

The regular meeting of the Richmond City Council was held at the Community Building on November 13, 2001. 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: L.D. Bowcutt, Cordell Johnson, Leslie Erickson, and Allen Lundgreen. Kim Christensen was excused.

The minutes of the previous meeting were read and approved.

Treasurer's Report on Training

Stacee: I went to the Treasurers Association Conference. I learned how to be more organized and do better on public speaking. They talked about different personalities in the workforce. A professor from BYU taught the classes. I learned a lot about new laws on taxation and zoning. Thanks for letting me go. It was really helpful. They focused a lot on public relations.

Deputy Sheriff's Report

Deputy Douglas: I have the September report. We had 3 DUI's and handed out 48 tickets. We did a lot of patrol time in the City. I believe October is up on the number of citations as well.

Cordell: We have taken the dumpsters out of the City for the winter. Now people spread their leaves and garbage around in the ravines and gullies. Can that be watched?

Deputy Douglas: There is a problem with dumping around the whole county. I will alert the other deputy's. We will watch and see what happens.

Mayor: We have a semi truck and trailer parked illegally east of here a couple of blocks. We have sent him a letter. He has parked the wrong way on the side of the road. He was really good for a while and now he is doing the same thing again.

Deputy Douglas: I will go up and have a talk with him about it and see if we can get that taken care of. I will also make a note of when vehicles are required to be off for snowplowing starting on December 15th.

City Manager Report:

Marlowe: We need to develop a Sexually Oriented Business Ordinance. I will meet with the other City managers on it. I would like to give this top priority. Also we need an animal control ordinance. We are going to be incorporating some training for our employees now that winter is coming. We have a series of safety videos available to show from Utah Local Government Trust. Western Mechanical came and looked at our furnaces in the Community Building and on the furnaces downstairs one of the heat exchanger was cracked and unservicable. It would cost \$4,510.00 for installation to replace these 2 furnaces. Both furnaces should be replaced to give maximum efficiency.

Review Sports Program

L.D.: I called Brooks Tarbet about the Sports program. They go with the Smithfield Sports Program and it costs an extra \$5.00 more per person. They have done it the last couple of years. Valerie talked to Kurt Sparrow who is with Smithfield and they are trying to work something out. I feel good about our program after I have talked to Valerie. I contacted Dutch Rite Catering about our City Christmas Party on December 11th. They said \$10.50 per plate. Children ages 3 to 12 would be \$5.50 per plate.

Mayor: I would like to see the children come. It would include the EMT and Fire Department and those who regularly come.

L.D.: We have good entertainment that night and there is something on December 1st at the park for the kids. Would it be o.k. to start at 7:00 p.m?

** It was decided that kids would not be included at the City Xmas Party because there was already something for them on December 1.

The rental house needs a new roof. Four Seasons gave us a price to put a metal roof on for \$2,943.67. Skabelund Roofing bid was \$2,466 for a 25 year 3 tab roof. Skabelund Roofing was \$2,754.00 for a 30-year 3 tab roof. I think we should go with the lowest bid.

** The Council O.K.'d Skabelund Roofing for the 25 year 3 tab roof.

On Saturday I also had the Skabelund employee go up on the firehouse roof. He walked around on the top and felt he found the bad spot and he said he fixed it. We will see if it works.

Mayor: I think for our leaves we should bring a city truck over and let the City residents load it during the week or on Saturday. We could take it down to the City property below the sewer ponds and dump the leaves out to be burned in the spring.

Census of the November 6th Election

** A motion to accept the census of the November 6, 2001 election was made by Allen, seconded by Leslie and the vote was unanimous.

Public Hearing on Proposed Ordinance 2001-9

Marlowe: The proposed ordinance 2001-9 says "An ordinance to establish a new title 12-000 entitled 'Planning and Zoning' of the Code of Revised Ordinances of Richmond (1975, adopted 1976)". Planning and Zoning had three suggestions. They are:

1. Page 47: Subsection 12-217-5 - annexation would automatically be classified as A-10 and would require further rezone before development.
2. Page 52: Subsection 12-220-5 - RE-1 will be left intact in the text with a note to refer to residential low density (RLD) for frontage and set-back specifications.

