

RICHMOND CITY COUNCIL

April 20, 2004

The regular meeting of the Richmond City Council was held at the Community Building on April 20, 2004. The meeting began at 7:00 p.m. Mayor Kip Panter was in the chair and the opening ceremony included a prayer by Leslie Erickson. The pledge was lead by Dean Hansen.

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 March 2004 was read and approved.

BLACK AND WHITE

LESLIE: The Black and White Breakfast is on Saturday, May 15th. The kickoff will be Friday, May 14th where we have the booths.

PUBLIC HEARING – ADJUSTMENTS TO ZONING ORDINANCE

MARLOWE: Planning and Zoning had their public hearing on April 6th. It removed trailer parks from Highway Commercial (HC) zoning. It also changed the Highway Commercial depth from 220 ft to 330 ft. It establishes that we will not re-zone any parcel less than 5 acres except for Highway Commercial, Central Business District, and/or Neighborhood Commercial which may be re-zoned by parcel size upon approval by the Planning & Zoning Commission and the City Council.

** A motion to adopt Ordinance 2004-4 which is AN ORDINANCE TO MODIFY CERTAIN ASPECTS OF TITLE 12-000 ENTITLED APLANNING AND ZONING@ OF THE *CODE OF REVISED ORDINANCES OF RICHMOND* (1975, ADOPTED 1976) AS ESTABLISHED BY ORDINANCE 2001-9 was made by Allen Lundgreen, seconded by Cordell Johnson, and the vote was unanimous.

QUARTERLY REPORTS

BETH SKIDMORE: For the first quarter of 2004 we had 128 cases filed. The assessment was \$1,608.23; City was \$5,641.66 for a total of \$7,249.89. It is the largest caseload since I have been here in 18 years. Our contested cases are still the same at about one per month. We are now hooked into the state system. If we have 2 more quarters this high or higher in a year period, we will have to go up to Class 3. This is

based on the number of cases filed. Next week I am going to my yearly class in St. George for training.

KATIE SAUNDERS, EMT: Thanks for helping us on our ambulance. In January, February and March we had 13 cases. There were all types of accidents. We are trying to get uniforms for our EMT group. We have 4 possible people wanting to be EMTs. This would be for days, which we need. We currently have 9 EMTs.

CHRIS PURSER: We started doing the hang tag fees concerning water shutoff notices. I sent out 32 water shut off notices.

MARLOWE: Concerning streets, our men have really been hitting it already. We got the sewer line run into the restrooms on the park which took quite a while.

PRESENTATION OF DAIRY PRINCESSES - Sara Nelson, Heidi Christensen, Kizey Murray, Ashley Robinson. (Desi Housley couldn't make it)

SARA: We are discussing what we want to do with the float and we are deciding which parades we want to be in.

YOUTH COUNCIL REPORTS

JANICE: Camille Gilbert, Shareese Gilbert, Sara Nelson, Jamie Sweeten – Youth Mayor.

JAMIE: We just went to our youth conference at USU. We had breakout sessions. We got to teach one of those sessions. We had a survivor council challenge and out of 32 councils we took first. We won \$150 for being in 1st place.

SARA: We had a couple of things we wanted to talk about. We want to make our youth council bigger. Could we include Cove kids also? We are also wondering about painting the N.C. again.

JANICE: Last time Cordell got the paint for us, I think it was around 10 gallons.

VIRINIA: My father checked into paint and he found out which one should work the best.

SARA: We also want to help with Black and White.

JANICE: We have been contacted about delivering posters around town but I don't know if our group can do that.

MOTORCYCLE NOISE PROBLEM

MAYOR: This is a problem we encounter every spring. For Richmond City to do anything, Citizens need to file complaints.

JIM SHERNER: If you live on 3rd East it is a real problem. As soon as the snow leaves until the snow comes again. It is about an intolerable amount of noise. We have

contacted Kim Christensen because it happens on his property. He is sympathetic both ways. He visited us the other day and could see what kind of a problem we have. Is there another place they could ride? The main problem is the noise. It is so bad. We don't know what to do.

