pass that information on to the council.

Councilmembers Clausen, Huntly and Gallup didn't have anything.

Councilmember Wright

- He informed that the Planning Commission is working on the General Plan again.

Recorder Lind

- She explained that Dallas Torgersen had turned in an annexation petition for the Ron and Daina Zollinger property, located east 1000 East and south of 600 South. Their plat shows River Heights taking the 1000 East road between 600 South and property. Eventually, they will want to subdivide into three lots, with a private lane. Discussion was held on utilities.

Councilmember Wright said they will look into and discuss utilities as they go along in the process.

Mayor Rasmussen

- The Cache Valley Transit District will be re-evaluating the bus routes in River Heights and Millville because ridership is very low. This discussion will happen in the next year. He hopes this conversation can stay alive with Mary Barrus on the board.
- He has been re-thinking about the silent auction idea to dispose of the Old School furniture because of the cost of advertising and manning it. He would like to run a small ad for a garage sale to liquidate the surplus furniture. The council gave their consent.

Public Comment: There was none.

Re-appointment of Heather Lehnig to the Planning Commission: Mayor Rasmussen said Heather Lehnig has been serving on the Commission for 3 years and has accepted to serve a second term of 5 years. He thanked her for her efforts. He asked for advice and consent on the appointment. All gave their consent.

Public Hearing to Adopt an Ordinance: Temporary Land Use Regulations Including Moratorium on Development, Building Activity and All Subdivision Applications on Lands Described Herein Within the City of River Heights: Mayor Rasmussen noted the areas affected by the adoption of the ordinance (listed in the ordinance). The concern for the city is that the current General Plan hasn't been revised in quite a while. Due to recent developer's questions about vacant land in River Heights, he wanted to make sure the General Plan was able to describe the desired vision of River Heights. They don't intend for the land use restriction to go on any longer than it needs to. As soon as the General Plan revisions have been adopted, it can be removed. His main concern is the protection of open spaces left in River Heights. He feels an obligation for this council to look into the future and make sure they are setting things up correctly. He recognized that the decisions they make will affect what private landowners can do with their property. He expressed his interest in their rights and realizes finding the balance between the two is going to be difficult.

Councilmember Clausen asked if this situation has been reviewed by the city attorney. He was told the city attorney drafted the ordinance and is aware of the issues.

Councilmember Wright echoed the words of Mayor Rasmussen. They are interested in getting the affected property owners around the table to work together with the city on what could work for everyone into the future. If someone were to develop with the current general plan and ordinances the city would be obligated to approve developments that fall within the regulations, whether they like it or not. He said after the Commission is finished with their general plan review, it will come to the Council for their final approval.

138 Mayor Rasmussen observed that the Chugg property in Providence is now developing four  
139 story apartments, which would be allowed in River Heights' current "mixed-use" zone.  
140 Councilmember Wright explained that 12 years ago (when this zone was developed) there was a  
141 different vision, which hasn't developed in that direction. The designated area for mixed-use is too far  
142 from Main Street for light retail with apartments on top. Because of how things have developed in the  
143 surrounding area in the last 12 years, they want to revisit the vision for the Riverdale area.

144 Mayor Rasmussen said there has been an offer on property in Riverdale and the potential  
145 purchaser has a year for due diligence. There have also been developers interested in the Lois Weston  
146 property and the area east of the LDS Church stake center.

147 Mayor Rasmussen opened the public hearing: Bob Ellis said their Ellis property in the  
148 Riverdale area has been taken out of greenbelt and they can't afford to pay the taxes now. It's under  
149 contract with a developer and they are in support of his plans. He likes the idea of greenspace and  
150 hopes the city doesn't put off development for too long because it's costing people money.

151 Vern Fielding was concerned with property rights. He is with Parker Real Estate and is  
152 working with the Ellis and Demars property owners. He discussed property rights, and recognized  
153 they need to be balanced with the needs of the community. Delays increase costs. He gave an  
154 example of how Bountiful lost tax revenue by taking too long. He hoped the process would move  
155 quickly and smoothly.

156 Rita Minkler seconded what Bob Ellis said.

157 Mayor Rasmussen pointed out that River Heights has lost all ability to have retail tax base in  
158 River Heights. He felt it would be a shame to take the last remaining property left in River Heights  
159 and have it be commercial, just for the sake of money.

160 Cindy Schaub brought up the conservation of the Logan River. She hoped that compromise  
161 can come to the table. Mayor Rasmussen said the potential developer is aware of the river and wants  
162 to address it.

163 Lisa Aedo is interested in preserving the riparian zones for the habitat in this area. There are  
164 also flood zones that need to be mitigated. She was grateful for the city's consideration.

165 Frank Howe, of the Logan River Restoration Task Force, appreciated the city trying to balance  
166 the city's desires as well as that of property owners and hopes to be included in discussions about a  
167 trail system along the river area.

168 Barbara Farris cautioned about flood mitigation. She asked what zoning was allowed west of  
169 her property (west of 400 East). She was told it was zoned for 12,000 square foot lots. She loves  
170 living in River Heights because of the wildlife and great neighbors.

171 Cindy Schaub clarified the properties listed in the ordinance.

172 Levi Roberts clarified the properties are not currently zoned mixed-use.

173 The public hearing was closed. Councilmember Milbank explained that the mixed-use zone  
174 allows four stories but clarified the structures would need to be 400 feet from residential properties.  
175 He would support careful consideration on how the city moved forward. Commissioners Huntly and  
176 Gallup agreed. Councilmember Wright also agreed with Councilmember Milbank, and pledged to  
177 work with Commission Chair Levi Roberts, to get some things scheduled immediately, such as  
178 workshops with the Council, Commission and property owners. He also suggested having some  
179 transportation experts come to give their input since this is a big factor in the Riverdale area. He  
180 intended to get things to happen quickly. He suggested starting with the Riverdale area. He didn't  
181 want to drag out their decisions any longer than they had to. He recognized there will be some hard  
182 decisions ahead.


