

RICHMOND CITY COUNCIL

August 15, 2006

The regular meeting of the Richmond City Council was held at the Richmond Community Building located at 6 West Main, Richmond, UT on August 15, 2006. The meeting began at 7:00 p.m. Mayor Michael Hall was in the chair. The opening remarks were made by Keith Ward.

The following council members were in attendance: Brad Jensen, Terrie Wierenga, Keith Ward, Allen Lundgreen and Leslie Erickson.

A motion to accept the July 18, 2006 City Council meeting minutes was made by Terrie, second by Allen and the vote was unanimous.

RECYCLING PROGRAM INFORMATION

MAYOR: Craig Petersen, of the Cache County Council, has been asked to attend tonight's meeting to explain his views of the new county wide recycling program.

CRAIG: A regional council was formed to review a potential recycling program. I was a member of that group. Let me say that I am not opposed to recycling; I am opposed to this particular recycling plan. I think there are three main issues: Impact, Choice and the Process. I don't believe that an adequate cost/benefit study has been completed. I have met with Issa Hamud several times and have done my own cost versus benefit analysis from Issa's projections. Over the course of 16 years this program will cost 10 million dollars. If 10% of all waste is recycled this will expand use of the current landfill 17 months. Ten million dollars for only 17 addition months is extremely costly. I have reviewed Kidman's proposal for a private garbage collection service. They propose to take all the waste to Box Elder County. If the sole purpose is to extend the life of the landfill then we should send all garbage to Box Elder County. My own political agenda is that everyone should have a choice. I don't think all options were explored on this program. On the old program, people had to pay \$5.00 per month to recycle. You should save money to recycle not spend more. There were two proposals: Let each community make a choice if they want to join the program or, Have the County Council make the decision for the entire valley. The County Council chose to make the decision for the entire valley. Garbage collection in Logan can be very efficient but in Cornish it will not be efficient due to the distance between homes. The logistics to make this program viable are not good for the small communities outside of Logan. Another frustration was that this program was advertised incorrectly. Another concern is the selection of the Recycling firm, Mountain Fiber. They were paying \$40.00 per ton of trash, now they will receive \$25.00 for every ton of trash, and that was recently negotiated down to them receiving \$15.00 per ton. They have been paying for trash now they will get paid to take it. That does not make sense. I believe there should have been a competitive proposal and let companies bid on this service. Most garbage collection is done privately throughout the United States. The Kidman's have a good plan but no experience.

TERRIE: Is there any way to revisit this?

CRAIG: Not that I am aware of. The program is already functioning in some communities. I wish there was a way that the communities that have not started the program could still have the choice of whether or not they want to join. I am not optimistic that this will happen.

BRAD: Issa told us that the trucks would be more efficient under the recycling program?

CRAIG: I know that they had to purchase more trucks for this program. I think that answers your question.

TERRIE: What about revisiting the economics of the program?

CRAIG: I expect them to do so when they have some actual numbers. I will be on them to make this happen.

CITY MANAGER REPORT

MARLOWE: There has been some vandalism at the restrooms behind L.D.'s Café. Some windows were broken. Some of the deputies that I discussed this with feel that a dusk to dawn policy would be wise. Do you want me to draft an ordinance that does not allow people on the parks from dusk to dawn? This would give the sheriff's office something to enforce?

TERRIE: I have concerns with people at walking at night, Black & White Days, and the City Party to name a few. Vandals will not stop because of an ordinance.

MAYOR: We are not going to consider an ordinance at this time.

MARLOWE: I have provided everyone information on the water level in each tank.

BRAD: Is it possible to see spreadsheets rather than charts?

MARLOWE: I will check. There has been a problem with the printer. I think the current infrastructure will meet demand for at least two more years. There has been some blame placed on Lower's for the drops in the tanks, however, after studying these charted records I believe that the drop is a combination of Lower's, North Cache Sprinkling System and homeowner's sprinklers that go on at night. I don't feel that it is either realistic or accurate to blame the drop on just the one user. I received a complaint a week ago about broken tree branches causing damage to private property. I know our budget for tree trimming is small, around \$2,500 for this Fiscal Year. Two big branches recently broke off of trees at the Black & White Days building. Currently, some trees are being removed at 100 North so that a culinary water line will not be damaged.

LESLIE: The trees have been pruned wrong for years. Posting warning signs may cause our liability to increase. It would cost about \$8,000 just to prune the trees at the Black & White building.

MAYOR: There are trees all over the City that have been planted in the City easement. There is no way to know who planted these trees.

TERRIE: Are there grants available that could help with tree pruning?

LESLIE: We would need a City employee that is a trained arborist to effectively take charge of the trees. There are just not enough City employees to make this feasible. What are our options?

BRAD: Signs might bring more liability and have the opposite effect of what was intended.

MAYOR: The signs would increase the cities liability.

