

RICHMOND CITY COUNCIL

January 20, 2004

The regular meeting of the Richmond City Council was held at the Community Building on January 20, 2004. The meeting began at 7:00 p.m. Mayor Kip Panter was in the chair and the opening prayer was offered by Cordell Johnson. The pledge was led by Albert Purser.

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

The minutes of the previous meeting were read and approved.

OATH OF OFFICE – NEW OFFICIALS

Judge Beth Skidmore swore in Terrie Wierenga, Leslie Erickson and Allen Lundgreen, each for a four-year term as a council member.

REAPPOINTMENT OF JUSTICE COURT JUDGE

MAYOR PANTER: It is my pleasure to recommend that in keeping with Section 78-5-134(5) and Section 78-5-132(2) of the Utah Code Annotated, we re-appoint Beth Skidmore as Justice Court Judge for the City of Richmond, said appointment to be valid until the 2nd day of February, 2008, unless prior removal with a showing of good cause.

** A motion to reappoint Judge Beth Skidmore for a period of four years was made by L.D., seconded by Cordell and the vote was unanimous.

QUARTERLY REPORTS:

BETH SKIDMORE, Justice of the Peace: For the period October, November, and December 2003 there were 84 cases filed. The assessment was \$1,362.85. The City received \$5,445.40 for a total of \$6,808.25. We are currently in the process of getting our computer updated for the court system. There are outstanding fines and warrants around \$13,000. I can have the state attach the fines to State income tax refunds. Some courts will go so far as amnesty programs relieving the past due but I am reluctant to do this. The officers need to put the social security number on the ticket to help us. It helps us track this person in the state tax system.

GAVIN LITTLE, Maintenance Supervisor: We have been keeping the roads clean when there is snow. We have a problem with people clearing driveways by pushing the snow across the street. The mounds left freeze into bumps and when our equipment goes over the bump it causes damage to our plow. We have had a few water meters freeze up this winter. The public has been good about parking which helps us. I would also like to add on to the

culvert just below Forsgrens on 500 North. I think a 10 ft extension on each side would work. Maybe the Irrigation Company will share in the cost.

LYNN BAIR, Fire Department Chief: From April 2003 to November 2003 we had 16 runs. They are as follows:

07/02/03	Grass fire	671 S. 200 W., Richmond
07/04/03	Grass Fire	800 South 200 West, Richmond
07/04/03	Grass Fire	600 South 200 West, Richmond
07/06/03	Grass/brush fire	901 N. 200 W. Richmond coverage area
07/08/03	Grass Fire	700 S. 200 W, Richmond
07/11/03	Grass Fire	11600 N. State, Richmond coverage area
07/14/03	Grass Fire	1300 N. Hillside, N. Logan (pd by county)
07/22/03	Forest Fire	Green Canyon (pd by county)
07/29/03	Wildland fire	High Creek (Ox Killer) (pd by county)
08/15/03	Lightening strike	Smithfield (pd by county)
08/15/03	Grass Fire	High Creek Rd (pd by county)
09/11/03	Fuel spill	N. Hwy 91 (Ritewood truck), Richmond
09/20/03	Brush fire	11481 N. 2000 E., Richmond cover. Area
09/20/03	Fire alarm	Pepperidge Fm (Richmond coverage area)
10/08/03	Garbage fire	357 N. Hwy 91 (Harris Dairy, Richmond)
10/20/03	10-50 Clean up	9088 N. 1250 W. Ritewood tr., Richmond

We should receive around \$5,000 from the Grant.

With the Fire Department Assistance grant:

- 4 new pagers were issued
- New structure helmets have been issued
- Brush 31 fully in service
- Hose for Engine 30 received, waiting for warmer weather to install on truck
- Request for grant money reimbursement will be sent in shortly.

Cache County received a huge communications grant and issued new pagers all over the County, Richmond received 6 new pagers.

Concerns we have are:

- Short staffed on firefighters
- Daytime coverage poor
- Currently 14 firefighters.

Staffing:

- Quit: Cory Christensen, Doug and Kris Roe; Kris Hamby now EMT only.
- Jeremy Winn moved to Hyrum, but will respond when working at Randy's Texaco (days)
- Joined: Nick Sanders, Ben Lundgreen
- I would like Tremayne Spackman as a firefighter.

