

RICHMOND CITY COUNCIL

February 17, 2004

The regular meeting of the Richmond City Council was held at the Community Building on February 17, 2004. The meeting began at 7:00 p.m. Mayor Kip Panter was in the chair and the opening prayer was offered by Leslie Erickson. The pledge was lead by Boyd Lewis.

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 and the financial statement for January 2004 was read and approved.

CITY MANAGER REPORT

MARLOWE: At your direction, and following your previous discussion, I have prepared Ordinance 2004-1, entitled, "An Ordinance to Establish Responsibilities of Payment Relative to an Owner-renter Relationship and to Set Forth an 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".

A. Section 14-115 of the *Code of Revised Ordinances of Richmond* is hereby revised to read as follows:

14-115. APPLICATION FOR WATER SERVICE. Any person who desires or is required to secure water service when such service is available from the Richmond City water system, shall file with the Richmond City Office a written application and agreement for utility service including water as provided by said City Office. The following provisions shall be included in said application and agreement:

A. Basic Utility Service Request/Agreement.

1. Applicants name, service address, billing address (if applicable), and telephone number.
2. A statement of renter/owner status.
3. The applicants Social Security number or current valid State of Utah Drivers License number.
4. A personal and an employment reference.

5. Such other information as the City may deem appropriate to include upon the application.

B. Non-residing Owner Agreement.

1. If a building of any type being provided with water and/or sewer service is being rented, the owner of the building shall be required to sign an agreement containing the following statement before service will be provided:

a) "In consideration of the acceptance of the application for service requested by the person or persons renting my property at (address of property), I or we will pay for all utility services for any such tenant or any other occupant of said premise in case such tenant or occupant shall fail to pay for the same according to the ordinances, rules, regulations or resolutions enacted by Richmond City. This same obligation applies to any and all "pass through" costs from any County or State agency."

2. Said statement will be signed and dated by the owner of the property, and will remain in effect until actual ownership of the property changes hands no matter how many tenants occupy the building in the interim.

B. Section 14-121 of the *Code of Revised Ordinances of Richmond* shall be changed to read as follows:

14-121. DELINQUENCY - DISCONTINUANCE OF SERVICE.

A. The City Treasurer, or other duly appointed authority, shall furnish to each user, either by mail service or by leaving a written or printed statement at the user address, stating thereon the amount of utility service charges assessed against said user once each month or at such other regular interval as the Richmond City Council shall direct.

B. The statement shall specify the amount of the bill for utility service provided, the place of payment, and the date due. If any person fails to pay the amount due within thirty (30) days of the date due, the City Treasurer, or other duly appointed authority, shall give the customer a notice in writing of intent to discontinue the service to the customer unless the customer pays the full amount due within ten (10) days of the date of notice. A fee not to exceed twenty-five dollars (\$25.00) per instance shall be applied to the account when such notice is posted to assist in covering the additional cost of posting said notice. The exact amount of this "notice hang-up fee" shall be determined by the Richmond City Council and established by resolution.

C. If water service is thereafter discontinued for failure to make payment a shut-off fee not to exceed fifty dollars (\$50.00) will be applied to the account. The exact amount of

this “water shut-off fee” shall be determined by the Richmond City Council and established by resolution.

D. When water service is discontinued for failure to make payment, then before the water service to the premises shall again be provided, all delinquent utility charges must have been paid to the Treasurer or arrangements made for their payment in a manner satisfactory to Richmond City. In addition to all delinquent charges, an extra charge not to exceed fifty dollars (\$50.00) per instance shall be applied to the account for restoring the water service. The exact amount of this “turn-on fee” shall be determined by the Richmond City Council and established by resolution.

E. The Treasurer, or other duly appointed authority, is hereby authorized and empowered to enforce the payment of all delinquent utility charges by an action at law in the name of Richmond City. Further, said Treasurer, or other duly appointed authority, is authorized to negotiate with bonafide collection agency(ies), subject to ratification by the Richmond City Council, to place delinquent accounts into the collection process. Said process may, at the Treasurer or other dully appointed authority’s initiative, be enacted forty-five (45) days from the initial due date or immediately upon determination that the delinquent responsible party has moved from within the limits of Richmond City without prior notification to said Richmond City.

** A motion to adopt Ordinance 2004-1, entitled, “An Ordinance to Establish Responsibilities of Payment Relative to an Owner-renter Relationship and to Set Forth an Established Process for the Collection of Delinquent Utility Fees, and Authorize a Charge for Notification of Non-payment and Associated Shut-off/service Restoration,” was made by Cordell, seconded by Allen and the vote was unanimous.

MARLOWE: At your direction I have also prepared Resolution 2004-1 which is a “Resolution Establishing Fees and Charges per Richmond City Ordinance 2004-1 Concerning Notice Fee for Delinquent Accounts, Service Shut-off Fee, and Service Restoration Fee for Delinquent Accounts Brought Current”.

