

RICHMOND CITY COUNCIL

February 11, 2003

The regular meeting of the Richmond City Council was held at the Community Building on February 11, 2003. The meeting began at 7:00 p.m. Mayor Kip Panter was in the chair and the opening prayer was offered by Mayor Panter. The pledge was lead by Marlowe Adkins.

The following members were in attendance: L.D. Bowcutt, Cordell Johnson, Allen Lundgreen, Kim Christensen and Leslie Erickson.

The minutes of the previous meeting were read and approved and the financial statement for December 2002 was read and approved.

BRANDON DOUGLAS, CACHE COUNTY DEPUTY, CAME TO REPORT TO THE COUNCIL:

BRANDON: It looks like the tickets we are issuing and hours we are using are staying about the same. On September 20 of last year when it was dry, we brought up the speed sign. It marked about 175 vehicles, and there was 4,624 cars that day doing an average of 36-45 mph. The maximum speed was 64. Marlowe asked me to check on some things. I talked to Mrs. Jenkins about using her 3 wheeler and as long as she is walking her dogs I think it is o.k. I do not have a problem as long as they are responsible. I also checked on the 1st West and 2nd South intersection. I feel a couple of yield signs would work. The North and South travel has some obstructed views. I also checked on the intersection at 200 East 100 North, and I feel a couple of yield signs would work there also.

** The Council agreed to put up yield signs at intersections 1st North 2nd East, 2nd North 2nd East, 3rd North 2nd East and 2 South 1 W.

MARLOWE: We received a notice of violation from the Division of Environmental Quality. We have 30 days in which to respond. We received our new DO meter last week. The new utility billing system through Invensys will run \$6,940.00 including modifying the program and a new CPU. Chris will be going to Texas for training on it. I think we should get a city credit card for things like this. The Mayor and Council agreed that this should be investigated in the near future.

ORDINANCE 2003-3:

MARLOWE: Because this ordinance, although only setting forth guideline, deals with takings, I've already had the City Attorney, Bruce Jorgensen, review the contents. He is in full accordance. Ordinance 2003-3 says:

An ordinance to create and establish a new section 1-420 of Title 1-000, Chapter 1-400 entitled "Guidelines for Constitutional taking issues" of the Code of revised ordinances of Richmond.

A. The following shall be added to the Code of Revised Ordinances of Richmond

1-420. GUIDELINES FOR CONSTITUTIONAL TAKING ISSUES

1-421. PURPOSE. The purpose of this Section is to provide advisory guidelines for the City to assist the City in identifying actions that involve the unconstitutional taking or damaging of private real property without the payment of just compensation as required by the Constitution of the United States and of the State of Utah.

1-422. DEFINITIONS. As used herein:

1. "Constitutional taking issues" means actions involving the physical or regulatory taking of private real property by the City that might require compensation to a private real property owner under.
 - a. The Fifth or Fourteenth Amendment of the Constitution of the United States;
 - b. Article I, Section 22 of the Utah Constitution; or
 - c. Any recent rulings governing the physical or regulatory taking of private real property by a governmental entity.

** A motion to adopt Ordinance 2003-3 which says "An ordinance to create and establish a new section 1-420 of Title 1-000, Chapter 1-400 entitled "Guidelines for Constitutional taking issues" of the Code of revised ordinances of Richmond was made by L.D., seconded by Cordell and the vote was unanimous.

MARLOWE: Brent Webb has come in and requested a change on Phase 2 of their planned unit development. I asked Brent to come before the Council tonight to provide a detailed explanation and answer any questions that you might have.

BRENT: We have had people talk to us about wanting to own more land on some of the lots of Phase 2. We propose taking what was open space and adding it to the lots but with the stipulation that this area is still open on lots 35 through 45. (1) Open Space—all open spaces on the plat are considered as non-buildable areas, other than for public stormwater control facilities or for other conditional uses authorized by the city engineer. No motorized vehicles are allowed within any open space, including trail

easements. Open spaces within lots 35, 36, 37, 38, 39, 40, 41, 44, and 45 are subject to the same restrictions as other open spaces. All open spaces are to be kept in their native state.

CORDELL: I don't see a problem with it as you have told us.

L.D.: Lots 35 through 45 will have to have it written into the covenants so when people are interested they will already know the stipulations on these lots.

** A motion to approve the amendments to Phase 2 of Cherry Creek Heights PUD on lots 35, 36, 37, 38, 39, 40, 41, 44 and 45 was made by Cordell, seconded by L.D. and the vote was unanimous.

MARLOWE: I have a map I would like you to review for discussion relative to the water drainage from Burningham's running west. Option A would run it west ultimately running under State Street and U. S. 91, and continuing west to where-ever the existing ditch ends. Option B is running down the west side of 3rd East, boring 300 North then boring 200 North and weaving through the sewer and water hookups. On Option C you would run down the east side of 3rd East.