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

Certifications:

11 of 14 Firefighters at Firefighter 1 Level Certified (FF1)
2 of 14 Firefighters at Firefighter 2 Level Certified (FF2)

CHRIS PURSER, Treasurer: The Post Office people appreciated the shoveling of snow at their building. We are signed up with Check Net on returned checks and bad checks. Christmas time is a bad time of year and I sent out 65 notices that would have been turnoff notices. We read the water meters for eight months last year.

DEPUTY REPORT

DEPUTY BRANDON DOUGLAS: I don't have a whole lot this time. Because of the new privacy act we have to be very careful on asking for social security numbers when we issue citations, however the drivers license number is on the ticket and can be used to track the individual. The new jail is supposed to be done the middle of March. People will then be able to tour the facility.

MARLOWE: We currently own one back-hoe and have previously leased a second unit from Buttars in Logan. Buttars has gone out of business, which nullified our lease agreement. Century Equipment Company has picked up Buttars accounts, and their representative, Ray Cromar, visited with Gavin and I last week. If we re-activate the lease, the cost will be \$7,000 per year plus a charge of \$12.00 per hour for hours in excess of 300 for the year. This is an increase over what we paid Buttars. With discounts, we can purchase the same unit for \$63,692 new, a savings of about \$30,000 over the list price. If we wish we can trade-in the unit we own and purchase a new unit for \$17,692 plus leasing a second unit. Gavin thinks that he may have found a source where we could trade in our owned, older, unit for a used but not-so-old unit for about \$10,000. We do need two back-hoes to maintain our current level of maintenance and installation.

BOYD: We are not leasing the second backhoe. It is owned by the city. The program that Butters offered worked this way. The City would purchase the original backhoe for the full purchase price. Then each year the city would trade in the vehicle and pay the amount determined by Butters based on the number of hours used in the year. Maybe we should look at getting rid of the old backhoe and getting one to replace it, then rotate getting a newer one every other year. We do have some money in the budget for a new backhoe. One thing to think about is one year Logan City decided to go with Ford backhoes because of the price. The problem with that is the next year they tried to trade them in and really got hit more money than they had budgeted for. I am not sure how good John Deere is but we know Case is reliable.

MARLOWE: I will get back with them and see what they can come up with for our next meeting.

MARLOWE: I met with Gavin and he suggested we run an 8" water line across the new project four-lane highway and then stub it for future growth. He has suggested 14 different places to stub. The stubs would be a main line to the west to service below the highway. This would be between 600 South and 100 North.

CORDELL: I think we could get by with a lot less stubs. Maybe one per block.

MARLOWE: I think we need to concentrate on the south end because that is where the construction would be. We need to get the engineering done so it can be part of the highway widening project. With your permission I'd like to approach J*U*B Engineering for an initial bid on this matter.

** The Council approved this request.

L.D.: I was thinking about the issue of putting in water meters at each trailerhouse and each apartment complex. On the apartments the owners add all costs together and charge the tenants. I think we need to only have one meter at each trailer park. I don't think we need a new ordinance.

MAYOR: We need to get something in place now.

CORDELL: I agree, we need to get something done.

** A motion to allow Marlowe to write up a uniform charge collected by the landlord was made by Cordell, seconded by Allen and the vote was unanimous.

MARLOWE: At the request of the Planning & Zoning Commission, and after bringing the concept before the City Council at the last meeting, I've drafted a proposed Ordinance 2004-Z which is an ordinance to modify certain aspects of title 12-000 entitled "Planning and Zoning" of the Code of Revised Ordinances of Richmond (1975, adopted 1976) as established by Ordinance 2001-9. The text is as follows:

1. To Chapter 12-210-16 **Mobile Home Parks** add the following to sub-section 9:
 - a. The Planning and Zoning Commission may locate Mobile Home Parks in keeping with 12-210-16.1 and where zoned for residential purposes.
 - b. A Mobile Home Park may not be established closer than two thousand (2,000) linear feet, as measured by following the shortest route of vehicular travel along public thoroughfares, from the nearest point on the boundary line of the property on which a Mobile Home Park is proposed to the nearest point of any other lot, or parcel upon which another Mobile Home Park has already been established.
2. Delete from Chapter 12-225-2 **Conditional Uses** of all sub-section 8 which reads "Mobile home parks",
3. Establish a new Chapter 12-236 entitled "Uniform Zoning Application".
 - a. On page 14 of Title 12-000, per Ordinance 2001-9 following 12-235-6 **Infill Density Housing Examples** and before 12-300 **Pedestrian and Non-vehicular circulation and access** insert 12-236. **Uniform Zoning Application.**
 - b. Insert a new page 98A, attached hereto, and bearing the following text.:

CHAPTER 12-236. UNIFORM ZONING APPLICATION.

1-1-1. PURPOSE. To facilitate a uniform application of zoning and rezoning of land within the City of Richmond.

1-1-2. NEWLY ANNEXED LAND. Any lands annexed into the City will be zoned per chapter 12-21-5.

1-1-3. REZONING OF LAND.

1. No parcel of land of less than five (5) acres, whether owned by a single or by multiple persons or entities, shall be re-zoned unless:
 - a. Said parcel or parcels of land of less than five (5) acres has/have been utilized in a de facto manner consistent with the proposed re-zone for a period of ten (10) or more years prior the adoption of this ordinance, and
 - b. The Planning and Zoning Commission and the Richmond City Council consider such a re-zone as correcting a historical anomaly and being harmonious with the General Plan of Richmond City, or
 - c. The parcel concerned will be re-zoned Neighborhood Commercial (NC) per 12-223, Central Business District (CBD) per 12-224, or Highway Commercial (HC) per 12-225, and the request falls within the design and intent of the General Plan for Richmond City.
2. The area of the re-zone will follow the legal descriptions provided by the applicants as approved by the Planning and Zoning Commission and the Richmond City Council.
 - a. It is the desired intent that any property zoned "HC- Highway Commercial" be to a depth of three hundred thirty (330) feet from the highway right-of-way frontage.
 - b. Effective upon passage of this Ordinance, currently zoned Highway Commercial land shall be extended from the current depth of two hundred twenty (220) feet to a minimum of three hundred thirty (330) feet; however, for taxation purposes said land will remain as currently zoned until development takes place upon a given parcel whereupon the new Highway Commercial zoning depth will take immediate effect for that parcel or extension thereof.

This proposed ordinance was presented to the Planning & Zoning Commission as their last meeting on January 6th, and the responded as follows:

The Richmond Planning and Zoning Committee issued the following statement:

Dear Mayor and Council Members,

We as the Richmond Planning and Zoning Committee met on January 6, 2004 and discussed the Richmond City Corporation Ordinance 2004-Z.

We discussed the matter and made some changes to the draft ordinance. A copy of the draft and the changes is enclosed. We recommend that, including the changes, this ordinance be passed.

MAYOR: I'm not sure we need a new ordinance at this point. I realize the current zoning where trailer courts are allowed is probably not appropriate but unless we have a proposed new trailer court, I'm hesitant to open that can of worms. To adopt the new ordinance we would be required to hold a public hearing and I'm sure when we raise the issue of trailer courts there will be plenty of public comment. We have so many more pressing issues to deal with at this time that I believe this should be delayed. We currently have two trailer parks in town and there are vacancies in both most of the time, and I believe that meets the current needs for now. Unless the council believes differently, I would suggest we delay the issue.

MARLOWE: Based upon earlier, general discussion with the City Council relative to water-related fee and rate issues, and you may recall that the Council in November desired that this be brought back for discussion this month, I have prepared a proposed Ordinance 2004-X which is an Ordinance to establish responsibilities of payment relative to an owner-renter relationship, to adjust the rates to be charged for culinary water service by Richmond City, and to establish and established process for the collection of delinquent utility fees, and authorize a charge for notification of non payment and associated shut-off/service restoration fees. Also included is a suggested breakdown for tiered fees for heavy users of water.

MAYOR: I think that we should separate the fees from the tiered rate increase. I'd like Marlowe to re-do the ordinance to exclude the tiered fees and present that at the next meeting. In the meantime I think we should take this proposed ordinance home and review the tiered water rates, then come back to the next council meeting with any comments.