MAYOR: We have talked to the Sheriff's department and we need the signed complaints with names if possible so we can do something about that noise. I am not sure how to solve it. If Kim is willing to put no trespassing signs up it would make it more enforceable.

KIM CHRISTENSEN: It started out at 4 bikes and it went from there. There are a lot of kids up there. I don't want the noisy bikes up there either and they are causing some major damage to the property.

GAIL ALVEY: The Irrigation Company is concerned when the bikes cut the side of the ditch banks and start leaks. We are also concerned about liability.

ELLEN NEWELL: I called the police and it took 20 minutes for them to get here.

BETH SKIDMORE: A picture can be used in court and would be great. If they don't have a paper showing that they have permission to be on that property, then they can get nailed for trespassing.

MAYOR: We have Dave DeGasser watching for us and he has stopped one individual and one machine has been impounded so far.

KIM CHRISTENSEN: I am also concerned about liability if someone got hurt on my property.

MAYOR: We have a lot of people here tonight suggesting many are concerned. We have an active Neighborhood Watch program in the city and if many of you would be willing to get involved, perhaps this group could help out with the problem. If some of you could get together and get some pictures and photograph some of the bikers, it would help, especially if it gets in court. It is going to take a constant effort on everyone's part and the city will do it's part but we are limited until complaints are filed. We thank everyone for coming in tonight.

FINAL PROPOSED PLANS DAVIS-LEBARON SUBDIVISION

ZAN SUMMERS: What we have done since last time is put in the cul-de-sac as requested. We have fixed what Planning and Zoning has suggested. We have seven (7) Cherry Creek water shares available for this subdivision. I think it is a neat subdivision. You can't do this in Logan.

MAYOR: Do you like the way it ended up which is a lot different from the time you first came in?

ZAN: I think this is a lot better than the 5 lots we started with.

** A motion to approve the final proposed plans of the Davis-LeBaron Subdivision as presented by Zan Summers was made by Cordell, seconded by Allen and the vote was unanimous.

RESOLUTION 2004-4

MAYOR: The talk about the Cache Mosquito Abatement program hasn't changed and I think the County is now serious about getting something in place. Again, it will depend on the number of communities willing to support it and will need to be put on the ballot. It will also depend in large part on Logan, Cities support.

** A motion to adopt Resolution 2004-4 which is, "A RESOLUTION PROPOSING THE CREATION OF THE CACHE MOSQUITO ABATEMENT DISTRICT FOR THE PURPOSE OF PROVIDING MOSQUITO ABATEMENT SERVICES TO THE MUNICIPALITIES AND UNINCORPORATED AREAS OF CACHE COUNTY AND PROVIDING THAT A PUBLIC HEARING AND AN ELECTION BE HELD ON THE QUESTION OF WHETHER THE DISTRICT SHOULD BE CREATED", was made by Terrie Wierenga, seconded by Leslie Erickson and the vote was unanimous.

PRELIMINARY FY 2005 BUDGET

BOYD: At the next meeting I will have the preliminary budget available for the year July 1, 2004 to June 30, 2005 for review and adoption. We will also reopen the current budget to make any adjustments to it. Please give me your input as soon as possible. Then at the meeting we will hold on June 15, we will adopt the final budget for that budget year. If possible I would like to hold a special meeting to approve the bills we will receive by year end. It would need to be June 29, or June 30.

CITY MANAGER REPORT

MARLOWE: We have been receiving complaints on Main Street right in front of the city building about people heading North that stop for the stop sign and they are not able to see traffic traveling to the East because employees park their vehicles in the stalls right in front of their building. I suggest to the Council that a 4 way stop be put on this corner. I think to slow down traffic we need to do this.

KIP: I have never liked a 4 way stop, unless there is no other option. In Richmond, I don't believe there is sufficient traffic, even on main street, to warrant a 4-way stop sign. Perhaps we should just paint the curb red for a couple of spaces to the west in front of Guy's business and ask them to park on the east side of the business or across the street in front of the city office. I don't believe visibility is a major issue as people approach main street from the south if they are cautious.

L.D.: I don't like a 4 way stop either but the traffic comes up main street pretty fast.

