

RICHMOND CITY COUNCIL

April 19, 2005

The regular meeting of the Richmond City Council was held at the Community Building on April 19, 2005. The meeting began at 7:00 p.m. Mayor Kip Panter was in the chair and the opening remarks were by L.D. Bowcutt.

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

The minutes of the previous meeting were read and approved and the financial statement for March 2005 was read and approved.

Presentation and Ratification by City Council of Justin B. Lewis as City Recorder.

MAYOR: I would like to present Justin B. Lewis as the new city recorder. With Judge Beth Skidmore gone, we get the opportunity to have our Current City Recorder, Boyd Lewis, swear in his son as the new City Recorder.

** The Council ratified Justin B. Lewis as the new city recorder for Richmond City.

QUARTERLY REPORTS

MAYOR: Judge Skidmore could not be at our meeting tonight. She is at the Judges Conference. I will read her report. For the quarter ended March 2005, there were 170 cases filed. Of that the State revenue was \$4,610.66. The City total was \$8,246.43 for a total of \$12,857.09.

CITY MAINTENANCE SUPERVISOR

GAVIN: I would like to thank the citizens for their help this winter as we had fewer vehicles obstructing the roads. We have many projects planned for this summer.

MAYOR: I would like to express our appreciation to you and the other city employees for how well your group did during the winter snow season. Please pass this on.

CITY MANAGER REPORT

MARLOWE: Planning and Zoning approved a minor subdivision on the corner of 400 South and 100 East. The Mayor and Recorder need to sign the mylar.

MARLOWE: We have a business license request from Jeremy Threlfall called Jear Bear Productions. They would be in the old bank building at 1 North Main. I will let him tell the Council what he intends to do.

JEREMY: After regular school, we will run dance schools, and run a recording studio. We will start after 3:00 p.m. We will have voice, piano lessons and all kinds of music lessons. There will not be any noise outside the building. We plan on making it soundproof.

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

MARLOWE: We need to plan on spending some of our sewer money for jetting. We had a problem on 4th West. It was mainly grease and dish soap build-up that literally plugged the sewer main. We have four main sewer lines that need to be cleaned on a rotating basis. After talking with Gavin, we propose that those lines be checked on a rotating basis with our sewer camera, and jetted when necessary. The City Managers will be presenting on Thursday, April 28th at the Logan City Police Conference Room the EPA Storm Water Interlocal Agreement. Some people have requested to get the City newsletter by e-mail. The City also needs to purchase a new screen door for our rental home.

MAYOR: On the newsletter, it's ok to send it to those who request it outside the city limits as long as it does not cost the city. If we have e-mail addresses we will not disclose these to anyone. I assume that Dan Miller will e-mail the newsletter as a PDF direct to those residents requesting it.

** Council o.k.'d the purchase of a new screen door for the rental home and the distribution of the newsletter to those residents outside the city limits that request it direct.

FIRE DEPARTMENT

MARLOWE: Bob Hugo called and for the Fire Department this quarter, there were two fire alarms, four fires and one traffic accident spill. There were also seven EMT runs. Stoney Tanner has applied for \$5,000 wild land fire grant. Bob Hugo has applied for \$135,000 for a Homeland Security Grant for the Fire Department. There would be new turnouts and a breathing apparatus for each fireman.

TREASURER

CHRIS: We have turned the water off to three residences. We recently started letting people use credit cards to pay their bills. The response has been very light so far. The bank charges us \$25.00 per month plus a % fee when it is used. We may want to consider dropping this if the number of people using this service doesn't increase. We can continue for a couple of months, see if this increases, and then decide if we want to keep it.

COUNCIL REPORTS

CORDELL: The Fire Department is thinking about a new addition or a new building. The county says we are next to get a new truck and that we currently don't have room for it. We will discuss it further in the future. Water and Sewer – we received a proposal from Aqua Engineering that after reviewing it, we sent to the state asking the ok to put in a chlorination/de-chlorination unit after the water leaves Cell #4. It is not a fix all, but it should work temporarily to get us off the immediate radar screen. The plan is in Tim Beaver's hands.

LESLIE: I have a lot of contact people for B & W. If someone calls the office, I would like the City to handle the problem if they can. If they can't then they would forward that call to one of the contact people. I think our advertising needs more emphasis on the Horse Show. We will have a melodrama this year and we will have more information in April. The booths will be handled the same way as last year. The Lion's Club is ready to do their part on the Horse Show. Heritage Show is coordinating tables and chairs. On May 5th we will have the Queen contest. We need to make sure the arena is watered down. The guy with Reagan signs that has the billboard we use for B&W would like to rent out that billboard for 9 months out of the year and advertise Black and White for 3 months. The problem we have there is with getting the information changed correctly. Candy will be delivered during the week of the parade. We are in charge of the National Anthem at the Horse Pull. The quilt show will be Saturday, May 21st. The Dairy Food Show will be Saturday, May 21st. We need to be sure we check the Park grounds for garbage.