3. Rather than repeat the site design guidelines and site plan review specifications at the end of each commercial, manufacturing, or industrial zone, a single description is contained in Subsection 12-222 and the reader is referred to this source.

** A motion to approve Ordinance 2001-9 which says “An ordinance to establish a new title 12-000 entitled ‘Planning and Zoning’ of the Code of Revised Ordinances of Richmond (1975, adopted 1976)” was made by Cordell, seconded by Allen and the vote was unanimous.

Mayor: I have a copy for each of you on Resolution 2001-4. It says “A Resolution supporting the creation of the Cache Unified Emergency Medical Service Advisory Board.” The people on the board would include:

- A. The Cache County Executive or his/her designee.
- B. The Logan City Mayor or his/her designee.
- C. The Hyrum City Mayor or his/her designee
- D. The Smithfield City Mayor or his/her designee
- E. Two mayors at large or their designee appointed by the Cache County Mayors Association
- F. One member at large appointed by the Logan City Mayor.

** A motion to Adopt Resolution 2001-4 which says AA resolution supporting the creation of the Cache unified emergency medical service advisory board was made by L.D., seconded by Leslie and the vote was unanimous.

City Audit Report by Curtis Roberts of Jones Simkins LLP.

Curtis: I appreciate the opportunity to come here tonight. I have brought copies of the audit report for each of you to review. I would like to say that Richmond City is in a good financial position. The Capital Projects Fund has increased to \$219,986. The Fund Balance on the Cub River Sports Complex went from (\$2,364) at the beginning of the budget year to (\$105,557). We realize there are funds coming in to offset this negative balance. The Water Enterprise Fund showed a net income of \$36,769 and the Sewer Enterprise Fund showed a net income of \$46,957. If you look at the Water Enterprise Fund as far as cash flow for the year, it shows an increase of \$18,058. The Sewer Enterprise Fund shows a decrease in cash of \$6,742. We appreciate the opportunity to perform this audit and look forward to working with Richmond City in the future.

** A motion to accept the audit report as presented by Jones Simkins LLP was made by L.D., seconded by Cordell and the vote was unanimous.

Building Clearance: Stony Tanner

Stony: I've come to this meeting to discuss options for paying the \$8,000 sidewalk fee the city wants before my building permit can be signed. We were also asked to record an agriculture right of way (easement) on the north side of the property to prevent the open space in the middle from being land locked. We have done this. For the side walk fee I can actually take \$8,750 out of my home loan but I need a signed building permit before I can get the loan. Todd Dodge is here representing my finance source.

Mayor: I want everyone to understand that the side walk issue came up because of the subdivision ordinance which should have been imposed quite a few years ago when Lennis Sanders first divided the property. There should have been a subdivision plat filed at that time which would have included sidewalks, roads to the interior, surveys etc. We also realize that the people who have homes on that property already, don't necessarily want a side walk around that block because there are no other sidewalks to connect to. Therefore, the city council determined in the last meeting that a sidewalk escrow account would be established and if those residents did not want sidewalks, and if Stony would agree, the sidewalk moneys would be used somewhere else in the city to improve existing sidewalks or establish new sidewalks for the general good of the city. The money would be held in escrow and could then be used for sidewalks around this property or else where in the city. Stony agreed to this and will sign a letter allowing the city to use that money for that purpose.

Allen Corbidge: There is another problem on this property and that is the boundaries. There is some discrepancy between my property description and that of Stonys. This came up as a result of the agricultural easement that Stony has recently recorded. Apparently, there is a significant overlap of our property description and the agricultural easement will encroach on our property and directly impact some of our landscaping and our driveway. Our property was not surveyed when we bought it, Lennis set a steel post in the ground and that was established as the property corner.

Cordell Johnson: I have a question about the use of the interior property. Will Stony own all of it or just a city lot. If Stony owns all of it and he is not planning to farm it or divide it for building more homes, then there really is no need for the agricultural easement.

