

River Heights City

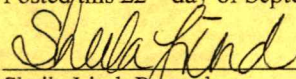
COUNCIL MEETING AGENDA

Tuesday, September 27, 2016

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 and Pledge of Allegiance
- 6:35 p.m. Adoption of Previous Minutes and Agenda
Pay Bills
Finance Director Report
Purchase Requisitions
Public Works Report
Administrative Report
Public Comment
- 6:45 p.m. Acceptance of the Orchard Heights Minor Subdivision
- 6:50 p.m. Discuss and Approve a Historic Landmark Overlay Zone Pertaining to 594 South
400 East
- 7:05 p.m. Discuss and Adopt Changes to the City Code
- 7:20 p.m. Discuss Whether or Not River Heights Should Purchase Street Lights from
Rocky Mountain Power
- 7:30 p.m. Discuss a Possible Joint Cemetery with Providence
- 7:45 p.m. Discuss Heber Olson Park Upgrade Possibilities: Baseball Diamond, Adding
Pickleball Courts (including other areas in River Heights that may be possible),
Resurfacing Tennis Courts, Basketball Court, Reroof Pavilion and Other Minor
Pavilion Fixes, Eagle Scout Projects
- 8:05 p.m. Discuss Safe Routes to School Grant for 700 South Sidewalk
- 8:15 p.m. Mayor and Council Reports
- 8:25 p.m. Adjourn

Posted this 22nd day of September 2016



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

September 27, 2016

Present were: Mayor James Brackner
Council members: Doug Clausen
Robert "K" Scott
Geoff Smith
Dixie Wilson
Blake Wright
Recorder Sheila Lind
Public Works Director Clayton Nelson
Treasurer Wendy Wilker
Finance Director Clifford Grover

Others Present: Gayle Brackner, Cindy Schaub, Elise Reeder, Mike and Ruthann Nelson, Nichole Smith, Lori and Steve Weinberger, Tony Johnson, Brian and Britney Cascio, Britney's Father, Erin Bunderson, Lisa Ellis, Peggy Smith, Roxanne Bilboa

The following motions were made during the meeting:

Motion #1

Councilmember Clausen moved to "adopt the minutes of the September 13, 2016 Council Meeting, and the evening's agenda." Councilmember Scott seconded the motion, which passed with Clausen, Scott, Smith, Wilson and Wright in favor. No one opposed.

Motion #2

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

Motion #3

Councilmember Wright moved to "accept the Orchard Heights Minor Subdivision with a revision in note #4, the third to last sentence will say, 'The owner shall not construct buildings or permanent facilities in the new sewer easement crossing Parcel B.'" Councilmember Scott seconded the motion, which carried with Clausen, Scott, Smith, Wilson and Wright in favor. None were opposed.

Motion #4

Councilmember Wright moved to "adopt Ordinance 5-2016, An Ordinance to Create a Historic Landmark Overlay Zone at 594 South 400 East with the following two changes: 1) At the end of the beginning paragraph on F. Conditional Uses, the following will be added: "A conditional use permit

48 will not be granted until site improvements and exterior building improvements (see R below) are
49 completed. 2) Under P. Parking, ‘four (4) cars’ will be replaced with ‘six (6) cars.’” Councilmember
50 Clausen seconded the motion, which carried with Clausen, Scott, Smith, Wilson and Wright in favor.
51 None were opposed.

52
53 Motion #5

54 Councilmember Wright proposed to “approve Ordinance 6-2016, Changes to the River
55 Heights City Code, September 27, 2016 with the change to 7-2-3:B., ‘Each year the city may, at its
56 cost, select certain sidewalks . . .” Councilmember Scott seconded the motion, which carried with
57 Clausen, Scott, Smith and Wilson in favor. Wright opposed.

58
59 Motion #6

60 Councilmember Clausen moved to “purchase the city’s 81 street lights from Rocky Mountain
61 Power for \$49,687. The city will also procure insurance, recommended by FD Grover (at a previous
62 meeting).” Councilmember Scott seconded the motion which carried with Clausen, Scott, Smith,
63 Wilson and Wright in favor. No one opposed.

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66 Proceedings of the Meeting:

67
68 The River Heights City Council met at 6:30 p.m. in the Ervin R. Crosbie Council Chambers in
69 the River Heights City Building on Tuesday, September 27, 2016. Councilmember Smith opened the
70 meeting with a thought. Mayor Brackner led the group in the Pledge of Allegiance and then in singing
71 to Councilmember Clausen for his birthday.

72 Adoption of Previous Minutes and Agenda: Minutes of the September 13, 2016 Council
73 Meeting, were reviewed.

74 **Councilmember Clausen moved to “adopt the minutes of the September 13, 2016**
75 **Council Meeting, and the evening’s agenda.” Councilmember Scott seconded the motion, which**
76 **passed with Clausen, Scott, Smith, Wilson and Wright in favor. No one opposed.**

77 Pay Bills: The bills were presented and discussed.

78 **Councilmember Wright moved to “pay the bills as listed.” Councilmember Clausen**
79 **seconded the motion, which passed with Clausen, Scott, Smith, Wilson and Wright in favor. No**
80 **one opposed.**

81 Finance Director Report: FD Grover gave a report on the financial status of the city funds. The
82 water funds are up, and others are slightly down, but there is nothing that is worrisome. It will even
83 out over time. Mayor Brackner informed that the state has withheld their last payment on the B&C
84 Road funds because of a mix up. It will be coming soon.

85 Purchase Requisition: PWD Nelson said the city needs to purchase two street lights for
86 Saddlerock Phase One and Dan Hogan needs to purchase six for Phase two. Mr. Nelson would like to
87 order all eight together to guarantee they will all be the same (at a cost of \$14,359.12). Dan Hogan
88 would reimburse the city for the cost of his six poles. If the city purchases them, there won’t be sales
89 tax. Councilmember Smith was concerned about the city purchasing for a private company. Mr.
90 Nelson said it would be nice for the city to use Mr. Hogan’s contractor to install all eight poles at the
91 same time. Based on past experience, the Council was concerned that Mr. Hogan may be difficult to
92 collect from. He currently owes an engineering bill that is past due, in the amount of \$312. They
93 suggested he pay his portion of the light pole bill before the order was placed. His portion would be
94 \$10,769.34. Councilmember Scott suggested collecting the past due amount before ordering.
95 Councilmember Clausen agreed with ordering all eight lights at the same time. It was decided that the

96 \$312 bill is a separate issue and will be collected before Phase 3 is started. Mr. Nelson was questioned
97 on whether or not Mr. Hogan's bond had been reduced, as discussed at the last meeting. Mr. Nelson
98 stated he hasn't heard from Mr. Hogan's bank and there has been no formal request made, so nothing
99 has been done.