PUBLIC HEARING ANNEXATION POLICY

MARLOWE: Ordinance 2005-1 says "An Ordinance Establishing an Annexation Policy Plan to Govern the Future Annexation of Unincorporated Land Within Cache County in Accordance with the Applicable Portions of Utah Code Annotated." The area which Richmond City shall consider suitable for possible future annexation shall be within the below described area based upon the Salt Lake Base and Prime Meridian and as derived from the United States Geologic Survey (USGS) map of the Richmond, Utah, quadrangle (1964).

- ** A motion to adopt Ordinance 2005-1 which is "An Ordinance Establishing an Annexation Policy Plan to Govern the Future Annexation of Unincorporated Land Within Cache County in Accordance with the Applicable Portions of Utah Code Annotated." was made by L.D., seconded by Cordell and the vote was unanimous.

DAVID CARTER REPRESENTING CINGULAR

DAVID: Cingular has combined with AT&T for cellular phones. Cingular will be installing 125 new antenna sites in the near future. I have copies of the shelter and tower layout for the proposed new antenna layout in Richmond City. We would like a 5 year initial lease, renewable every 5 years for a total of 30 years. There should not be any interference with FCC approved radio signals. The initial proposal would be that we pay \$500 or \$600 per month for the site. We would like to know what the Council decides as soon as possible. Our engineer is suggesting we need a tower 80-100 feet tall.

DAN MILLER: Are there any microwave problems?

DAVID: No, most phones are about ½ watt

CORDELL: I am also concerned about possible interference with our telemetry systems for the water and sewer systems.

DAVID: There should not be any problem as cell towers have their own frequencies and they should not create a problem with any other communication devices, either the telemetry or the Fire/EMT departments.

MAYOR PANTER: Terrie (Wierenga), will you please check with Central Dispatch to see if there will be any communication interference with the Fire or EMS radios/pagers. We'll put this on the next agenda to discuss further.

RESOLUTION 2005-2

MARLOWE: We need to pass a municipal wastewater resolution as requested by the Division of Water Quality (DWQ) and file an annual report with them.

** A motion to adopt Resolution 2005-2 which is a Municipal Wastewater Planning Program Resolution was made by Cordell, seconded by Terrie and the vote was unanimous.

YOUTH COUNCIL REPORT – Tristen Forsgren, Janice Swendsen Advisor, Shareese Gilbert, Melody Jensen, Ailina Smith, Kimberly Blau, Angie Webb and Virginia Smith

VIRINIA SMITH (Youth Council Mayor): We want to report to you about the leadership conference we attended at USU for youth councils. We discussed leadership, cooperation, ideas to improve youth councils. We met a lot of other youth councils. There were 33 youth councils there. We learned a lot. We wanted to thank the Council for your support and for your encouragement. Our next meeting is this Saturday, so if you could tell us what you would like us to do we can talk about it.

MAYOR: I want to commend the youth council for the good things they are doing and especially thank Janice for her time and effort in advising the youth council.

PAINTBALL ENTERPRISE AT OLD MILK PLANT

MARK SHEPARD: We met about possibly doing this quarterly at the milk plant. I heard from the Health Department. They wanted bathrooms available there.

MAYOR: We have a great concern about that entire area. The business's that were in that building previously were not easy to deal with and they left us a large debt for utilities that were over due and about \$4,000 for unpaid garbage pickup from the Logan Service Center. The place does not meet fire code, is unsafe and I doubt would meet the health department rules. If you can get the fire chief, health department and building inspector to sign off on it then perhaps the council would consider your proposal. I would not approve anything that would create a liability for Richmond City. Previously, the county fire chief told us that were a fire to happen at that building we were not to send any of firefighters into that building. I know that the building is not secure now and I worry about kids that go into that building for what ever reason. The fence around the perimeter needs to be fixed and secured to minimize anyone going into the building. I feel the city has done all it needs to do to remove any liability to the city.

MARK: We don't want anybody upstairs and will block it off completely. We are concerned about safety there also. Our insurance company wouldn't want us to do anything that would be unsafe.