183 Mayor Rasmussen assured the city doesn't want to increase any costs or hold up the Ellis'.

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**Councilmember Wright moved to “adopt Ordinance 1-2021, A Temporary Land Use Regulations Including Moratorium on Development, Building Activity and All Subdivision Applications on Lands Described Herein Within the City of River Heights, with the addition of an ‘s’ on the end of ‘resident’ in the second paragraph.” Councilmember Gallup seconded the motion, which carried with Clausen, Gallup, Huntly, Milbank and Wright in favor. No one opposed.**

The meeting adjourned at 7:55 p.m.

  
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Sheila Lind, Recorder

  
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Todd A. Rasmussen, Mayor



River Heights City Bills To Be Paid

February 2, 2021

	Payee	Description	Admin.	P&Z	Parks/Rec	Pub. Safety	Com. Aff.	Roads	Water	Sewer	Total
1	Bear River Heating and A/C	Office Furnace bad Motor	\$732.50								\$732.50
2	Beazer Lock & Key, Inc.	Office & School Cylinders	\$183.92								\$183.92
3	Cache Valley Publishing	Public Hearing AD	\$41.60								\$41.60
4	Denny's Stationery	Office Supplies	\$197.30								\$197.30
5	It Works	Change Admin Password	\$130.00								\$130.00
6	Lowe's	Blinds, Cove for School, Well Repairs	\$187.31						\$134.67		\$321.98
7	Matthew Regen, CPA	Audit for FY20	\$3,680.00						\$2,160.00	\$2,160.00	\$8,000.00
8	National Equipment Services	2012 Truck Wire harness/Motor /Snow						\$1,085.38			\$1,085.38
9	Precision Concrete Cutting	Cut Sidewalks through Town						\$11,297.35			\$11,297.35
10	Sam's Club	Late Fee	\$32.54								\$32.54
11	Secure Instant Payments	Monthly Billing	\$15.99						\$15.98	\$15.98	\$47.95
12	The Clean Spot	Cleaning Supplies	\$88.82								\$88.82
13	Thomas Petroleum	Fuel for City Vehicles			\$22.54			\$22.55	\$22.55	\$22.55	\$90.19
14	Thurcon, Inc.	Stewart Hill Dirt Loads (Capitol)			\$1,150.00						\$1,150.00
15	USA Bluebook	Supplies/Water							\$541.89		\$541.89
16	Verizon Wireless	Monthly Cell Phone Bill	\$55.00						\$55.00	\$55.02	\$165.02
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Page 1 SubTotals

\$5,344.98

\$1,172.54

\$12,405.28

\$2,930.09

\$2,253.55

\$24,106.44

Page 1 Total Amount to b

\$24,106.44

**Ordinance 1-2021**

**TEMPORARY LAND USE REGULATIONS INCLUDING MORATORIUM ON  
DEVELOPMENT, BUILDING ACTIVITY AND ALL SUBDIVISION APPLICATIONS ON  
LANDS DESCRIBED HEREIN WITHIN THE CITY OF RIVER HEIGHTS**

WHEREAS, within the City of River Heights, Cache County, State of Utah, there is a critical need to identify and establish appropriate easements, rights-of-way, for public utility lines and to establish standards and practices that protect health, safety and welfare of the residents of the City of River Heights, and update any necessary ordinances, which facilitate appropriate and orderly future development of land within the city boundaries; and,

WHEREAS, the City Council has determined and found that there is a compelling countervailing public interest to impose a temporary land use ordinance restriction in the form of a moratorium on any zoning, construction or development in certain areas of the City of River Heights until such easements, rights-of-way and plans can be established, and necessary ordinances can be adopted; and,

WHEREAS, the City Council hereby imposes a six-month moratorium on any land use applications in the areas as designated below to allow time for adequate planning and a comprehensive review and revisions of the applicable ordinances pursuant to Utah Code Ann. Section 10-9a-504.

NOW, THEREFORE, BE IT ORDAINED, by the Council of River Heights City, Cache County, State of Utah, as follows:

1. Effective immediately upon enactment of this ordinance all building, development activity, and any land use application in the area and upon the lands described below are placed on hold, postponed, and prohibited.
  - a. The lands between 100 East and 400 East and between 300 South and 700 South, much of which is referred to as the Riverdale area;
  - b. The lands currently zoned Agricultural adjacent to 800 South and the currently-zoned Commercial area between 100 East and 600 East;
  - c. The lands between 600 East and 800 East and approximately 700 South and to the city boundary line to the south. This property is often referred to as the Lois Weston Family property and property owned by The Church of Jesus Christ of Latter-day Saints; and



- d. Parcel 02-025-0015 between 700 East and 750 East north of 600 South referred to as the Todd Weston Family property.
2. The subdivision and development of any real property located within the above limits of River Heights City are hereby temporarily prohibited, and a moratorium on the filing and approving of any application filed before or after the date of adoption of this Ordinance.
  3. The moratorium established by this Ordinance shall apply to all applications for subdivisions, zoning changes, or any land use application filed before or after the date of adoption of this Ordinance.
  4. The moratorium shall be in effect for a period of six months from the date this Ordinance is adopted by the City Council.
  5. This Ordinance shall become effective immediately upon publication or posting as set forth by State law.

ADOPTED AND PASSED, by the RIVER HEIGHTS CITY COUNCIL this 2<sup>nd</sup> day of February, 2021.

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Todd A. Rasmussen, Mayor

ATTEST:

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Sheila Lind, City Recorder