MARLOWE: Utility Cost Management Consultants came to talk to us. They would audit the utility bills we have paid and if they find anything they get a part of the money recovered.

** The Council decided to give this temporary trial approval for one year.

MARLOWE: We have lost our summer lawn mower helper. I will put an ad in the newsletter looking for someone for temporary summer help. Last year the Daines put up a metal gate because of vandalism. They locked it and gave us a key. The Daines and Richmond City received a letter from the County telling them to reopen the gate. They pulled the gate because the County attorney is a relative and didn't want any problems. The Daines asked if the City would be willing to lobby the county to allow the gate to remain as a matter of protection to the city's culinary water shed.

MAYOR: I think, if it is o.k. with the Council, I would like to go to the County Council to see what they say to us. Our springs are in that area and an open gate gives easier access for people to get close to those springs. I have been up there on more than one occasion and found evidence of camping within a few yards of those spring boxes. I am concerned about the trash left in the area and also the issue of human contamination near the springs. By putting a gate just above the trail head parking there is only a 100 yards or so more road that would be closed before you reach the forest boundary and have to turn back anyway. The gate would not restrict hikers or horseback riders, only motorized traffic. The vandals, generally, won't walk very far to do there deeds and the gate would give some added protection to our culinary water source.

** The Council by votes of 3-2 o.k.'d the Mayor to go to the County Council about trying to get the gate reinstalled to protect.

MARLOWE: I have made reference to how much time Gavin is spending down on the new 4-lane project because Staker-Parsons has questions about the water and sewer lines. The 4 water stubs going across the highway have been folded into the UDOT project. It is already engineered. I want to thank everyone for their help in setting up a little laboratory for the sewer analysis. Chris Imbragno resigned his position with the Division of Water Quality to take another job. We had a toolbox in Martin's truck that, due to the rusting out of a box in another vehicle, will be used to replace the no longer serviceable box. Will the Council give permission to buy a new, replacement toolbox for the truck bed at a cost not to exceed \$200. I got a call from an architect in Boise, Idaho wanting to know the water pressure down by Itty Bitty Equipment.

MARLOWE: When I'm down taking sewer samples I use my personal car and it has all the equipment and samples taken in the back seat. Cordell, when he accompanied me recently, suggested that we should get a City vehicle for this purpose. I recommend that we get a Ford Escape, or a vehicle like it, for the City to use. Employees could use it when they go to conferences instead of their personal vehicles. I could get some prices so the council could see what we are looking at for a cost.

COUNCIL MEMBER REPORTS

L.D.: The Black and White building has been painted on the inside. The damaged roof vent pipe has been replaced. At the Library we had problems with the air conditioner. The compressor and motor were bad. I think we will put in a new one at a cost of around \$1,500. I would like to see the legion and ball park restrooms on within the next week. The City's responsibility will be 11,600 square feet for the Abbott Webb Subdivision intersection. The bid from Staker-Parson from 150 West to 3rd East to put an overlay on main street is \$93,805. I'm not sure what to do because we don't have enough money in the budget for this and the other projects needed. We had 35 blocks of crack sealing done and they did a great job. I have looked at chip sealing 3 blocks in town and to get that done 24 wide 200 ft long would be \$2,400. I have had 3 or 4 meetings on Cub River Sports Complex. We are in the process of getting water and utility easements completed out there. Derwin has transferred 12.36% of irrigation water to Cub River Sports Complex. This is about 1.30 cubic feet per second. We have upgraded the concession booths. The scoreboards have not been picked up yet, Coca-Cola is taking care of 2 of these. We need 4.

TERRIE: The EMT group has requested four members be authorized to take training: Brigham Dodge, Ben Lundgreen, Krista Gibbons and Kizzi Murray.