100 Mr. Nelson discussed prices for a new city truck. The price for a Dodge would be \$29,485. A
101 Chevy would be \$32,701. Both dealers allow the city to trade the truck in at the end of each year for a
102 new one, at the cost of around \$1,000. To trade in the city's current truck, would result in a credit of
103 \$26,000. If the city sells it on our own, we could put it out for bid at \$30,000. He'd like to put the old
104 one out for bid about 3 weeks prior to the new one being available (which would take about 60 days).
105 The Dodge is a 2500 and the Chevy is a half-ton. The Council recommended the Dodge. FD Grover
106 asked if they also do graphics. Mayor Brackner said there have been requests for a larger city logo on
107 the truck.

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

- 109 • The water looping project is going well. The bore went great. By the end of the week they will
110 probably have the two lines tied. A week after that they should be finished up.
- 111 • Mr. Nelson asked Councilmember Smith if he would consider having the float in the
112 Providence parade on October 8. Mr. Smith said Peggy Smith has been working on this and is
113 waiting for calls back from the royalty girls.

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

115 Public Comment: Brian Cascio thanked Cindy Schaub for putting the Historic Overlay
116 Ordinance together.

117 Steve and Lori Weinberger, of 1074 Lamplighter Drive, explained the flooding problems they
118 have been having. Each time there is a substantial rainstorm they get flooded. He asked what the city
119 can do about it. Mayor Brackner handed out and read a discussion page and then asked the Council
120 how he should handle it.

121 Councilmember Wilson said this discussion should have been on the agenda. She was told it
122 was an emergency that came up after the agenda has been set.

123 Lori Weinburger explained they get all the water that runs down from Lamplighter, along with
124 all the rocks and debris it picks along the way. They have a septic drain, but it's not large enough to
125 handle all the water. They get a large pool at their mailbox. There is a drain about 30 feet away. The
126 street isn't banked for drainage. Mayor Brackner agreed there have been problems from the water.

127 PWD Nelson said he has seen the water go over the curb into their driveway. He shot
128 elevations today. Their driveway is 4.75" lower than the back of curb. The speed bumps helps a little,
129 but the top of it is still lower than the curb, which can hold 1.5" of water.

130 Mr. Weinberger showed video clips of the water running. There's a flow that goes around the
131 house, and another one that comes through the driveway into the garage. When they remodeled their
132 basement, they found water damage. He explained all the procedures he has done, and hopes the city
133 can do some things as well. Ms. Weinberger said it took five minutes of the heavy rain to fill their
134 garage, which has happened six times. Its not just water, but its mud and leaves from the top of the
135 street.

136 Councilmember Clausen (who also lives at the bottom of Lamplighter) informed that about 15
137 years ago the City, at his request, raised a low spot that was causing their cars to scrape as they drove
138 in their driveway. It worked for about a year. He explained how the water pools in this area. When
139 the road was chip sealed about five years ago, they got a lot of rocks coming from up the street, and
140 continue to deal with this. The rocks block the storm water system. He asked if the two drains hooked
141 into a drainage system. PWD Nelson said the west box is tied into a drain system that goes through
142 Logan to the river. The other one is connected to a pipe that angles across the road. He wasn't sure

143 where it goes. Mr. Clausen asked if the city could replace it with a more functional drain. Mr. Nelson
144 informed that it would be very costly. He reiterated that the first thing that needs to happen is their
145 driveway must be higher than back of curb. Doug asked about building up the curb. Mr. Nelson said
146 the water will still find their driveway because it's the lowest point.

147 Steve Weinberger said their neighbor just redid their driveway and it cost a fortune. He
148 wondered if there could be a dip that funnels the water somewhere besides their mailbox.

149 Councilmember Clausen asked about a French drain. PWD Nelson said it would be cheaper to
150 redo their driveway than to do a French drain. He guesses the driveway was done correctly when the
151 subdivision went in and when the homeowners, prior to the Weinbergers redid it, it was installed too
152 low.

153 Mayor Brackner recommended thinking about this and then discussing a conclusion at the next
154 meeting. Councilmember Clausen asked if it would be helpful to install a large drain at the bottom of
155 their driveway. Steve Weinberger felt it would need to be a trench drain. Lori Weinberger didn't think
156 it would be enough.

157 The Council will ponder it until the next meeting. Cindy Schaub suggested PWD Nelson
158 discuss it with the city engineer. Mr. Nelson said the engineer would say to build the driveway higher
159 than the curb.

160 Acceptance of the Orchard Heights Minor Subdivision: Councilmember Wright brought up a
161 question in comment #4. The second to last sentence stated, "The owner shall not construct building
162 or permanent facilities in the exiting sewer easement . . ." He wondered if 'existing' should be
163 changed to 'new.' PWD Nelson agreed that is probably what was meant. The Council agreed.

164 **Councilmember Wright moved to "accept the Orchard Heights Minor Subdivision with a
165 revision in note #4, the third to last sentence will say, 'The owner shall not construct buildings or
166 permanent facilities in the new sewer easement crossing Parcel B.'" Councilmember Scott
167 seconded the motion, which carried with Clausen, Scott, Smith, Wilson and Wright in favor.
168 None were opposed.**

169 Discuss and Approve a Historic Landmark Overlay Zone Pertaining to 594 South 400 East:
170 Councilmember Smith questioned if the Council was being asked to clarify the building's integrity
171 based on the criteria in Section C. Mayor Brackner explained Tony Johnson is asking for the overlay
172 zone on this one piece of property based on its historical significance. He would like to restore it to
173 look like the old gas station that it once was. Councilmember Wilson pointed out that the ordinance
174 starts out generally speaking and then becomes specific to the property at the end. Commissioner
175 Schaub explained that future properties, wishing for the overlay zone, would come before the
176 Commission on a case by case basis. Mr. Smith asked if the building has been designated as a local or
177 historical marker. Ms. Schaub said it has local significance because of what it used to be.
178 Councilmember Clausen clarified that if another property owner wanted to do this same thing and met
179 the criteria, then this same ordinance would be used, with the address changed. Ms. Schaub agreed,
180 although they may tweak it in some ways.

181 Councilmember Wilson wondered if any old building could be pounded to fit and painted to
182 match. Mayor Brackner answered they will need to apply in this same manner and be reviewed by the
183 Commission and then the Council. Councilmember Smith asked what the grounds were for the
184 Planning Commission to approve it. Tony Johnson explained the way the overlay zone works. It
185 allows a particular building to be treated differently than the zone it is surrounded by. He explained he
186 has made application to the historic register but hasn't heard back yet. From what he is hearing, the
187 designation will most likely be accepted.