- A. If a delinquency notice of pending termination of services is issued, a charge of twenty-five dollars (\$25.00) shall be incurred for each instance.
- B. If water service is shut off due to delinquency of payment, a charge of fifty dollars (\$50.00) shall be incurred for each instance.
- C. For restoration of water service following a shut off due to delinquency of payment, a charge of fifty dollars (\$50.00) shall be incurred for each instance.

** A motion to adopt Resolution 2004-1 which is a resolution establishing fees and charges per Richmond City Ordinance 2004-1 concerning notice fee for delinquent accounts, service shut-off fee, and service restoration

fee for delinquent accounts brought current was made by Leslie, seconded by Terrie, and the vote was unanimous.

ROAD DEVELOPMENT IN CHERRY CREEK HEIGHTS

BRENT WEBB: I have a map showing the intersection of 300 East and 500 North. 500 North going west from 300 East will be a road in the future. Our engineer has gone over this corner with Mike Abbott and I. He has proposed a stop sign coming out of the PUD, also a stop sign coming off the hill on 500 North and another stop sign in the future when 500 North is extended to the west. That would make it a 3 way stop, but in the future there would be one for traffic coming north on 300 East which would then make it a 4 way stop. We ask for a little help from the City on asphalt. We will provide all of the fill for the reconstruction of that intersection. I can get footages for your part of the asphalt. I don't need an answer on this tonight.

I also have a certificate from the irrigation company for the 7 water shares from Cherry Creek Heights Phase I to give to the City.

PRELIMINARY PLAT DESIGN FOR DAVIS SUBDIVISION

MARLOWE: Planning and Zoning sent the Council a letter concerning the preliminary plat design for the Davis Subdivision. It says, "We as the Richmond Planning and Zoning Committee met on February 3, 2004, and discussed the Richmond City Corporation Ordinance 2004-Z. A copy of the ordinance was presented with the phrase or "multiple family dwelling" highlighted in green, as the only change that the Council had added since our meeting in January. After discussion of the change, a motion was made for us to pass the ordinance back to the City Council with our recommendation for approval. The motion was seconded and passed. Also, as a committee we discussed the preliminary plat for the Davis LeBarron subdivision on 8th South. It was approved with the following stipulations.

- At the south end of 100 East there will be a cul de sac that is 100' in diameter with a 75' paved circle to allow for snow removal.
- On the plat it showed 2 water zones of different water pressures tied together – this needs to be resolved as the water zones cannot be connected.
- Further information of the irrigation delivery system for larger lots.
- Access to lots 3, 11 and 2 to be restricted for safety factors.
- Placement and number of fire hydrants needs to be checked and approved".

**The Council approved taking this proposal to the public hearing stage.

ZAN SUMMERS: The area we are discussing is located at approximately 850 South State and going to the east. Planning and Zoning has asked us on the south end of 100

East that there be a cul de sac 100' in diameter with 75' paved to allow for snow removal. We are o.k. with this. I am excited about the project.

CORDELL: I like the way the plat design looks.

ZAN: We have 7 water shares of irrigation water that we plan on putting on the 7 largest lots.

LESLIE: I have had people talk to me about Richmond City staying rural. How do we do this?

L.D.: I'm for this as long as it is controlled. I like the rural look also.

ZAN: We have really tried to be sensitive to the City needs. We wanted the rural look to remain also. This process has taken a while. It was about 2 years ago when we started this project.

** A motion to approve the preliminary plat as presented by Zan Summers, with stipulations from Planning and Zoning was made by Terrie, seconded by Cordell and the vote was unanimous.

BUSINESS LICENSE REQUESTS

MARLOWE: We have 3 business license requests. The first one would be called Carousel Child Care at 146 East 200 South. The owner is Christine Clark. The second one is Thomas Upholstery, 326 South 100 East. The owner Thomas Stoddard. The 3rd is Handiman Unlimited at 236 North State, #3, owner Donald Lavardare.

** The Council o.k.'d the 3 business license requests.

CITY SPORTS PROGRAM

SHIRLEY WHITMAN: I have come to talk to the Council about our sports program. I have brought with me Brett Daniels of the Smithfield City Recreation. I know that the City does not have anyone over our sports program at the current time. I would be willing to get information from Brett at Smithfield City and deliver it here.

MAYOR: I think joining into the Smithfield City's sports program is o.k.

BRETT: We don't mind having games up here, but in the past it has been unorganized. The fields have not been ready and umpires haven't shown up. This winter we had several small cities come and participate in our program. Lewiston City picked up the sign up sheets and took them back to the City Office and they handled the signing up and returned them back to us.

SHIRLEY: I am glad to make this work. It would help the kids. I think if you could get the information about sign ups in the newsletter, it would help make the citizens aware of what we are doing.

