

The regular meeting of the Richmond City Council was held at the Community Building on October 17, 2000. The meeting began at 7:00 p.m. Mayor Kip Panter was in the chair and the opening prayer was offered by Marlowe Adkins.

The following council members were present: Cordell Johnson, L.D. Bowcutt, Leslie Erickson and Kim Christensen.

The minutes of the previous meeting were read and approved. (Cordell Johnson was concerned about the verbage used in his resolution relative to rescinding the vote taken on September 5<sup>th</sup>, 2000, but no definite correction was submitted.)

**Discussion of Initiative B and a resolution opposing it provided by the Utah League of Cities and Towns.**

**Leslie:** I strongly oppose Initiative B and support the resolution provided to us by the Utah League of Cities and Towns. In brief, initiative B is supported by out of state groups wanting to decriminalize certain drugs. It would hurt the DARE program. Law enforcement would like our support on this. Initiative B would alter current law, exponentially increasing the cost of prosecution and litigation, handcuffing the ability of Utah law enforcement to curb the use and sale of illegal drugs. Here are some facts from those opposing Initiative B: The resolution before us is provided and supported by the Utah League of Cities and Towns. It is also supported by most if not all major law enforcement agencies in Utah. They are asking cities to support the resolution opposing Initiative B and to vote NO on this initiative. Initiative B will increase the cost of enforcement and prosecution against the most predatory criminals in Utah – hardcore drug dealers. Allowing convicted drug dealers to keep their profits make as much sense as allowing convicted bank robbers to keep the money they stole. This is what the supporters of the resolution say. “Utah law enforcement agencies are doing their job and protecting the rights of the accused. For the proponents of Initiative B to say otherwise is a slap in the face of the fine men and women of law enforcement. Asset forfeiture is the legal authority government has to take assets that have been used in illegal activity. There are 3 purposes for asset forfeiture: 1) It punishes criminals by denying them profits from their illegal activities; 2) It prevents further illegal activity by denying criminals the tools they need to commit crimes; 3) It helps cover the cost of enforcing controlled substance laws. While police have the authority to seize assets, the courts oversee the actual award of property. Assets are not forfeited until a judge determines through a preponderance of evidence that the assets were used either to transport or manufacture controlled substances or acquired from the proceeds of illegal activity”. Initiative B looks good on the outside but details reveal it is a “wolf in sheep’s clothing”.

**Mayor:** I would like the Council to review this and if comfortable with it support the resolution. The League of Cities and Towns is opposes Initiative B, Governor Levett and his challenger Bill Orton both oppose it and all major law enforcement agencies in Utah

oppose it. For those in favor of less intrusive government, it sounds good until you understand some of the details and facts. We should encourage citizens to study it and vote on November 7. I would like to see us put something in the newsletter for November.

**Cordell:** I am really uncomfortable with people who have taken a lot of time asking the City to go against something without time for discussion. We have to be very careful on how we align ourselves.

**Mayor:** I believe the resolution opposing Initiative B is an attempt to balance the early efforts of those groups supporting it. I think it would be appropriate for the city council to show support for the resolution by vote if you choose to, but I think in the newsletter we should state that each citizen should study the issue and vote their conscience.

\*\* A motion to adopt resolution 2000-10 opposing Initiative B, which would keep the law as it now is, and in brief continue to support law enforcement's current ability to fight illegal drugs within our community was made by L.D., seconded by Leslie and the vote was as follows: LD-yes; Kim-yes; Leslie-yes; Cordell-no.

**Mayor:** I also want to go on record as opposing initiative B.

### **Managers Report**

**Marlowe:** I would like to defer discussion on uniforms until the November meeting as I have been unable to obtain firm prices from various supply sources. I to the Council consideration of Resolution 2000-11 which is a resolution assigning the James Hendricks Camp of the Daughters of the Utah pioneers the responsibility to maintain and oversee the interior portions of the old bishop's storehouse, aka Relic Hall, while retaining ownership to the Richmond City Corporation.

\*\* A motion to adopt Resolution 2000-11 which is a resolution assigning the James Hendricks Camp of the Daughters of the Utah pioneers the responsibility to maintain and oversee the interior portions of the bishop's storehouse, aka Relic Hall, while retaining ownership to the Richmond City Corporation was made by Cordell., seconded by Leslie and the vote was unanimous.

The lowest bid to survey the 2 parcels of L.D.'s and Theurers land by the ball diamond was \$850.00.

\*\* The Council instructed Marlowe to obtain additional bids before a decision is made.

Mike Abbott and Brent Webb turned in their formal annexation petition to me.