188 Councilmember Wilson asked if the ordinance could be reworded to better fit this property
189 only.

100 Tony Johnson explained there are other homes in River Heights that may fit the criteria as a
1 historical building. If someone wanted to renovate them they could also apply for historic
192 rehabilitation funding.

193 Councilmember Wright explained the property is currently zoned as residential. Tony Johnson
194 would like to rent it out to a photography studio (which wouldn't be allowed in a residential zone,
195 which is why they are interested in the overlay zone). Generally speaking, the neighborhood was in
196 favor of this type of business (at the hearing). The Commission has discussed and looked at creative
197 ways to encourage improvement on this corner lot and allow a neighborhood friendly commercial use.
198 They opted to go with the overlay zone rather than a spot zone.

199 Commissioner Wright informed that the Commission (especially Commissioner Schaub) has
200 spent several months working on this. Much thought has gone into the acceptable uses that would be
201 allowed and compatible for the neighborhood.

202 Commissioner Wright suggested a few minor changes, including verbiage that wouldn't allow
203 a conditional use permit to be granted until the building renovation was completed. He also pointed
204 out that the Commission recommended six cars be allowed to park on the site, rather than four.
205 Councilmember Wilson couldn't envision how six cars would be able to fit. Tony Johnson explained
206 where they would be placed.

207 **Councilmember Wright moved to "adopt Ordinance 5-2016, An Ordinance to Create a**
208 **Historic Landmark Overlay Zone at 594 South 400 East with the following two changes: 1) At**
209 **the end of the beginning paragraph on F. Conditional Uses, the following will be added: "A**
210 **conditional use permit will not be granted until site improvements and exterior building**
211 **improvements (see R below) are completed. 2) Under P. Parking, 'four (4) cars' will be replaced**
212 **with 'six (6) cars.'" Councilmember Clausen seconded the motion, which carried with Clausen,**
213 **Scott, Smith, Wilson and Wright in favor. None were opposed.**

214 Discuss and Adopt Changes to the City Code: Councilmember Wright discussed and answered
215 questions regarding the proposed changes. Councilmember Clausen suggested additional verbiage to
216 clarify that the city may pay 100% on certain new sidewalks or replacements. Mr. Wright added "at
217 the cities expense" to the beginning sentence of section 7-2-3:B

218 Councilmember Wright asked PWD Nelson's opinion regarding a 'clear view on corners
219 between heights of 2' and 10.' Mr. Nelson explained that obstructions over 10' can still block the view
220 in a high vehicle, such as a plow truck. Mr. Wright doesn't want the code to state corners need to be
221 open to the sky, but he also doesn't want unsafe obstructions. Mr. Nelson suggested leaving the
222 wording for now.

223 Discussion was held regarding fences on rear yards facing a street. Councilmember Wright
224 said the Planning Commission recommended allowing fences up to six feet in height; the current code
225 allows four feet. Currently, there are two lots with back yards along 600 South that are affected by
226 this. Phase 3 will bring in more of this situation on 1000 East. Further development along the south
227 side of 600 South may bring more rear yards along the street.

228 Councilmember Wilson asked about allowing lattice on top of a four-foot fence. Erin
229 Bunderson said the lattice is more expensive and they want privacy from a solid six-foot fence. It was
230 brought up that a child or dog could scale a four-foot fence. There is also a risk that a child could be
231 snatched from a yard enclosed with a four-foot fence. Ms. Wilson said safety should come first. PWD
232 Nelson felt it was a safety issue to have a six-foot solid fence next to an open park area where a child
233 could run into the street from behind the fence.

234 **Councilmember Wright proposed to "approve Ordinance 6-2016, Changes to the River**
235 **Heights City Code, September 27, 2016 with the change to 7-2-3:B., 'Each year the city may, at**
236 **its cost, select certain sidewalks . . .'" Councilmember Scott seconded the motion, which carried**
237 **with Clausen, Scott, Smith and Wilson in favor. Wright opposed.**

238 Councilmember Wright explained he doesn't necessarily agree with the fence height.
239 Discuss Whether or Not River Heights Should Purchase Street Lights from Rocky Mountain
240 Power: Councilmember Clausen asked the council members how they felt about purchasing the lights
241 and poles. The city currently pays RMP \$800/month for maintenance and \$200/month for electricity.

242 Councilmember Scott asked if the city could put aside money in order to generate a
243 maintenance fund for the future, similar to an enterprise account. Mayor Brackner explained why this
244 wouldn't be possible. Each year they will budget a certain amount for maintenance.

245 PWD Nelson informed that Richmond City purchased their lights and is happy with the way
246 it's worked out for them. Councilmember Clausen said many cities in Utah have done the same and
247 recommended River Heights purchase theirs. Mr. Nelson pointed out one of the good things about it
248 would be that the city could eventually replace the poles with decorative ones and LED lighting. He's
249 not sure the city will ever break even because of the maintenance costs. He informed there are local
250 electric companies the city will call when maintenance needs to be done. The city can also hire RMP
251 to fix them.

252 **Councilmember Clausen moved to "purchase the city's 81 street lights from Rocky**
253 **Mountain Power for \$49,687. The city will also procure insurance, recommended by FD Grover**
254 **(at a previous meeting)." Councilmember Scott seconded the motion, which carried with**
255 **Clausen, Scott, Smith, Wilson and Wright in favor. No one opposed.**

256 Because this expense wasn't in the budget, Mayor Brackner informed that it could be added in
257 January when adjustments are made.

258 PWD Nelson recommended having RMP fix all the burned out bulbs in the city before the city
259 takes them over. He will let Councilmember Clausen know when they're done, at which time RMP
260 will be notified of the city's desire to purchase them.

261 Discuss a Possible Joint Cemetery with Providence: Mayor Brackner asked if there were
262 questions from the last meeting's discussion. Councilmember Wright reported talking to Dick Sacket
263 about selling the brow of the hill to River Heights City. Mr. Sacket hasn't decided yet if he is willing
264 to discuss this. Currently the city is in a holding pattern.

265 Councilmembers Smith and Scott would like to continue discussion with Providence about
266 joining with their cemetery.

267 Discuss Heber Olson Park Upgrade Possibilities: Baseball Diamond, Adding Pickleball Courts
268 (including other areas in River Heights that may be possible), Resurfacing Tennis Courts, Basketball
269 Court, Reroof Pavilion and Other Minor Pavilion Fixes, Eagle Scout Projects: Councilmember Wilson
270 handed out a list of possible upgrades and estimated costs. She would like to be prepared to apply for
271 a RAPZ grant next year. She asked that other ideas be added. PWD Nelson suggested addition a
272 splash pad at a cost of \$50,000-90,000. He suggested ball diamond upgrades would include an outfield
273 fence. Its possible to get a fence that can be put up and taken down.

274 Regarding tennis court repairs, Councilmember Wilson said the trend now is to build post
275 tension courts, rather than concrete.