** The Council o.k.'d all the requested names.

TERRIE: The Historic Preservation Commission has contacted the State Historic Commission, and gutters can be put up on the DUP Building for \$750. The Library Board would like to put a booth in front of the library during Black and White. They are going to have a float in the parade. The Library is planning to remain open for two extra hours per week. Chris Nickle is retiring June 30th. After interviews and appropriate advertising we would like to offer the job of Librarian to Juliene Parrish

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

MAYOR: Curtis Dent is going to build a home about 300 feet east of 300 East on 100 North. He and I discussed a 4 inch sewer line and a one or two inch water line for his individual residence. Cordell and I talked about what might be needed up there in the future especially with the potential of development of other land across the road or further east. We both felt like it would be good policy to do it right the first time and perhaps the city paying for 8 inch pipe and Curtis would install it. Curtis was agreeable to that, as long as it did not create too much expense for him. I told Curtis that the City owns the right of way but we wouldn't be able to finish a road because of budget issues. Also, current City policy is that the developer completes the road. Curtis asked if he could gravel a single lane for his home and wait until future development to complete the road. I told him I thought the City would support that for now. He would need to put in a single gravel road to his house. I also talked to Geniel Webb. She is very interested in selling her rights in the spring behind Helen Robinson's home. I will continue to talk to her to see what she feels it is worth and I will check with the State Division of Water Rights to see what rights she has on the spring. I have a paper proclaiming Arbor Day Resolution as April 23, 2004 to plant trees.

** A motion to adopt April 23rd as Arbor Day was made by Leslie Erickson, seconded by Wierenga and the vote was unanimous.

MAYOR: I have a letter asking the city if we would do a proclamation for the Mail Carriers Food Drive Day on May 8th.

** A motion to approve May 8 as Mail Carriers Food Drive Day was made by Leslie Erickson, seconded by Terrie Wierenga and the vote was unanimous.

MAYOR: Below our sewer ponds is 30 acres of which about 15 acres is owned by Zan Harris, and about 15 acres is owned by Craig Allen. They would like to sell their land and wondered if the city would be interested. I will pursue this and let the council know what I find out. I believe this would be a tremendous benefit to the city as would be the purchase of additional water .

ORDINANCE 2004-5

MARLOWE: I have Ordinance 2004-5 which is as follows:

AN ORDINANCE TO MODIFY AND UP-DATE TITLE 3-000, CHAPTER 3-300, PART 3-352 AND PART 3-353 OF THE CODE OF REVISED ORDINANCES OF RICHMOND (1975, ADOPTED 1976).

1. Parts 3-352 and 3-353 of Title 3-000, Chapter 3-300 of the *Code of Revised Ordinances of Richmond* (1975, adopted 1976) as currently written are hereby declared historic.

2. Parts 3-352 and 3-353 of Title 3-000, Chapter 3-300 of the *Code of Revised Ordinances of Richmond* (1975, adopted 1976) will now read as follows:

3-352. AGENDA. All reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the Richmond City Council shall be delivered to the Recorder or other designated member of the Richmond City administration no later than four working days prior to the City Council meeting in which the material shall be presented. The designated member of the City administrative department shall then arrange a list of such matters according to the order of business and furnish each member of the governing body, the City Recorder, the City Treasurer, and the City Attorney (when appropriate) a copy of the agenda as far in advance of the scheduled meeting as possible, and in no case less than 48 hours prior to said scheduled meeting. Further, copies of said agenda shall be posted in at least three publically accessible locations within Richmond City at least 48 hours prior to the meeting, and will be published in the local news media in keeping with said local news media policy. Only matters appearing on the agenda shall be presented to the governing body during the course of the official meeting with the sole exception of unforeseen matters of an emergency nature. Should such an event occur, the governing body may, by motion, waive the requirements of this section; however, the term emergency nature shall apply only to events, actions, or conditions that could place the health and well-being of Richmond citizens in jeopardy. Participation in the welcoming ceremony shall be open to all on a non-discriminatory basis with scheduling preference being given to Richmond citizens. Individuals desiring to participate in the welcoming ceremony should write a letter to the Richmond City Recorder or other designated member of the Richmond City administration at least one month in advance of the meeting in which they desire to participate, and provide at least one alternate meeting date. The letter should indicate a point of contact for arrangements and a brief description of the proposed welcoming ceremony. The content of the proposed welcoming ceremony shall not serve as the basis for denying the right to present an welcoming ceremony, unless such content violates any applicable law, ordinance, regulation, statute, etc. The welcoming ceremony, including the Pledge of Allegiance, shall not exceed three minutes. The welcoming ceremony shall not be used for the purpose of public input on a particular city issue, shall not be specific to any specific agenda item, nor shall it be applicable to any political issue. The welcoming ceremony is designed to be positive, encouraging, and uplifting, it may or may not include prayer, or non-secular comments appropriate for public gatherings. Should no specific welcoming ceremony be scheduled for a meeting, the mayor (or in the mayor's absence, the designated member of the City Council serving as chair for that meeting) may ask for individuals present to participate, as appropriate, in conducting/performing a welcoming ceremony conforming to this ordinance.