MARLOWE: Rocky Mountain Power's only responsibility is to trim by the power lines. In 2000, we installed a diesel tank at the maintenance shop. I would like to propose that we add

another gasoline tank this year. It would require a tank, pump and vault. We would save money on bulk fuel purchases. I am not sure the cost of a new tank.

KEITH: Why do we need a cement vault?

MARLOWE: Since it is by a water well there can be no leakage.

TERRIE: Don't we get a State of Utah Fleet discount on fuel purchases?

MARLOWE: Same price.

BRAD: Would the Fire Department be able to fuel their trucks at the maintenance shop?

MARLOWE: Yes.

BRAD: I will speak with Bob Hugo to make sure they can turn around.

MARLOWE: Can I get bids on this?

MAYOR: Yes.

MARLOWE: Two of the poles for the new signal light are having to be specially made since they will sit behind the retaining walls on the east side of the street. The Youth Council will be distributing flyers on Saturday to all homes west of 200 West instructing students to use the old school crossing at 100 South until the light is functional. The flashing yellow lights will also be left intact until the traffic light is complete. I don't have an estimate on when it will be functional.

TERRIE: I think we should send this information to *The Herald Journal* to raise awareness.

BOYD: The signal poles are coming from Georgia.

MARLOWE: The previous council had an agreement on sidewalks that the City would pay for the cement if the homeowner would pay for the labor or do the labor themselves. Is this still the case?

MAYOR: Yes.

RICHMOND MEADOWS ESTATES

STEVE EARL: I work with Landmark Engineering and have completed the design and all the changes requested by Richmond City Planning and Zoning in regards to this subdivision. There are 36 lots that would be completed in 2 phases. There will also be a sidewalk installed with a swell next to it to drain off-flow to the catch basin.

MARLOWE: The EPA requires the catch basin and that is why they will start the project on the west side of the project where the catch basin is located.

ALLEN: Did you make the changes to the entrances on 300 South?

STEVE: Yes, please see the note on the plans as well. Also, please note that the new road aligns with 100 West.

ALLEN: Is the catch basin swell consistent from top to bottom?

KIRT SADLER: We will do whatever the City requests in the swell. Just let me know.

TERRIE: You need something in the swell to slow the water.

KIRT: We have kept one irrigation share to irrigate the catch basin. I am open to suggestions on what you want to do with it. I will need to create a Homeowner's Association to maintain the basin if the City does not want me to deed the City that property. Would the City like me to deed to the City the catch basin property? I will pay for the sprinkling system and grass but the City would need to maintain it if I deed it over.

MAYOR: How big is this area?

KIRT: About ½ acre.

TERRIE: If the City agrees to take the property would you give one irrigation water share as part of that deal?

KIRT: Yes.

MAYOR: What is the fall on the basin?

STEVE: It will be about 3 feet deep, with an excavated berm of about 1 foot.

BRAD: It is too small for a park and would not make a good playground if it is full of water.

ALLEN: My concern is if there is a 10 year storm and the basin is not adequate that the City will be liable if we own the property.

KIRT: There are 25 shares of irrigation water with the property. One is for the catch basin and the remaining 24 will be sold to the homeowner's in the subdivision. Twelve will not have a share or have to purchase it elsewhere.

BRAD: The secondary water is included with the lots?

STEVE: Yes.

ALLEN: Has the Cache County Fire Chief and Richmond City Fire Chief reviewed the plans?

MARLOWE: They do not review it until it is approved.

STEVE: There are 4 fire hydrants that are located approximately 500 feet apart.

A motion to close the regular council meeting and open the public hearing was made by Allen, second by Leslie and the vote was unanimous.

TED JOHNSON: I own a home directly to the north of the property and my wife operates a day care facility there. What impact will this subdivision have on traffic? I am concerned that traffic will increase and also that the pond is a major liability where a drowning could occur. It is crazy to have that pond.

TERRIE: The catch basin is mandated.

TED: I think the impact on the road should be studied. I also want to see quality homes; this contractor does not do good work. He did a terrible job on the addition to my folk's residence.

ALLEN: All contractors have to meet the new construction standards that were recently passed by the council. There is also a code that must be met.

TED: Tom Ziegler could not attend tonight but I think somebody should let him know about the swell that is going in front of his house.

TERRY SPACKMAN: I am concerned about the capacity of the sewer system. In the Spring of 2005 when there was the flood on about 200 East and 400 South this caused a backup in the sewer system at my parent's home. This was an extreme situation but it did occur. If the clean out cover had not have popped off, the house would have been flooded.

BRENT WEBB: I have one question. My understanding is that the State of Utah requires a 100 year retention pond not one for 10 years.

STEVE: This is a detention pond, not a retention pond. It also has a release and is up to code.

DALE NIELSON: Is there curb and gutter in this subdivision? Where will the drainage go?