276 Discussion was held on the park pavilion. PWD Nelson has noticed the underside of the roof
277 may need to be repaired before too long. Councilmember Wilson will get someone to come look at it.

278 Ruthann Nelson discussed pickleball courts, in which she has done a lot of research. She has
279 learned that cities are getting sued from neighbors who say the sport is too loud. Ms. Nelson asked for
280 a time restriction/curfew on the current court and that no more courts be installed near her home. She
281 has also found that the courts are lowering home values. She realizes it's a growing sport but wonders
282 if it's a fad.

283 Brian Cascio has researched the loudness of courts. Cities are hiring people to check into it and
284 measure the decibels, which are being measured at 60 and higher. It wasn't hard for him to find
285 articles about cities getting sued because of these problems.

286 Ruthann Nelson pointed out that she isn't opposed to the pickleball courts, but doesn't want
287 more noise created.

288 Lisa Ellis can see Ruthann Nelson's point, but would like to be able to play in the morning by
289 8:00 am. She also said Brigham City has installed 16 courts in a residential area. She suggested
290 calling them to see how its working out. Mayor Brackner said they will check.

291 Councilmember Wilson pointed out there aren't many pickleball players that use the courts
292 throughout the whole day. She talked about using other ball options, which would lower the decibels.
293 She has learned about a study that found: the softer (and quieter) the balls were, the quieter the players
294 were.

295 Mayor Brackner had received a report that dogs make howling noises when the balls start
296 making noise.

297 Lisa Ellis suggested Steve Bilboa could take some decibel readings. She would also like these
298 readings taken during soccer and softball seasons. She also suggested looking into sound walls.

299 Councilmember Wilson pointed out that Providence is installing 4 new courts. Logan is also
300 installing more. These courts are not very far from River Heights.

301 Peggy Smith said during the summer they started at 7:30am because it is too hot by 9:00.
302 Councilmember Wilson reminded they agreed to a curfew.

303 Councilmember Scott asked if these ladies would be willing to do fund raising to help pay for
304 new courts. They said they would.

305 Lisa Ellis asked again to check with other communities that have courts. Ruthann Nelson said
306 one of her friends lives by a pickleball court and is going to sell her house because of the noise.

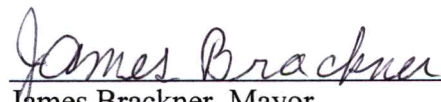
307 Councilmember Wilson said they will try to do the right thing. She asked for another
308 discussion in two weeks. Councilmember Wright suggested adding these items to the capital
309 improvement list. He didn't see the urgency in discussing it again and deciding right away.

310 Discuss Safe Routes to School Grant for 700 South Sidewalk: Mayor Brackner said the newly
311 engineered plat shows only four properties that will need to be deeded for the construction of the
312 sidewalk. Three of the landowners will give it. Anna Marie Andersen said the city can purchase it.
313 The city is in negotiations with her. Meanwhile, Engineer Rasmussen has turned in the grant
314 application. He discussed the letters of support received from the school and county trail planner. He
315 feels the city is in a good position to receive the grant. He's hoping to hear back within three months.

316 Mayor and Council Reports: Mayor Brackner said the Utah Festival Opera is in the processes
317 of reroofing the Old Church.

318 The meeting adjourned at 8:50 p.m.

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322 Sheila Lind, Recorder

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326 James Brackner, Mayor

River Heights City Bills To Be Paid

September 27, 2016

	Payee	Description	Admin.	P&Z	Parks/Rec	Pub. Safety	Com. Aff.	Roads	Water	Sewer	Total
1	Al's Trophies & Frames, Inc.	Citizen of Year Frame, Plaques					\$76.47				\$76.47
2	Cache Valley Publishing	Planning Commission Public Hearing Notice		\$51.40							\$51.40
3	Carpets of America	Carpet P.O. FY2016-PO0008	\$2,775.22								\$2,775.22
4	Chemtech-Ford, Inc.	Water Lower Well, Municipal, 800 South							\$1,592.00		\$1,592.00
5	Cindy Schaub	Planning Commission Qtr. Reimbursement		\$60.00							\$60.00
6	City of Logan	911, Garbage, Recycle, Sewer	\$10,766.45			\$1,875.00				\$6,868.54	\$19,509.99
7	Comcast	Internet	\$21.97						\$21.96	\$21.96	\$65.89
8	Danny Petersen	Planning Commission Qtr. Reimbursement		\$48.00							\$48.00
9	Jake Zollinger	Planning Commission Qtr. Reimbursement		\$36.00							\$36.00
10	James Brackner	ULCT Registration, Hotel, Mileage	\$747.96								\$747.96
11	LeGrand Johnson	600 S, 400 E, 600 E Sewer Manholes							\$84.24		\$84.24
12	Logan City	Water Consumption							\$703.23		\$703.23
13	Mark Malmstrom	Planning Commission Qtr. Reimbursement		\$48.00							\$48.00
14	Nina Knowles	Planning Commission Qtr. Reimbursement		\$48.00							\$48.00
15	Questar	Gas	\$10.22		\$10.39			\$3.32	\$22.27	\$3.32	\$49.52
16	Robertson Mfg.	Raise Manholes 600 S, 400 E, 600 E							\$428.00		\$428.00
17	Roto Rooter	Soccer Porta Potty			\$100.00						\$100.00
18	The Clean Spot	Restroom Cleaning Supplies			\$84.55						\$84.55
19	The Flower Shoppe	Ralph Degn Service	\$65.00								\$65.00
20	Thomas Petroleum	Fuel for City Vehicles			\$25.72			\$25.73	\$25.73	\$25.73	\$102.91
21	USA Bluebook	Sewer Inspection Supplies								\$565.42	\$565.42
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Page 1 SubTotals			\$14,386.82	\$291.40	\$220.66	\$1,875.00	\$76.47	\$29.05	\$2,877.43	\$7,484.97	\$27,241.80

River Heights City
 Financial Summary
 September 27, 2016

	<u>Cash Balance By Fund</u>		Net Change	% of Total
	08/31/16	09/27/16		
General Fund	304,778.37	292,949.79	(11,828.58)	24.16%
Capital Projects Fund	(56,999.83)	(71,554.61)	(14,554.78)	-5.90%
Water Fund	145,054.96	172,948.35	27,893.39	14.27%
Sewer Fund	801,775.03	818,001.67	16,226.64	67.47%
Total Cash Balance	<u>1,194,608.53</u>	<u>1,212,345.20</u>	<u>17,736.67</u>	100.00%