Mayor: If this is the case, then it appears that the easement that Stony just recorded could be nullified and this would solve the problem of the easement encroaching on Allen's property. There still seems to be a problem with the lack of a survey on Allen's property as well as other lots in this block. This brings up the issue that we have discussed before and that is requiring a legal survey on every lot before building permits are signed. This would require that a surveyor would set stakes on the property corners as per the description recorded at the county recorders office and would eliminate many questions and solve a major problem for the city. I believe we should consider this in the near future. At this point it appears that the city can approve Stony's request and Stony agrees to nullify the recorded easement and establish a sidewalk escrow account in the

amount of \$8,750.00. It is also understood that Stony will own the lot between Allen and Tavis and also the interior land of that block which is now one tax number. This limits the potential for the interior land to further developed because of lack of access and any farm access would need to come in from the north or through Stony's lot. Also, it is the city's position that any further property disputes between Stony and Allen would need to be resolved between them.

Marlowe: With the Council's permission, and based upon the discussion just held, I'll prepare a letter of agreement between Stony Tanner and the City for signature by next Monday. Again, based upon your discussion, I propose that the following points be covered: 1) Richmond City will not require a dedicated right-of-way access leading off of 100 East. 2) Mr. Tanner will rescind the recently recorded agriculture right-of-way and restore property lines between his property and that of Mr. Corbridge to the original positions. 3) Mr. Tanner will establish an escrow, payable to Richmond City Corporation, in the sum of eight thousand seven hundred fifty dollars dedicated to the cost of constructing public sidewalks to the specifications of Richmond City. 4) Mr. Tanner agrees that escrow monies may be used to establish public sidewalks anywhere within the limits of Richmond City at the discretion of the Richmond City Council; however, the Richmond City Council will ascertain that Mr. Tanner and his neighbors who built upon land previously owned by Mr. Lennis H. Sanders do not wish a continuous public sidewalk in front of their residences before sidewalk will be established elsewhere in the City with these monies. 5) Once the letter of agreement is signed, Mr. Tanner will be issued a building clearance by Richmond City Corporation. 6) If Mr. Tanner fails to comply with any of these provisions, the City will withhold the Certificate of Occupancy.

** With the stipulation discussed above, the Council O.K.'d Stony's request with start of construction pending signing of the letter of agreement, establishment of the escrow account and the agricultural easement being nullified.

Council Reports

Leslie: The Post Office donated some pins shaped like stamps. The Historical Commission will have a party December 8th for older people in town at the Relief Society Building. The Youth Council has been reorganized. January 5th is the Activity for the Youth Council to get to know each other. December 1st Santa will be in the Park at 5:00 p.m. to see kids and turn on the Christmas lights.

Allen: Kurt Chesley has moved out of town and we need to replace him on the Planning and Zoning commission. How about Susanne Dent, Tom Stoddard or Brandon Jensen? After our last meeting I talked with Lois Anderson about chairing the Neighborhood Watch Committee and she declined. She has 2 jobs and goes to school and felt that the Neighborhood Watch chair would be too much. I would like to propose that Ray Sipe serve as chair for one year and we ask Kate Abbott or LeAnn Traveller to serve on the committee.

The council agreed and Allen will move forward and report back to the council.

The following bills were presented for payment:

Anderson Lumber	146.90
Bear River Health	30.00
Bair's Backhoe	300.00
Caselle	457.00
Cache County Corporation	120.09
Cache Chemical	722.53
Beazer	11.49
Christensen Construction	706.20
Cache Valley Tire	56.02
Clark Security	77.39
Denny's	7.46
Dying Mod	1,520.52
Gordon's Glass	86.40
Glenn's Electric	48.66
Hall Oil	282.70
Herald Journal	18.24
Industrial, Supply	16.63
Jones Simkins	2,467.75
Jack's Tire	104.31
Kimko	64.80
Lowe's1	175.14
Lee's	200.87
Larsen Fire	3,198.00
Mtn Magic Sports	425.98
North Cache Vet	21.00
Olson & Hoggan	570.40
PC's Unlimited	16.95
Qwest	405.47
Roberts	68.95
Safety Supply	211.16
Standard Plumbing	646.93
Theurers	154.20
Tony's Grove	167.80
UT Local Government	1,332.74
U.S. Filter	1,400.08

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 Cordell seconded by Leslie and the vote was unanimous.

Adjournment at 10:55 p.m.

Mayor Kip Panter

Boyd Lewis, City Recorder