MARLOWE: We have three business license requests. The first is Ted's Hardwood Floor Refinishing, the owner is Ted Johnson. The second is Personality Plus Porcelain Dolls, the owner is Eileen Clements and the third is Ace Remodeling, the owner is Alan Corbridge.

** The Council o.k.'d these requests.

CITY MANAGER REPORT

MARLOWE: Ordinance 2001-8, the Personnel Manual, provided that employees at the time of the adoption of the ordinance had two years in which to use accumulated personal leave time in excess of 240 hours. Excess time not used by the end of two years would be lost. Because of some questions relative to hours earned prior to 1999 Mayor Panter has

been working with Gavin and Rob on this issue; however, a satisfactory solution has not yet been decided. To maintain the good faith of these negotiations, I strongly suggest that the Council authorize the following statement to be incorporated into the official minutes of this meeting: *“Relative to Section XII.2.G of Richmond City Ordinance 2001-8 in the case of Gavin Little and Robert “Rob” Bair, the provision of loss of accumulated time in excess of 240 hours is deferred until January 31, 2006.”* This will enable Mayor Panter to continue negotiations on this matter without tying the hands of the next administration.

** A motion to approve the above statement was made by Terrie, seconded by Leslie and the vote was unanimous.

MARLOWE: Alpine Engineering, who is building a facility at 898 South State had originally agreed to extend both the water and sewer lines from in front of Harold Thomson’s home at 848 South State to Alpine’s lane entrance. Gavin had suggested that since the water line would be extended that far, the City should extend only the water line to the City limit and install a hydrant to be used both for future fire demands and current flushing purposes. This past week Alpine changed their plans and will now tap onto the existing main north of Thomson’s house after gaining an easement from Harold. This is within their right as long as they are responsible for the obtaining and recording of the easement. This nullifies any discussion on the City’s part about extending the water line at this time. I did insist, however that they 1) install a pressurized sewer line instead of a septic tank (this they had inquired about but because of their location in our well protection district was refused), 2) install a Muller fire hydrant (tools and parts are not interchangeable between different makes of hydrants, and we have standardized Muller everywhere in the City except the Christensen subdivision on 400 and 500 East north of Main) and 3) the water service meter is to be located 5’ to 8’ away from the fire hydrant and readily accessible to our meter readers.

Richmond City does not accept any responsibility because the easement is between Alpine Engineering and Harold Thompson

MARLOWE: I’ve received two specific complaints on the lack of sidewalk snow removal in front of homes. One citizen volunteered to drive a “four wheeler with a blade” if we would provide the machine. By the time the Council meets I will have determined the status of the tractor with the v-plow but I do know that a problem is manpower on that machine. When the snow is actually falling, all personnel are working the streets or public buildings. Whether this machine would be an option for the days following a storm is unknown as I write this summation. We do have Section 11-361.A in our Code of Revised Ordinances that requires “owner, occupant, lessor, or agent’ to clear a paved sidewalk, but we haven’t enforced this in some years.

The Council instructed Marlowe to place an article in the newsletter asking citizens to be attentive to clearing their front walks, and place such a notice in the “tickler” so that a similar article will be published prior to next winter.

MARLOWE: To solve the surface water runoff problem out of Hill Haven subdivision, we have entered into an agreement with UDOT to tie in with their drainage system on U.S. 91. We need to have engineering plans for the segment going through the Stanley and Beckstead property to make the tie-in with the 200 West drain. We need to have all of the engineering in place so that we can coordinate with Staker-Parsons and make an accurate determination if the City employees can do this work or if we will have to contract out the job.

I request that the Council authorize the City Manager to also engage J*U*B Engineering to engineer the stormwater line between the Hill Haven subdivision and the UDOT system on U.S. 91.

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

MARLOWE: As already discussed in prior Council meetings, Utah Power has given us an estimate of \$54,000 to install 3-phase power at the sewer lagoon. I've also received a very tentative estimate of \$20,000 a year in usage fees; however, this is a very rough estimate as Aqua Engineering was unable to provide specific data on the number and size of air compressors required and the data on the proposed pump was received after this estimate. I request that the Council authorize the City Manager to enter into a formal order with Utah Power to install the 3-phase system as soon as weather permits. We will seek to do as much work as possible through our maintenance section.