Budget Summary - June 30, 2017

		YTD Actual	Annual Budget	Unexpended Budget	% Of Budget Incurred	% Of Time Incurred
General Fund						
Revenue		105,275.39	633,970.00	528,694.61	16.61%	24.38%
Expenditures	Administrative	20,782.20	154,214.00	133,431.80	13.48%	24.38%
	Office	2,538.85	14,525.00	11,986.15	17.48%	24.38%
	Community Affairs	8,397.18	18,300.00	9,902.82	45.89%	24.38%
	Planning & Zoning	808.89	11,100.00	10,291.11	7.29%	24.38%
	Public Safety	2,688.02	99,480.00	96,791.98	2.70%	24.38%
	Roads	22,022.07	104,843.00	82,820.93	21.00%	24.38%
	Parks & Recreation	13,843.37	71,446.00	57,602.63	19.38%	24.38%
	Sanitation	10,584.21	124,000.00	113,415.79	8.54%	24.38%
	Transfer To CP Fund	-	-	-		
Total Expenditures		<u>81,664.79</u>	<u>597,908.00</u>	<u>516,243.21</u>	13.66%	24.38%
Net Revenue Over Expenditures		<u>23,610.60</u>	<u>36,062.00</u>	<u>12,451.40</u>		
Capital Projects Fund						
Revenue		3.92	100.00	96.08		24.38%
Expenditures	Administrative		28,000.00	28,000.00		24.38%
	Roads	72,180.64	423,000.00	350,819.36		24.38%
	Parks & Recreation	-	-	-		24.38%
Total Expenditures		<u>72,180.64</u>	<u>451,000.00</u>	<u>378,819.36</u>		24.38%
Net Revenue Over Expenditures		<u>(72,176.72)</u>	<u>(450,900.00)</u>	<u>(378,723.28)</u>		
Water Fund						
Revenue		114,855.98	333,600.00	218,744.02	34.43%	24.38%
Expenditures		<u>47,575.51</u>	<u>219,213.00</u>	<u>171,637.49</u>	21.70%	24.38%
Net Revenue Over Expenditures		<u>67,280.47</u>	<u>114,387.00</u>	<u>47,106.53</u>		
Sewer Fund						
Revenue		46,273.87	176,312.00	130,038.13	26.25%	24.38%
Expenditures		<u>35,112.73</u>	<u>169,143.00</u>	<u>134,030.27</u>	20.76%	24.38%
Net Revenue Over Expenditures		<u>11,161.14</u>	<u>7,169.00</u>	<u>(3,992.14)</u>		

City responsibility re private vs public property

My understanding is that the city is responsible to maintain public property and to be responsible for any damage to private property caused by the decisions of city officials and employees. Private citizens have the right to use their property as they see fit, so long as they do not infringe upon the rights of their neighbors, for which the city ordinances have been enacted. Private citizens also have the responsibility to protect their own property as they see fit. It appears, in the case of the Weinberger property (previously owned by the Hills), that it was built to include the potential water-flooding hazard and that the city officials or employees have not caused the damage. I spoke with Romae Hill today and she reported that they installed the designer driveway and that they had experienced some flooding before, but they installed a rubber tubing to the bottom of their garage doors that caused the water to flow around it. They did not report the flooding to the city, however. This would indicate that, based on my understanding, the city is not responsible for the flooding.

However, several years ago the city enacted a law to collect storm-water fees. In the past we have used these fees to pay for storm water drains that empty into the irrigation canals when we replace streets, and to comply with federal laws including attending seminars and paying fees.

My concern is where does the city responsibility begin and end. Joanne Anderson who lives at 500 East and River Heights Blvd has built an asphalt curbing to stop water from flowing onto her lawn and into her garage. However, the asphalt has created a large pool of water (or ice in winter) in front of her garage that is creating a hazard and is destroying the street surface.

Also, the residents on 800 South are complaining about ground water filling their basements. When one resident pumps the water onto the street, it sometimes overflows to his/her neighbor's property and increases the hazard of water in their basements.

Clayten has investigated the Lamplighter Street situation and has a report to make, after which, Doug Clausen has requested to address this issue from a different point of view. After Doug's remarks, I would like the city council to give me instructions or guidance of how to be fair to all the taxpayers of our city.

01 Peggy Smith introduced the royalty for 2016: Amy Bedell, Rachel Daines, Cami Madsen,
02 Kyryn Hancey and Lacey Tirey. She explained that they don't hold a pageant, rather, they have a
03 breakfast with the girls and their moms. They are a great group of girls and are willing to do whatever
04 is asked of them.

05 Public Hearing to Discuss a Resolution Amending the 2015-16 General Budget: Each council
06 member had an opportunity to discuss their budget amendments. PWD Nelson also made some
07 requests in the water and sewer departments.

08 Mayor Brackner asked the council to compare these figures with the figures on the tentative
09 2016-17.

10 Mayor Brackner opened the public hearing. There were no comments. The resolution to adopt
11 the budget amendments will be voted on at the next meeting.

12 Discuss Casey McFarland Minor Subdivision: Casey McFarland explained where things left
13 off on his minor subdivision request of last year and the verbiage he would like to add to the plat. He
14 suggested including the following: "The owner will have full responsibility of repairs after the city has
15 attempted to do what they normally would to fix a sewer line in River Heights City, including clogging
16 issues that don't require digging, or any repairs of the sewer line that can be fixed without digging."

17 Mr. McFarland understands that since his past property owner built over the sewer line, he
18 would be responsible to put his property back, if the line needed to be dug up. PWD Nelson agreed
19 with the suggested verbiage. He explained that the city engineer may fine tune it before it's accepted.
20 Mr. Nelson also informed that they have recently sent a camera through the line and it looks fine.

21 Councilmember Wright asked for an updated plat. Mr. McFarland determined they were not
22 looking at the most recent plat he had done.

23 The council felt fine about the request. Councilmember Wright clarified that Mr. McFarland's
24 engineer will revise the wording on the most recent plat. The plat will then go to the city engineer for
25 his review. Mr. McFarland will then work with his engineer to make any suggested changes. At that
26 point, it will come back to the City Council for their approval.

27 Discuss Proposed Utility Rate Changes: Councilmember Clausen pointed out the revisions
28 from the last meeting, which include a commercial stormwater rate and residential rate. The present
29 rate is in five tiers and the revised rate is in three tiers.

30 To answer a question from the last meeting, PWD Nelson reported there are 22 high water
31 users, 85 in the medium-high category, 260 medium and 250-280 in the lowest usage group.
32 Councilmember Clausen explained that the need for setting commercial utility rates prompted the
33 adjustment in the residential rates. It shows the state that the city is encouraging conservation. The
34 proposed rates also simplify the overage tiers. Before adopting the new rates, he'd like to hold a public
35 hearing. Councilmember Scott asked if the state was okay with the proposed rates. PWD Nelson said
36 the state isn't particular about the rate, unless the city is borrowing money for water projects.