L.D. asked Gerald Bell to check on snow equipment and he found a truck and a sander in Preston. It is a 93 Ford with 62,000 miles for \$29,900 including a blade and sander. I

got a call from Hubbell lighting concerning the Cub River Sports Complex. I would also like permission to order a printer for down at the maintenance building. It would aid in water and sewer projects.

\*\* The Council o.k.'d this request.

**Marlowe:** We have had to rent a sewer camera which after using it 3 times has cost us about \$1,000. We will need it more and more as the sewer systems ages, and I recommend that the City to buy a camera which would total about \$3,000.

**Cordell:** I have a concern that it won't be put back in the condition it should be. It will last a long time if we take care of it.

\*\* The Council gave permission to obtain a camera with the understanding that it would be maintained, a check-list developed to ensure proper care after each use.

**Marlowe:** I have been here a year and enjoyed my time here.

**L.D.:** I'm glad you are here.

**Cordell:** I am also glad you're here.

### **Treasurers Report**

**Stacee:** I met with Scott Mitchell of First Security Bank about setting up an account for our new construction project. He told us if we would change to a sweep account we could get around 5 ½ % interest instead of 1 ¼% on the money we currently have in our checking account.

**Marlowe:** It is illegal to do this because of using tax monies. I checked with Bruce Jorgenson on this previously.

**Stacee:** I met with Credit Service of Logan and they have a program on returned checks. They have a real good system on collections and they say they have something that works.

**Mayor:** Let's put together a policy statement for next meeting and also decide when shutoffs will be and set a new policy.

### **Council Members Reports**

**L.D.:** I talked to Craig Harris about the Black and White building to see if he could stir up some interest with the Board on repairing and using the building. He will try to get some commitment on it. We hare getting our buildings ready for the winter. With Roland Anderson going out of business, we need to think about low maintenance shrubs to be put in. There has been a grant applied for on this. It will look really good. The sprinkler lines will be blown out at the park in preparation for winter.

**Mayor:** There is new legislation that will allow communities to assess a new use tax of \$1.00 per month for each cell phone in the City. The earliest it could start would be

January 1, 2001 and if so the public hearings would need to be held no later than the first meeting in November. I would suggest that we not impose it at this time but wait and see how it affects other communities. If the council has any ideas on the subject it would be good to hear them. There will not be a council meeting on December 5. The Christmas party will be a week later either on Saturday Night or Friday Night, we will reserve a place and let you know of the time. We will then hold our only meeting of the month on December 19.

**Mayor:** I talked with the Mayor of Trenton and they have already signed an interlocal agreement with Clarkston, Cornish and Trenton for Justice services. They will try it for a year and see if it works and Mayor Spackman will let me know if they would be interested in a similar agreement with Richmond at that time. I got another complaint about a car parked on 1<sup>st</sup> East and 4<sup>th</sup> South on the city right of way and blocking visibility of the intersection. He has his pickup parked right next to the asphalt and people can't see as they come around the corner. Let's write him a letter first. I also think we should write a letter to Rebeeks about parking antique equipment on City right of way as it is a safety concern.

The following bills were presented for payment:

Standard Plumbing	252.94
U.S. West	73.78
Mountain Magic	145.79
Clark Security	308.10
Bennetts Paint	76.76
Allen Gravel	98.57
At Your Service	138.48
Utah Ed. Network	100.00
Waldenbook Co.	63.64
U.S. Postmaster	24.00
U.S. West	65.80
Scholastic	131.35
Lees	73.00
Utah Comm.	79.39
Verizon	33.04
Smithfield Implement	1212.87
U.S. West	65.09
Jack B. Parsons	336.00
Fred Meyer/Smiths	43.15
Cantwell Brothers	83.18
Anderson Lumber	849.14
PC's Unlimited	16.95
UP&L	53.15
Theurers	171.24
Staples	466.53
U.S. West	156.00
Jones, Wright, Simkins & Associates	2,809.83

Ipaco	241.68
Cache Valley Insurance	355.00
WR White	2865.41
U.S. Filter	621.38
Thatcher Co.	659.40
Safety Supply	273.04
Rockmount	511.45
Lawson Yeates	2,652.17
Ecosystems	232.50
Cheyene Products	1,138.54

A motion to pay the bills was made by Leslie, seconded by L.D. and the vote was unanimous.

A motion to adjourn was made by Kim seconded by Leslie and the vote was unanimous.

Adjournment at 9:15 p.m.

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Mayor Kip Panter

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Boyd Lewis, City Recorder