MARLOWE: At your direction I have prepared Ordinance 2004-2. This is the previous proposed ordinance 2004-X with the removal of the tiered water rates. It was suggested that we divide the topics for passage. Ordinance 2004-2 says "An Ordinance

Establishing a Uniform Billing Procedure for All Utilities and Services Including Those Deemed a “Pass-through” Cost from Outside Agencies or Entities.”

A. Chapter 14-500 of Title 14-000 of the *Code of Revised Ordinances of Richmond* is hereby established and will be designated **FINANCIAL POLICIES AND PROCEDURES**.

B. Part 14-510 is hereby established and will be designated Uniform Billing Procedures.

A. All structures, dwelling units, establishments, and persons using water from the municipal water system must have a single meter installed to accurately measure the water consumption of the said structure, dwelling unit, establishment, or persons other use.

B. Each structure, dwelling unit, or establishment must have an appropriate trash container(s) in which to place and store trash and other appropriate debris per the rules of the Cache Service Area pending established pick-up and disposal schedules.

C. Each structure, dwelling unit, or establishment will be subject to such other charges or service fees as set forth by State, County, or City authority.

D. To expedite and simplify the collection of all non-private entity utility and service charges/fees, a single bill will be provided to each structure, dwelling unit, or establishment by the City of Richmond on a monthly basis unless otherwise established by the Richmond City Council.

E. In the case of Multiple Family Dwellings and Mobile Home Parks, i.e., trailer courts, the following provisions shall prevail:

1. Each Multiple Family Dwelling or Mobile Home Park shall have a single water meter to service the Multiple Family Dwelling or Mobile Home Park. The legal owner/operator will be charged for the total water used, as recorded by meter, per current ordinances and regulations established by Richmond City.

2. Each Multiple Family Dwelling or Mobile Home Park shall be charged for sewer service based upon the number of dwelling spaces, e.g., apartments or trailer pads, at the current rate established by ordinance whether or not the dwelling space is actually occupied.

3. Each Multiple Family Dwelling or Mobile Home Park shall be charged for any “pass-through” rates, e.g., Central Dispatch, Garbage, et. al., at the currently established rate by the controlling government entity whether or not the dwelling space is actually occupied.

- ** A motion to adopt 2004-2 which is “An ordinance establishing a uniform billing procedures for all utilities and service was including those deemed a “pass-through” cost from outside agencies or entities was made by Cordell, seconded by L.D. and the vote was unanimous.

- ** Ordinance 2004-2 will be effective the start of the first month following of the reading of the water meters.

U.S. 91 PROJECT UPDATE

MARLOWE: There will be a public information meeting for property owners and other concerned people on the US-91/SR-91 highway project from Smithfield to the Idaho line on February 19th from 5:00 to 7:00 p.m. at the Richmond City Hall. UDOT and Staker/Parson personnel will be on hand to answer questions in relation to the project. I had Brian Deter of JUB Engineers come up and talk with me a week ago. We are now proposing to run 4 culinary water stubs under US 91. We also need to order the decorative lighting immediately because it has a six week lead time.

MARLOWE: We need to update the City’s Construction Standards Ordinance. The current one is 25 years old and very much out of date. We need to update this before the construction season gets going.

MARLOWE: The Council asked me to take back the proposed modifications to the zoning ordinance to Planning and Zoning with the added multiple family dwelling language and to prepare a map showing the areas that could be included and excluded. Planning and Zoning looked over both the language and the map and are now sending it back to the City Council with a recommendation of approval. Concerning the distance between multiple family dwellings and trailer parks, I have used 2000 feet.

MARLOWE: I would like your permission to establish an engineer of record. I think it would work very well. I was also asked to do a backhoe acquisition comparison for the City. We have 5 options: Option 1 – we do nothing. We will have to spend money on the old backhoe as it needs a new stabilizing ram and other repairs; Option 2 – Trade in the newer unit on the purchase of a new unit. The trade in value of our backhoe is \$46,000, with 425 hours of operation on its clock. The cost will be \$17,692; Option 3 – We trade in the older unit on the purchase of a new backhoe. The trade in value of our old backhoe is \$3,500 with 5,120 hours of operation on the clock. The cost will be \$60,192; Option 4 – We trade in both currently owned machines. The total trade in value of the 2 machines is \$49,500. The total cost to purchase 2 new machines less trade in will be \$71,653.78. The savings is \$6,230.22 over buying each one separately; Option 5 – We lease a new unit from Century Equipment Company. Their lease for the same machine that we would purchase in Option 2, 3 or 4 is \$7,000 per

year plus \$12 per hour for every hour in excess of 300. They will also charge for excessive wear and tear and any damages.