37 FD Grover suggested the city really doesn't need a rate increase in the water or sewer fund. He
38 questioned why the city would go to the trouble of simplifying the rates for such a small increase.
39 PWD Nelson explained the complexity of the current rate structure. He said River Heights is one of
40 the only cities left that use a 5 tier rate structure. Councilmember Smith pointed out that residents will
41 pay 25 cents more for the base rate, but they'll get 10,000 gallons, rather than 8,333.

42 Councilmember Clausen pointed out the multi-family rate is proposed to change, as well. He
43 would be fine with leaving the rates the same.

44 Councilmember Scott suggested simplifying by charging for each gallon used, which would
45 alleviate the tiers altogether.

ORDINANCE 5-2016

An ordinance to Create a Historic Landmark Overlay Zone at 594 South 400 East

A. DECLARATION OF LEGISLATIVE INTENT

It is the intent of the City of River Heights, the River Heights Planning Commission, and the River Heights City Council to establish a Historical Landmark Overlay Zone (HL) at 594 South 400 East, River Heights, Utah 84321. This site is not to conflict with the atmosphere of the surrounding residential neighborhood nor bring about noxious or nuisance activities.

This declaration is *not* to replace the current Residential zoning for the building located at 594 South 400 East, River Heights, Utah 84321 but to allow an additional layering of zoning for the enhancement of a historical landmark within City limits.

Residential zoning regulations supersede any additional Historical Landmark Zoning amendments created herein.

B. PURPOSE

The Historic Landmark (HL) Overlay Zone is intended to support the revitalization and productive reuse of structures and sites that hold historic, architectural, or cultural value, and which would otherwise be underutilized, dilapidated, or even demolished because the original use has become functionally obsolete. We recognize the importance of these significant landmarks and desire to provide a process to allow restoration and practical reuse while minimizing impacts to adjacent properties and avoiding the process of demolition and reconstruction.

The Historical Landmark Overlay Zone (HL) designation is further intended for light commercial development that will relate to the residential neighborhood and will be compatible with residential character or historic value in nature.

C. APPLICABILITY

This overlay zone may be applied in any zoning district if each of the following criteria is met:

1. The structure is at least fifty (50) years old.
2. The site or structure has been designated as a local or national historic landmark, or the structure is found by the River Heights City Council ("City Council") to have retained its integrity by the following characteristics:
 - a. Excellent example of type or style;
 - b. Unaltered or only minor alterations or additions;
 - c. Individually eligible for the National Register of Historic Places, or

d. Known for its historical significance.

3. The building site, or structure would no longer be permitted under its current zoning designation with its present configuration including lot area, dimensional requirements, or off-street parking requirements, and the building, site, or structure could not easily be retrofitted to comply with existing criteria without variances, vacating right-of-way, purchasing adjacent property, or removing portions of the existing building.

D. RESTRICTIONS OF ZONE OVERLAY

Because the retention of a historic building is a substantial benefit to the community, the approval of this overlay zone shall be bound to the existing historic site or structure being adaptively reused. If the site or structure is removed or destroyed, the zoning of the property shall immediately revert to the surrounding zoning district which is currently Residential.

This Historical Landmark Zone is to be maintained in harmony with amenities of adjacent residential development and to protect the surrounding residences from noise, lights, fumes, pests, overcrowding, heavy traffic, and other problems which may arise from an inharmonious mix of commercial and residential uses.

E. PERMITTED USES:

There are no permitted uses for the Historic Landmark (HL) Overlay Zone.

F. CONDITIONAL USES:

All uses will be conditional uses and must be compatible with the general characteristics of the Historical Land (HL) Overlay Zone. These Conditional Uses will run with the land and will be extinguished upon abandonment of the use of the Historical Landmark Overlay (HL) zoning, or, upon the property reverting to the surrounding zoning district. *A conditional use permit will not be granted until site improvements and exterior building improvements (see R below) are completed.*

- Allowed Uses:
1. Antique store and sales
 2. Art Gallery and sales
 3. Bicycle Repair
 4. Book, stationary, office supply store, copy store
 5. Candy Making Shop
 6. Computer goods, services, and repair
 7. Electrical appliance repair (light)
 8. Florist shop/ Garden Shop
 9. Gift store, and/or Handi-craft store
 10. Jewelry design, fabrication, and sales
 11. Locksmith Shop
 12. Museum

13. Music Store (Instructional/Sales)
14. Personal Custom Services, Tailor, Milliner, etc.
15. Photography studio/Film processing/ Camera Shop

16. Professional/business offices. (A building for administrative, executive, professional, or similar organizations having only limited contact with the public, provided that no merchandise or merchandising services are sold on the premises, except such as are incidental or accessory to the principal use.)
17. Seasonal sales (Christmas Trees) and services, when permitted by the property owner, not to exceed three (3) months in any calendar year and the obtaining of a River Heights City Business License. All stands, booths and structures associated with the seasonal sales and services use shall be temporary and removable, not for public occupancy, and must be removed from the property at the completion of each year's seasonal use.
18. Shoe Repair Shop
19. Wedding Consultant

Uses will be strictly prohibited next to a residential zone that involve open storage of merchandise or equipment, trade or industry that is offensive or a nuisance by reason of the emission of odor, smoke, gas, vibration or noise, obstructive lighting or uses.

G. USES NOT PERMITTED:

1. Aerobic Studio, Dance Studio
2. Agricultural Manufacturing
3. Animal Shelter, Kennel, Veterinary services, animal husbandry
4. Barber Shop, Beauty Shop, or Manicure/Pedicure Shop
5. Bed and Breakfast Inn
6. Body Art
7. Brew Pub/Liquor Sales
8. Car Wash
9. Clothing or Apparel Store
10. Correctional Facility
11. Department Store or Discount Store
12. Drama Studio, Theater
13. Drug Stores/ Pharmaceuticals
14. Dry Cleaner or Laundromat
15. Entertainment, Dancehall, or Night Club
16. Furniture or Appliance Store
17. Garage
18. Gas Station, functional
19. General Manufacturing (Assembly, production, sales)
20. General Vehicle/ OHV/ Trailer/ Watercraft Repair or services
21. Grocery Store, Convenience Store
22. Gun or Archery Sales, Service, or repair

23. Health, Exercise, Massage, Reducing Service
24. Hotel/Motel, Lodging, Shelter
25. Human Care Services (Foster Home, Elderly Care, Daycare for Children, Preschool)
26. Machine Shop or Welding Shop
27. Medical Services/Facilities/ Hospital
28. Mortuary
29. Parking Facilities
30. Pawn Shop
31. Plumbing Sales or Service
32. Produce Stand
33. Radio or TV Transmission Station or Amateur Radio Facility
34. Recreational Facility (Sports and Leisure time activities)
35. Religious Meeting Facility
36. Restaurant, Cafeteria, Fast Food, Mobile Food Truck
37. School
38. Self Service Storage Facility
39. Sexually Orientated Business
40. Storage and Warehousing
41. Tobacco Sales
42. Transportation Services
43. Vehicle Sales, Vehicle Parts Sales, Vehicle Repair Service, Tire Sales
44. Wholesale Sales or Service
45. Wrecking/Salvage Yard

The Planning Commission reserves the right to deny any Conditional Use permit, not listed herein, which is deemed detrimental to the safety and health of the citizens of River Heights, Utah. The Planning Commission may impose conditions that may mitigate concerns of adjacent residents.