MAYOR: I think Plan C is the most viable as it gets the water into the subsurface storm drain and gets rid of it. Also, because 300 North is a gravel road, we would not need to do a bore.

CORDELL: I think we should have it bid at 6" and 8" line to see what the difference would be.

MARLOWE: I'll have Gavin get us the price per foot for both 6" and 8".

CORDELL: Contact an engineering firm, say J-U-B, and get the route engineered.

MARLOWE: I'll do that as soon as I can make contact with them.

MARLOWE: I spent a couple of days at UDOT Region One headquarters in Ogden going through the many sheets on the UDOT Project running thru Richmond so I could go over it with the council tonight. The lights for the new UDOT project start at North Cache, 600 South, and run north on the east side of the road to 200 South. The lights then run on both sides of the road through 100 North. There are 61 lights and it would cost Richmond City about \$3,000 above and beyond what UDOT will appropriate to buy the lights. If we put extra wiring in the poles for duplex outlets, to allow for Christmas lights, it would cost an additional \$250 per pole. This price includes the associated wiring to establish the circuits along with the actual outlets.

MAYOR: I think we should include the plugs on poles from 200 South to 100 North. This would cost the city about \$10,000 total which includes the additional \$3000 Marlowe spoke about.

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

MARLOWE: We also need to sign the contract with UDOT on the storm water runoff issue from Roland Andersons subdivision. The total cost to the city on this is \$58,283.

UDOT will carry us on the cost and we will reimburse them at \$20,000 this budget year, \$20,000 next budget year, and balance within 60 days after the completion or July 1, 2004, whichever is later. UDOT made these arrangements so our payments would cover three fiscal years instead of just two.

** The Council okayed the Mayor and Boyd to sign the contract with UDOT.

MARLOWE: Last year I did not go down to ULCT in St. George. I would like to go this year if I can make the schedule work. The Mayor and Council allowed him to make the preliminary preparations.

LIBRARY ARCHITECTS BIDS:

CLIFFORD HOPKINS: We have 4 bids for preliminary design for expanding the library. Design West is local in Logan and they are good to work with.

Design West	\$8,825
Sanders Assoc. Architects	\$9,842
HFS Architects	\$7,995
Case, Lowe and Hart, Inc.	\$9,009

BELINDA BURNINGHAM: I would prefer not to use Design West. I was less impressed with their ideas.

MAYOR: It is necessary to select the Architect at this time for the grant process.

** After further discussion a motion to accept the low bid of HFS Architects in the amount of \$7,995 was made by Cordell, seconded by Leslie and the vote was unanimous. This is for the preliminary design only.

COUNCIL REPORTS:

CORDELL: I am concerned about the sewer violation issued to us by EPA. We need to get this resolved as soon as possible.

L.D.: We are making progress at the Black and White Building. I have carpet bids, painting bids, new cabinet prices. With the \$20,000 allocated in this years budget, it will all be used. I would like it to be done by April 2003. It will also include a new furnace system, new water heater, new ceiling, new stove, and a new fridge and will connect the restroom facility to the meeting room.

MAYOR: We will plan on single meeting on the 3rd Tuesday of each month for the rest of the year and Boyd will get the notice posted to that effect. We have done very well staying on time with the agendas and I would like to commend the Council, City Manager and Treasurer for their preparation and organization. A once-a-month schedule will require the Council to come into the office and approve bills by the first or second week of every month.

The following bills were presented for payment:

Al's Sporting Goods	1,169.46
AT&T	77.67
Bear River Health	30.00
Bestway	188.30
BRAG area clerks	32.00
C.V. Craft	54.56
Cache Chemical	24.09
Cache Mayors Association	260.00
Cache Services	10,653.89
Chemtec-Ford	230.00
Demco	64.75
Denny's	273.58
FNNW-Lawson Yeates	35.30
Hall Oil	319.34
Intermountain Hydraulic	486.54
Invensys	162.00
Isco	25.00
KAPS	60.80
Marlowe Adkins	44.20
McCrometer	194.88
Metrocall	9.77
Motion Industries	157.29
Olson Hoggan	811.35
Page Brake Co.	57.98
Patricia Forsgren	18.36
Pc's Unlimited	30.90
Peterson Allred Jackson	375.00
Questar	1,293.95
Qwest Internet	110.65
Scholastic	50.15
Six States	1,479.27
Smithfield Implement	39.53
Standard Plumbing	403.69
Thatcher Co.	554.40
Theurers	79.23

Upstart	10.75
USA Blue Book	731.43
Utah Dairy Commission	59.50
Utah Local Government Trust	2,789.26
Utah Power	1,620.11
Verizon Wireless	38.12
W.R. White Supply	88.58
Walden Book	41.65
Workers Compensation	628.02
Xerox	534.55
Brent Webb Ex.	150.00
WR White Supply	110.31

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

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

Adjournment at 9:50 p.m.

Mayor Kip Panter

Boyd Lewis, City Recorder