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

COUNCIL REPORTS

CORDELL: I am quite concerned about the way I feel Tim Beavers of the State is wanting us to go concerning our sewer system. I don't think they have a clear cut idea of what they want us to do. I think we can clean up the situation down there at the ponds with a little guidance. I think we need to get Marlowe some assistance until we get through this scenario.

LESLIE: The Historical Commission had their Christmas party in December for the people over age 70. There were 23 people there. The Memorial Committee is being honored on February 5 at Little America by the Freedom Foundation at Valley Forge. The Youth Council has been working very hard on a humanitarian project.

ALLEN: Doug White came back to Planning and Zoning and he wants to expand the building he put up a year ago by the main highway. He wants to tear down the old lumber buildings that are currently by his new building. Planning and Zoning was concerned about it. They want his engineer to design something that would face the road and make it look nice. He is also thinking about expanding a building north for a showroom. Mike Abbott and Don Sadler have asked me several times about reviewing the process of getting a building permit signed. Maybe we could get it consolidated at our office and charge them for our costs like other cities do.

MAYOR: For the new expanded Ambulance Service the County would like us to prioritize which way we would recommend the County Council fund the expanded service. Four options were suggested based on preliminary discussions. 1) City Assessment based on garbage can and collected through the service district; 2) City Assessment to be funded at the City's discretion 3) County wide property tax increase; 4) Other option.

Richmond City Council recommended in order of:

1. City Assessment based on Garbage Can (#1)
2. City Assessment to be funded at the City's discretion
3. Property tax
4. Other options

A letter indicating this will be sent to Brian Chambers, Chairman of the Cache Ambulance Study Group.

MAYOR PANTER: Relative to the RAPTZ tax grant, what do we want to do with it? Do we still want to refurbish the restrooms down on the Park? Are there any other projects? We'll need to discuss this further in future meetings.

LD: I think we could remodel the restrooms on the south section of the parks rather than build new ones. This might allow us to do more than one project.

The following bills were presented for payment:

A Little Something	89.90
Al's Trophies	62.80
American Water Works	161.00
Anderson Seed	43.44
Animal Care Equipment	441.85
Aqua Engineering	675.00
AT&T	101.55
Bear River Health	115.00
Brent Webb	800.00
Cache County Corp	1596.00
Cache Service Area	11019.58
Cache Valley Mayors	260.00
California Contractors	99.75
Carr Printing	500.97
Cherry Creek Soap	70.35
Civil Air Patrol Magazine	245.00
Coats & Coats	300.00
Cove Auto	148.55
Denny's	37.75
Deseret Book	71.03
Ecosystems	90.00
HACH	97.00

Hall Oil	50.07
IFA	12.47
Intermountain Cooling	546.00
Intermountain Hydraulic	12.40
Intermountain Traffic	114.26
Jack's Tire & Oil	347.00
Jones Simkins	675.00
JUB	287.50
KAPS	115.56
Kim-ko	198.00
Kings	158.84
LD Bowcutt	84.41
Lees	278.13
Lowes	106.02
Metrocall	9.96
Modern Display	67.86
NAPA	796.00
National Trust Forum	115.00
National Water Works	612.00
North Cache Veterinary	6.60
Olson & Hoggan	494.10
PC'sUnlimited	33.90
Peterson Land Surveying	535.00
Questar	1569.69
Qwest	391.81
Qwest Internet	72.38
Safety Supply	843.69
Shell	455.67
Smithfield Imp	54.32
The Book Table	17.55
The Herald Journal	57.40
The Home Depot	76.03
Theurers	207.13
Thomson Electric	90.45
USDA Forest Service	45.00
Utah Local Government Trust	1009.94
Utah LTAP Center	25.00
Utah Power	2253.82
Utah State Division of Finance	33697.50
Verizon	30.08
Walden Book	230.57
Xerox	535.36

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

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

Adjournment at 10:55 p.m.

Mayor Kip Panter

Boyd Lewis, City Recorder