

RICHMOND CITY COUNCIL

October 9, 2001

The regular meeting of the Richmond City Council was held at the Community Building on October 9, 2001. The meeting began at 7:00 p.m. Mayor Kip Panter was in the chair and the opening prayer was offered by Kim Christensen.

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

The minutes of the previous meeting were read and approved.

George Stewart came to talk to the Council about Street Parking of Heavy Trucks.

George: I am concerned. Richmond is a small town with limited financial resources. It is also at a stage where it is either a town or farming community. I am concerned about the use of City property at 125 North State. There are several trucks parked there and they have insecticide smell that goes out to the road. Another concern is 125 East Main. There is a large animal hauling truck and trailer that smells really bad. They park on the wrong side of the road. I have noticed that some of the City tree limbs have been broken when they move it. What ordinances do we have for protecting the City property? You have a City attorney, but he costs the City money. I think there are places like the University of Utah or BYU or intern lawyers that might be interested in helping us. I'm not sure of the timing, but 15 to 20 years ago Smithfield City hired someone who is the middleman between the City attorney and the City Council. I feel that being a small town has its problems since everyone knows everyone.

Cordell: We do have ordinances pertaining to that. It still takes someone to file a complaint and citizens are reluctant to do this.

Mayor: I'm not sure our ordinances specifically cover parking on the city right of way except in the winter because of snow removal or where junk cars are concerned. We have sent letters to some residents when those issues are brought to our attention, most of the time with no results. I can tell you by experience in removing 1 junk car on 1st north and the number of hoops we had to jump through, that it is not an easy thing to do if the citizen wishes to ignore or refuse to comply. On this issue we have not done anything or ignored it. I also contacted Nucor Steel and Economy Auto with the hopes the city could be the facilitator to get titles cleared to provide a service to the citizens to help remove junk cars. We have included that portion of the City ordinance concerning junk cars in the City newsletter and encouraged people to get rid of them. Some cars have disappeared, but not as many as we would like and not as fast as we would have liked (in fact very few disappeared because of that effort).

George: It would be a waste of time to file a complaint without an ordinance to back it up. I also think that personal business is being conducted on our City property.

Mayor: There is a problem with these things taking place. We have 99 foot rights of way through most of the City and many people use it to park when people visit or for other purposes. We want people to keep those areas mowed and free of junk but it does not happen in some areas.

George: We need to get information to the citizens and keep trying and not give up. Just walking among the citizens they say the City won't tell me what I can do with my vehicles. I thank the Council for letting me have time tonight.

Beth Skidmore came to report 3rd Quarter cases to the Council:

Beth: We had 161 cases filed with the Court for the 3rd quarter. The Surcharges to the State were \$1,947.94. The City received \$7,680.06 for a total of \$9,628.00. We had several DUI's this quarter. On the dog issues, I have had people come into the Court and want to file a complaint and I have had to refer them to the animal control officer. I'm sure at the time that neighbors go over and try to get the problem worked out.

Mayor: There are people that just don't care what you say or do.

Beth: I do have a case coming up where we might have to hire a substitute justice to sit in judgement on a case in my place because of conflicts. It doesn't happen very often, only once since I have been the Justice.

Todd and Julie Finlinson came to talk to the Council.

Mayor: Let me briefly explain to the council the situation at 250 E. 400 S. as I viewed it and then we can discuss the issues with Todd and Julie. On 250 East 4th South the sewer line needed to be move to the south and west from the middle of the street to provide sewer services for Kent Turner. The sewer line needs to be west of 250 because the water line runs down the east side. Kent is planning to build a home east of 250 E. and just south of 400 S. We believed that we had purchased an expanded right of way on the west side of 250 E. from Kurt Chesley that extended from about where Wyn Ward lives down to the corner of 400 S. It turns out that right of way only extended down to the south edge of the Finlinson property because the Finlinson property was sold to them before the negotiations with Kurt Chesley. Therefore, when the city crew removed the fence and started digging for the sewer they were in fact on Finlinson's property. It was an honest mistake as the plat filed with the county recorder showed the property to be owned by Richmond City. Evidently it was a mistake that the surveyor had made during the time we were negotiating the expanded right of way with Kurt Chesley. The problem we now have is that the city removed Finlinsons fence (an older 3 wire barbed wire fence) and 3 trees and the city backhoe tore up some of their grass on the corner of 250 E. and 400 S. At this time the sewer is stubbed on City property but for us to extend it south we would need either an easement from Todd and Julie or expand our right of way to the west. I apologized to Tod and Julie, but we need to make things right. What I would like to do is negotiate some property trade by expanding their frontage on 400 S. in exchange for increasing our right of way on the west side of 250 E. to line up with the right of way on the Chesley subdivision. We would exchange property for property and if the city owes more then we would cost share with Finlinsons on an upgraded fence. We would also replace the 3 trees in the spring with reasonable sized trees of their choice.

** The Council o.k.'d this and the trees would be provided in the spring and the city will assist in planting them.

Marlowe: We have a business license request by Ace Remodeling owned by Alan Corbridge. I don't see a problem with this request.