BOYD: We have had our old backhoe for over 10 years. It is about worn out. It was the first machine that we purchased on this program offered through Buttars Tractor. I think the best option at this point is to purchase 2 new machines and take the money out of our Capital Projects Fund to pay for them.

** A motion to purchase 2 new 580 Super M Loader Backhoes for a total purchase price of \$71,653.78 with the funds to come from the Capital Projects Fund was made by Cordell, seconded by L.D. and the vote was unanimous.

MARLOWE: We recently sent out letters to 38 people who had business licenses last year but had not paid for them or picked them up this year. As of right now, 19 have paid their current fee and picked up their business license. I talked to the Irrigation Company to see if they would help toward the extension of the culvert below Forsgrens. They met and decided to give the City \$250 toward that extension. I would like the Council to consider using 2 crossing guards during construction and post widening of the 4 lane highway going through Richmond. Katie Sanders would like to rent our rental home at \$500 per month. This would be effective March 1st.

COUNCIL MEMBER REPORTS

L.D.: During the Black and White meeting I talked with them about insurance on the building. I told them they needed to maintain physical damage on the building. I talked with an individual who will repair the stucco on the fire department building. We will wait for better weather to take care of it.

TERRIE: Chris Nickle will be retiring effective July 1st. I would like to have someone in place to replace her by April 1st so that Chris can show her what she needs to do. There is a group that comes in every Friday afternoon from 3:45 to 4:45 to place chess at the Library . Do we have a better place they can meet?

LESLIE: I think we should put them over at the Black & White building. There is more room there.

TERRIE: Dan Miller, Chairman of the Historic Commission is stepping down and I would like to propose that Terri Jones be the new chairman.

** A motion that Terri Jones be appointed Chairman the Historic Commission was made by Terrie, seconded by Leslie and the vote was unanimous.

TERRIE: The Relief Society Building needs rain gutters. We have a bid for aluminum gutters and spouts for \$725. He could start tomorrow.

L.D.: I am not in favor of rain gutters unless you have heat tape in it. Also, will there be a problem with putting rain gutters on a historic building?

TERRIE: We also need a handrail for the front steps of the Relief Society Building. We will put a motion light on a pole behind the Relief Society Building aimed at the back entrance.

MAYOR: I would like to bring you up to date concerning the county ambulance. Nibley has said it will not participate unless it is funded by property tax. The County Council is taking that under advisement. I got a call from Genniel Webb about Robinson Spring. She said she owns quite a bit of the water share of this spring. She wondered if the City would be interested in buying her part of the water. I talked to Zan Harris and he asked again if Richmond City would be interested in the land below the last sewer pond. I think if there is a way we should try to purchase this land from Zan and also the 15 acres bordering it from Craig Allen. I will talk to them and see what price they are thinking about.

The following bills were presented for payment.

Allen Gravel	185.75
Al's Trophies	225.75
Anderson Lumber	13.12
Assoc. of Public Treasurers	113.00
AT&T	59.94
Axtell-Taylor	577.72
Bear River Health	90.00
Brent Webb Ex	250.00
Buttars	38.22
Cache Chemical	256.20
Cache Service Area	10755.84
Cache Valley Craft	86.93
Cache Valley Tire	98.80
California Contractors	184.80
Christensen Construction	195.00
Clark Security	3.25
Denny's	502.63
Ecosystems	480.00
Edwards Floral	54.60
Grin & Bear It	82.46
Herald Journal	87.10
Industrial Tool and Supply	80.00
Isco, Inc.	7190.84
Itty Bitty	2428.86
Janice Swendsen	15.87
Jones Simkins	2520.38
Juniper Inn	385.30
L.N. Curtis & Sons	3739.60
Larsen Fire Apparatus	1448.00

Library Video Co.	495.01
Logan Regional	43.00
Lowe's	32.64
Medtronic	238.00
Metrocall	9.77
Modern Display	65.63
Motion Industries	8.50
Mountain Magic	103.40
National Battery	35.00
Olson, Hoggan	300.00
PC's Unlimited	50.85
Peterson Land Surveying	620.00
Postmaster	150.00
Questar	1172.83
Qwest	405.99
Qwest Internet	110.65
Smithfield Auto Parts KAPS	336.17
Smithfield Impl	50.78
State/ Utah/ Division of Forestry	1262.36
Sunrise Engineering	2120.00
Texaco Credit Card Center	724.06
Theurer's	141.69
Tony Roma's	570.77
Tony's Grove	178.74
Utah Local Government Trust	2744.63
Utah Power	3471.47
Utah State Division of Finance	34824.24
Utah Taxpayers Assoc	50.00
Verizon	33.12
Walden Book Co.	205.78
Wetco	1557.00
Workers Compensation Fund	967.01
Xerox	197.60
Total	85426.65

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

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

Adjournment at 10:35 p.m.

Mayor Kip Panter

Boyd Lewis, City Recorder