PAUL BERNTSON (County Building Inspector): I highlighted some areas in the 2003 IBC state adopted code book. In Section 105.1 it says any owner or authorized agent who intends to change the occupancy of a building or structure shall first make application to the building official and obtain a permit. This has not happened. In Chapter 34 under existing conditions in 3401.2 it says buildings shall be maintained in a safe and sanitary condition. The requirements of this chapter shall not provide the basis for removal of fire protection and safety systems in existing structures. There are also other things that are a problem.

JOHN KELLER (County Fire Department): The problem is there are not enough exits for people that would be at this function. The Detection System can not be fixed. Emergency lighting is a problem. There is no fire protection system to warn of a fire.

MAYOR: We would need a clearance from both the Fire Department and Building Department before we would even consider it.

TERRIE: With codes until I see a firmly written plan I will not vote for it. That building is not safe.

MARK SHEPARD: The upstairs is not fixable.

MAYOR: Let's take a straw pole to see where we stand if they were to meet the requirements of the building inspector, fire chief and health department.

** Cordell – no; Leslie-yes; L.D. – yes; Terrie – yes if it meets code.
(Allen was absent)

MAYOR: Mark, I think we have been very up front with you and not left any question where the city council stands on this issue. If you think you can meet these requirements we would be glad to have you come back with a plan.

MAYOR REPORT: We received an Audit Contract proposal from Peterson, Allred Jackson for the next five years. There proposal was for \$7,200 per year with no increase in that time period. The cost is \$9,500 with our current auditors Jones Simkins LLC and with the report given by Curtis, I suspect that maybe going up.

** The Council approved accepting this proposal of using Peterson, Allred, Jackson for the next 5 years for the city audit including all funds.

MAYOR: I talked to Zan Harris and Craig Allen about the land below the sewer ponds which they own. I would like to have it appraised and see what it's worth. I really think we should try to buy that land as it will give us more options on the sewer ponds.

PRELIMINARY DISCUSSION ON FY 2006 BUDGET FORMULATION

MAYOR: I think this year will be a static budget. Boyd and I have looked at the money and it appears we will be about \$16,000.00 short. I think we can make a few minor cuts and avoid any major issues, but I certainly don't see any room for increases in any budgets. If we hold for now, we can reevaluate mid way through the year once we know where the franchise tax, property and sales tax revenue will be.

A motion to pay the following bills was made by Cordell, seconded by L.D. and the vote was unanimous.

Airgas	98.28
Al's Sporting Goods	346.80
American Water Works	49.00
Anderson Seed & Feed	33.14
Aqua Engineering	3879.50
AT&T	110.72
Atco	170.00
Bear River Health	60.00
Bridgerland Applied Tech	690.00
Brodart	54.09
Cache Service Area	11607.22
Chevron	74.09
Christensen Construc	58.50
Coats	475.00
Computer Literacy Project	375.00
Dan Miller	300.00
Dennys	141.48
Ecosystems	90.00
Firehouse	30.00
Fire-Med	40.00
Gall's	188.55
Holm's Plumbing	2300.08

Intermountain Farmers	409.58
IPACO	48.50
Janice Swendsen	105.88
Jones, Simkins	1046.00
JUB	2247.00
Juliene Parrish	41.00
Kings	202.88
Lee's	781.72
Lewiston State Bank Visa	44.43
Metrocall	9.96
Modern Display	252.17
Mountain States Waterworks	1001.94
National Battery	261.41
North Cache Vet	32.80
Olson & Hoggan	945.00
PC's Unlimited	21.95
Peterson Plumbing	1406.70
Questar	1784.42
Qwest	428.39
Qwest Internet	75.27
Reminderband	228.00
Rockbottom Book Co.	108.82
RSM	183.84
Rural Water Assoc	125.00
Scholastic	100.05
Shell Fleet Plus	455.78
Smithfield Auto	5.93
Smithfield Imp	187.98
Staples	239.95
Sunrise Engineering	1351.19
TEC Electric	2877.12
The Herald Journal	45.75
The Home Depot	213.94
Time Rental	52.17
Tony's Grove	80.61
Upstart	210.71
Utah Dairy Commission	195.00
Utah Justice Court	25.00
Utah League of Cities and Towns	694.64
Utah Local Governments Trust	460.45
Utah Power	2250.72
Utah Water Users Assoc	100.00
Verizon	31.76
Waldenbook	88.63
Wetco	687.50
Xerox	307.07

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

Adjournment at 11:15 p.m.

Kip E. Panter, Mayor

Justin B. Lewis, Recorder