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

Marlowe: I contacted 8 contractors by phone and got 1 bid concerning sidewalk around Lennis Sanders (Stony Tanner) subdivision. The amount would be \$7,950.00 and we would add 10% to this. It was 810 feet long by 5 feet wide with 6 bag mix with 4" gravel. It needs to be put in escrow or a letter of credit.

** The Council agreed with the amount and asked Marlowe to write a letter to Lennis and Stony with the information.

Marlowe: I have a draft for establishing new rates to be charged for culinary water by Richmond City. The proposed ordinance would be Ordinance 2001-8. Please review it and make any suggestions.

The ordinance is as follows:

- A. Culinary water will be charged at the rate of twenty five dollars (\$25.00) per ten thousand (10,000) gallons per billing month from the date of adoption of this ordinance until December 31, 2002.
- B. Culinary water charges will be increased by \$1.00 per year effective January 1, 2003, for five years until January 1, 2007. After December 31, 2007, water rates will remain in place until or unless the Richmond City Council, through public hearing, changes said rates.
- C. Culinary water charges will be increased to \$1.00 per one thousand (1,000) gallons of water in excess of ten thousand (10,000) gallons to a total of an additional ten thousand (10,000) gallons (twenty thousand gallons gross total). Beginning with overages of eleven thousand (11,000) gallons (twenty one thousand (21,000) gallons gross total, the overage charge will increase to two dollars (\$2.00) per one thousand (1,000) gallons. These overage charges will remain in place until or unless the Richmond City Council, through public hearing, change said rates.

I have been attending a lot of conferences lately. They have been very beneficial to the City and me but because of time, I don't think we will have a business license ordinance in place this year.

Marlowe: We also have a Proposed Ordinance (2001-7). It is an Ordinance to establish a fee schedule for expenses incurred in the researching and/or copying of official Richmond City Documents.

- A. The fee to directly copy any document held by Richmond City will be ten cents (\$.10) per single-sided page.

- B. All copies will be made by a Richmond City official or employee. Copies will be viewed in the presence of a city official or employee and shall not be taken from the office for any reason.
- C. Should research concerning, location, determination of, modification of original format to meet a requestor's need, or the number of copies requested require fifteen (15) minutes or more of a Richmond City official or employees time, a charge of \$8.70 per hour will be applied in addition to A above.
- D. Any other expenses incurred by Richmond City will be passed directly to the requestor.

** A motion to pass Ordinance 2001-7 which says "An Ordinance to establish a fee schedule of expenses incurred in the researching and/or copying of official Richmond City documents" was made by Cordell, seconded by L.D. and the vote was unanimous.

The Council reviewed and discussed portions of the Personnel Manual.

Mayor: Let's prepare a cover ordinance for the City Personnel Manual and if everything is in order, plan to adopt it at the next meeting.

Marlowe: We need to have the proposed zoning ordinance passed by the end of December 2001. We will plan to have the public hearings for P & Z and the city council in November.

Council Member Reports

Kim: We are planning to renovate and asphalt 4th South. It will be done by Jack B. Parsons.

Leslie: I have been meeting with Chris Nickle to see if she has any concerns. She is concerned who will shovel snow during November when Martin is gone. She would also like the windows cleaned. Everybody is really excited about the War Memorial. It is really going faster than people thought it would.

Mayor: The County wants to do a geological survey of the entire valley, looking at earthquake potential and other things. It would cost Richmond about \$800 for our share of it. As suggested by City Council and others, I need to discuss this with them and see if the information we purchased from Bio West on the same things might constitute our share. I met with an AT&T representative about a proposal to bring fiber optics into the valley and provide the service to each community. The individuals name was John Burton and he was representing the construction firm owned by Randy Sorensen. Phone numbers: 801-571-6408, 801-598-0215 or 801-984-7215. This would be a county wide project and they are in the process of getting all the communities and Cache County informed. John ask questions about the permitting process, franchise agreements, construction requirements, and insurance or bonding requirements of the city. They would go overhead where allowed or possible and underground when required. It won't

cost us anything. After extensive discussions with the city attorney and because of certain issues with Triton Power such as lack of experience and adequate references, potential risk to the city if Triton were to default, risk to the water system as a primary source of city water, etc., I believe the risks are too great for the city to enter into an agreement with Triton at this time.

** The Council agreed and determined that negotiations with Triton Power should be discontinued.

The following bills were presented for payment:

Verizon	33.85
Utah Communication	70.00
Utah Power (Cub River Sports Complex)	1,896.13
Time Rental	32.00
Sprinkler Supply	145.36
Reliable Business Supplies	146.72
Questar	23.85
P.C.'s Unlimited	16.95
North Cache Vet.	28.65
IHC	43.44
Clark Security	26.95
Cache County Fire	330.00
Cache Valley Insurance	118.00
Bear River Health	30.00
Christensen Construction	68.00

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

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

Adjournment at 9:45 p.m.

Mayor Kip Panter

Boyd Lewis, City Recorder