3-353. ORDER OF BUSINESS.

A. At the time and place set for each meeting of the Richmond City Council, the business of Richmond City shall be taken up for consideration and disposition in the following order unless otherwise provided by motion of the Richmond City Council:

1. Pledge of Allegiance and Welcome.
2. Reading and approval of previous meetings minutes.
3. Petitions, remonstrances and communications.
4. Public hearings, if appropriate.
5. Introduction, discussion, and adoption of ordinances and/or resolutions.
6. Continuation of old business if applicable.
7. New business items.
8. Reports - Departmental, Administrative, Council, and Mayor.
9. Approval of appropriations.
10. Schedule of agenda items for next meeting, as known.
11. Adjournment.

B. The Richmond City Council may by motion change, amend, or delete an agenda item provided for in this section.

** A motion to adopt Ordinance 2004-5 was made by Cordell Johnson, seconded by Terrie Wierenga and the vote was as follows: L.D. Bowcutt - yes; Cordell Johnson - yes; Allen Lundgreen - yes; Terrie Wierenga - yes; Leslie Erickson - no.

The following bills were presented for payment.

Al's Trophies	600.00
AT&T	110.84
Bear River Health	30.00
BRAG Area Clerks & Recorders	32.00
Brent Webb	75.00
Bridgerland Applied Tech	400.00
Cache County Service Area	10965.83
Cache Valley Craft	64.61

Cache Valley Insurance	138.00
Cache Valley Tire	467.74
Chevron	63.43
Cove Auto	931.08
Deery American	1845.00
Dennys	325.50
Ecosystems	270.00
Ferguson Enterprises	1337.90
Freedom Electric	285.00
G.L. Down, INC	177.10
Hach	289.20
HFS Architects	750.00
Holland Equipment	110.40
Hydro Specialties	1427.40
Idaho Salvage	133.92
IDEXX	3944.40
Ikon	103.99
Intermountain Farmers	51.81
Intermountain Traffic Safety	97.36
IPACO	3090.53
Itty Bitty	780.58
JUB	682.85
Juliene Parrish	115.70
KAPS	86.48
Kim-Ko	274.56

L.N. Curtis	2072.00
Larsen Asphalt Systems	6920.00
Lee's	313.80
Leslie Erickson	126.03
LN Curtis	2351.58
Maceys	237.69
Metrocall	9.96
Mountain Magic	326.90
Mountain States Waterworks	33.16
National Battery	175.80
NC Vet	39.40
Oldcastle Precast, Inc	500.00
Olson & Hoggan	1655.20
PC's	33.90
Questar	1237.12
Qwest	160.63
Qwest Internet	72.38
Roto Rooter	265.00
Scholastic	211.10
Shell Fleet Plus	360.10
Smithfield Imp	169.08
Standard Plumbing	121.93
The Herald Journal	76.50
The Home Depot	128.35
The Logo Shop	130.20
Theurers	359.99

Thomson Electric	11.45
U&I Kiwanian	195.00
Utah Communication	170.00
Utah Dairy Commission	145.35
Utah League of Cities	679.29
Utah Local Government Trust	1310.03
Utah Power	2165.19
Utah Water Users Assoc.	100.00
Verizon	30.96
Walden Book	141.98
WR White	1119.40
Xerox	197.60

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

A motion to adjourn was made by Cordell Johnson, seconded by Allen Lundgreen, and the vote was unanimous.

Adjournment at 11:45 p.m.

Mayor Kip Panter

Boyd Lewis, City Recorder