H. CLASSIFICATION OF NEW AND UNLISTED USES; PROCEDURE: (Title 10, Chapter 12, B):

Should the Zoning Administrator and the Building Inspector determine that a type or form of land use which an applicant is seeking to locate in the city does not appear as a permitted or conditional use, he or she shall refer the request to the Planning Commission which shall determine the appropriate classification as follows:

1. Should the Planning Commission determine that the new or unlisted use for all intents and purposes, is listed under another name or category, they shall so inform the Zoning Administrator and/or Building Inspector to proceed accordingly; or
2. The Planning Commission shall gather facts concerning the nature of the use, types of activities, impacts, etc., and shall transmit its findings and recommendations to the Mayor and City Council, who shall amend the land use chart. (Ord., 1-22-2002)

I. HOURS OF OPERATION

Use of the building *open to the public* shall be limited to:

Seven (7) o'clock A.M. until Ten (10) o'clock P.M, Monday through Sunday.

J. ADDITIONS AND SITE DEVELOPMENT REQUIREMENTS

Any site development, including proposed additions to the existing historic site, building or structure shall be reviewed by the City Council as part of their design review process and shall comply with the following requirements:

1. Any addition shall not exceed 25% of the existing structure's building footprint.
2. Owner/Applicant to follow Site Plan Review procedures as outlined in City Code 10-8-2, (Ord., 1-22-2002)
3. The structure in the Historic Overlay Zone must adhere to:
 - a. Existing Residential **Setback, Height, and Fencing** regulations (City Code 10-12-2, A, Table 2)
 - b. Existing Outdoor **Lighting** regulations, (City Code 9-3)
 - c. Existing **Signs** ordinances, (City Code 10-16)

K. DESIGN REVIEW AND APPROVAL

Proposals for this overlay zone shall be submitted as both a zone change and design review to be heard by the Planning Commission and Municipal Council. It is the responsibility of the City Council to approve or disapprove such zone change and design review.

L. RESIDENTIAL USES

The business owner/tenant/manager is allowed to reside in the structure if the structure meets the definition of a single family residential dwelling unit and is located on a lot at least 8,000 square feet in size.

The building may be occupied as a single family dwelling in the event the Historical Landmark Overlay (HL) zone is terminated.

M. OTHER REQUIREMENTS

1. Uses Within Building: All uses established in the Historic Landmark (HL) Overlay Zone, including storage, shall be conducted entirely within a fully enclosed building.
2. Landscaping: The following landscaping provisions shall apply in the Historical Landmark (HL) Overlay Zone:
 - a. Yards: The front and side yard areas adjacent to a public street shall be maintained with suitable landscaping of plants, shrubs, trees, grass, and similar

landscaping materials. The landscaping plan shall be approved by the City Council as to type, size and amount of landscaping.

- b. Plantings: Plantings in front setbacks may not impede the vision of traffic.
- c. Parking Areas: Parking areas shall be landscaped around the periphery and at the end of parking rows in accordance with the landscaping plan approved as part of the project plan approval procedure.

3. The yards around the building shall be kept free of junk, debris, refuse, weeds, and other flammable material.

N. TRASH AND STORAGE

- 1. No trash, used materials, or wrecked or abandoned vehicles or equipment shall be stored upon the property. Outside storage of commercial goods or materials is expressly prohibited.
- 2. Daily trash materials must be stored within an enclosed building or within an enclosure surrounded by a fence not less than four feet (4') in height within the required setbacks and not visible from any public right of way.

O. WALLS, FENCES AND SCREENING

- 1. All mechanical equipment (i.e. air conditioners, fans, pumps, etc.) shall be located within, or on the side of the building, or on the roof with parapet walls. Any mechanical equipment located on the outside of the building must have a visual/noise barrier (masonry wall or landscaping) that completely surrounds the equipment and extends at least one foot (1'foot) above the equipment.
- 2. All merchandise, equipment and other materials (except for seasonal items sold on a temporary basis such as nursery stock, Christmas trees) shall be stored within an enclosed building or shall be stored within an opaque or sight obscuring fence.

P. PARKING

- 1. No more than ^{SIX (6)} ~~four (4)~~ vehicles may be on the premises at one time.
- 2. All parking spaces shall be paved with asphaltic cement or concrete and shall have paved access from a public street.

Q. SITE PLAN REVIEW REQUIRED

1. Concurrent with any request to rezone property to the Historic Landmark (HL) Overlay Zone, a preliminary project plan shall be submitted for review and recommendation by the City Council. Said preliminary project plan shall be drawn to scale and shall contain the following information:

a. Location of all existing and proposed buildings and structures on the site, including an indication of the proposed uses;

b. The location of all parking spaces, driveways, and points of vehicular ingress and egress;

c. A conceptual signing plan showing the location and size of typical signs;

d. A conceptual landscaping plan showing planting materials to be used together with the location of fences, walls, hedges, and decorative materials;

e. Preliminary elevations of the building showing the general appearance and types of exterior materials to be used.

2. All final plans must be approved by the City Council after a formal recommendation from the River Heights Planning Commission ("Commission"). It is the intent that the structure in the Historical Landmark Zone have a residential/historical appearance in nature.

3. Upon approval of a final site plan by the City Council, no building or uses of land other than those depicted on such plan shall be permitted.

4. Any failure to submit a final project plan within one (1) year from date of submission of the preliminary project plan shall terminate all proceedings and render the preliminary plan null and void.

5. All remodeling of the historical building must be completed within one (1) year from the date the final approval plan is signed by the City Council.

R. BUILDING AND ARCHITECTURAL STANDARDS

The building shall have an architectural style and exterior finish similar to that of the original Sinclair Gas Station built in the 1950's.

In keeping with the "Sinclair Gas Station" theme, exterior finishes shall be stucco, masonry, stone, or architectural grade metal siding. No building shall be finished with vinyl or metal siding only. Vinyl or metal siding may be used as an appropriate supplementary finish material in combination with masonry or stone. The base color shall be light/white tones. Accent colors shall be green and red. Murals or super graphics shall be specifically approved. The City Council shall be the approval agency in determining architectural style.

S. RESTRICTIONS OF ZONING:

Because of the retention and integrity of this building and being a substantial benefit to the community, the approval of this zone shall be bound to the existing site or structure being adaptively reused. If the site or structure is removed or totally destroyed by fire, flood, winds, or an act of God, the zoning of the property shall immediately revert to the surrounding zoning district.

T. REVERSIONARY CLAUSE

Should the property become vacant nor used in compliance with the Historic Landmark (HL) Overlay Zone for a period of two (2) years or more, then the property shall automatically revert to the existing surrounding zoning without further notice.

U. SUPPLEMENTARY REGULATIONS

Uses within this zone shall also comply with the applicable requirements set forth in the provisions of the land use ordinance.

Adopted by the River Heights City Council this 27th day of September 2016.

James Brackner, Mayor

ATTEST

Sheila Lind, Recorder

ORDINANCE 6-2016

CHANGES TO THE RIVER HEIGHTS CITY CODE, September 27, 2016

3-4-4: Definitions:

Adult Oriented Business: An adult motion picture theater, adult bookstore, adult video store, or any business providing sexually-oriented products or services which are illegal to minors and which constitute at least fifteen percent of the floor space, unless exempt under the provision of Section 3-4-8 of this Chapter.

(Also add this definition to the Adult-Oriented Business Chapter as 3-3-2. Bump other sections down.)

7-2-3: Sidewalks at Existing Locations:

~~Installation and repair of sidewalks at legally existing non-conforming lots at the time of the adoption of this ordinance shall be governed as set forth below.~~

~~A. Where the City deems appropriate, installation of sidewalks at existing residential lots will be required where none exists. It is the intention of River Heights City to pay for fifty percent (50%) of the current installation costs, with the property owner being required to pay the balance of the current installation costs. Modifications to this policy will be at the sole discretion of the City Council. Sidewalks determined by the city to be damaged and unsafe will be replaced in a like manner. (4-2013, 10-24-13)~~

A. Damage: When any citizen, contractor or person damages the sidewalks, curbs or gutters of the City, that individual or person shall repair and/or replace the same within a reasonable time at their own cost pursuant to specification set forth by the city. Any expenses incurred by the City in providing specifications or inspecting the same shall also be paid by said citizen, contractor or person. If the City damages any sidewalks, curbs or gutters, the same shall be repaired and/or replaced by the City within a reasonable amount of time at no cost to the property owners.

~~B. Where the city has installed sidewalks along the frontage of a proposed building lot within ten years prior to the issuance of a building permit, then one hundred percent (100%) of the current installation costs shall be paid to the City by the~~

~~property owner or their agent. Where the city has installed sidewalks along the frontage of a proposed building lot more than ten years prior to the issuance of a building permit, then compensation not to exceed fifty percent (50%) of current installation costs shall be paid to the City by the property owner or their agent.~~

B. Age and General Wear: Each year the City may ^{at its cost} select certain sidewalks, curbs, or gutters for replacement and/or repair when the same have deteriorated due to age and general wear and tear and how and when such repairs or replacements will occur. If a property owner requests a sidewalk repair that is not selected by the City, the City may choose to participate in the repair. In such cases, the City may participate up to 50% of the cost.

C. Specifications: The City, through its engineering or building department, and/or its retention of outside engineering consultants, shall provide specifications for sidewalks, curbs and gutters, inspection for such construction and replacement or repair and approval thereof.

10-2-1: Definitions

Add

Cantilevers: Overhanging structure with or without external bracing.

Revise

Setback: The shortest distance between the property line and the foundation wall, vertical supports, cantilevers, porches or steps over thirty inches (30") in height or the main frame of the building.

10-13-14: Clear View of Intersecting Streets

Obstruction of vision on corner lots within ~~thirty~~ forty feet (30' ~~40'~~) of ~~said corner right-of-way edge of pavement of intersection~~ shall not be permitted from two feet (2') to ten feet (10') above finished grade. Trunks of trees, fence posts, light or telephone poles or other small vertical protrusions not more than twelve inches (12") in diameter shall be permitted.

Add

10-13-15 Rear Lot Fences

Fences on rear yards must conform to clear view of intersecting streets. Any fence constructed on said owner's lot cannot exceed (6') feet in height. If the rear lot is adjacent to a public road the fence may not be built closer than one (1') from the sidewalk and the property owner is responsible to maintain the section between fence and sidewalk. Refer: 10-12-2. (Bump other sections down.)

10-14-2: Off-Street Residential Parking

- D. ~~Distance to Another Driveway: Adjacent driveways shall not be closer than twelve feet (12') to each other;~~

- E Width: In residential zones, driveways approaches shall be not more than twenty-eight feet (28') in width and shall be a minimum of six feet (6') from property line.

Adopted by the River Heights City Council this 27th day of September 2016.

James Brackner, Mayor

ATTEST

Sheila Lind, Recorder

CEMETERY DISCUSSION MEETING RE: PROVIDENCE CEMETERY ACQUIRING 3.5 ACRES OF PROPERTY OWNED BY RIVER HEIGHTS CITY

Date: September 6, 2016

Place: River Heights City office building

Attendees: From River Heights City – Mayor James Brackner & Councilmember Blake Wright

From Providence – Mayor Don Calderwood & Sextant Shane Hansen

- Facts given:
1. The Providence Cemetery Trust Fund has a balance of \$293,000.
 2. Maintenance cost of the cemetery is covered by earnings from the trust fund plus an annual supplement from Providence of \$70,000 to \$80,000.
 3. The cemetery occupies 15 acres, 12 of which are developed and the remaining 3 acres will be developed within the next decade.
 4. The present price to purchase a burial plot is \$300 for residents and \$800 for all others.
 5. The cost to open and close a grave is \$450 for week-days and \$600 for Saturdays. There are no operations on Sunday or holidays.
 6. The cemetery is watered from a well/spring that is located between River Heights Blvd. and Orchard Drive about 800 East in River Heights City. There is ample water from this source to water the existing cemetery and the possible addition of 3.5 acres now owned by River Heights City. The water rights are stated as an X quantity per minute (or second) and the quantity is exceeded occasionally during the hot summer months. However, none is used during the winter and other cold months so the annualized quantity is never exceeded. There is a problem using this water because the quantity per time is limited and it requires a long time to water the cemetery.
 7. River Heights City culinary water is used at the office and rest-room building as well as two taps used to water dry spots. This water is paid for by Providence to River Heights City.

River Heights City and Providence would like to continue this discussion but River Heights City requested a pause until the ownership of the crest of the hill overlooking the gravel pit in Logan is established. River Heights City officials will contact Providence officials as soon as the ownership question is resolved.