Allen: There is not curb and gutter. The runoff will go to the pond and then down the swell.

DALE: Will the subdivision be fenced off?

KIRT: No, unless the homeowner wants to pay for the fence themselves.

A motion to close the public hearing and reopen the regular council meeting was made by Terrie, second by Allen and the vote was unanimous.

TERRIE: I am concerned that there is not enough capacity in the sewer system.

MARLOWE: There is a 12 inch line they will tie into but it is partially plugged.

ALLEN: I am concerned about the grease in the line as well.

KIRT: This is not our problem but the cities problem to correct.

BRAD: We need to verify our liability issues if we agree to your subdivision and the system is not capable of handling the load.

STEVE: An 8" line will carry about 500 -600 homes. You have other issues on that line.

ALLEN: I also have a concern that there is enough culinary water for those homes. I want to make sure there is enough capacity before a decision is made.

MARLOWE: Rob Bair thinks the Main Street tank would feed that subdivision.

TERRIE: You have met the requirements of Planning and Zoning but there are other factors that we must take into account before a decision can be made, such as our infrastructure.

ZAN MURRAY: I have reviewed the documents; the pond would drain in about 2.5 hours. Your water system model should be reviewed, if you have a model, to determine if there is enough capacity in the current system. A sewer drainage master plan should also be available for review. The drainage is adequate for this subdivision.

ALLEN: Zan has been hired by the City to review these plans. He works for J*U*B Engineering.

MAYOR: The speeding concern is something that will be handled by local law enforcement. There are valid concerns regarding the water and sewer system.

BRAD: To understand correctly, this is not a park but a detention pond?

KIRT: If the City does not want the property where the pond is located then I will be forced to start a Homeowner's Association to maintain it. It will be just grass open space not a park.

TERRIE: I want to see better numbers on the culinary water system.

MARLOWE: I don't know what else to provide; I have given you all the information that I have.

ALLEN: Zan, what will it take to review this?

ZAN: I could get some information from Planning and Zoning to help but I would guess it would take 3-4 days of work. Your storage capacity should be reviewed as well as your peak usage.

ALLEN: Please move forward with this.

KEITH: We don't need the extra workload or liability from that pond.

A motion to table the Richmond Meadows Subdivision until the September 19, 2006 regular council meeting was made by Allen, second by Keith and the vote was unanimous.

NEIGHBORHOOD NONPROFIT HOUSING PRESENTATION

KIM DATWYLER: I am the director of the Neighborhood Nonprofit Affordable Housing. This is a project that was sponsored by Senator Bennett from Utah. Five states were given one

million each to provide housing for agricultural workers. The intent is to provide affordable housing for local workers that work at places like Casper's Ice Cream, Lower's, and Cache Valley Dairy to name a few. We need our project to be close to the work areas, as well as where land is cheaper. Our proposal is for 18 units which consist of 1, 2 and 3 bedroom housing as well as a community center. Your current rules do not allow for more than 4 units per side. I have spoken with your attorney, Bruce Jorgensen and he informed me that the only way this project can precede is with an ordinance change. I have met with Planning and Zoning to see if a Conditional Use Permit would work and it will not. We need to have all 18 units located on the same property. Our goal is to get people to reach the dream of owning their own home. In Providence we have constructed Providence Place, which is similar to this project but for people with disabilities.

LESLIE: Have you looked into doing this project in other communities?

KIM: No.

BOYD: Who maintains the exterior of this project?

KIM: Neighborhood Nonprofit is responsible for the buildings as well as the yard care. Paul Merrill of Casper's supports our efforts. He said that he is having a hard time finding workers.

TERRIE: Have you checked the transit route?

KIM: Yes. Also, we currently do not have any land under contract; we don't want to tie up an agreement until our being able to build in Richmnd is approved.

TERRIE: My concerns with this are the same as with the subdivision. We need to investigate our infrastructure before a decision can be made.

MAYOR: Until the water and sewer issues are resolved we cannot commit yes or no.

KIM: When will you have that answer?

MAYOR: Hopefully by our next council meeting in September.

BRAD: Our new sewer system option needs to be made before as well.

KIM: Possibly the October meeting I could come again.

BRAD: Decisions will have to be made on our major sewer system upgrade before a decision can be made on a project such as this.

KIM: If your infrastructure allows, would you consider this project?

MAYOR: Until more information is collected there is no way to know.

CHRIS PURSER: Who pays the monthly utilities?

KIM: We do, it is included in their monthly rent.

TERRIE: This is for 18 units maximum?

KIM: We only have 1 millions dollars for this project and with the increase in prices it will most likely be 16 or less, possibly even 14.

BUSINESS LICENSE

Two Guys Cabinets

GREG RIGBY: My partner and I need a license to do cabinet installation. We are just subcontractors that are licensed and bonded. We only do installations; we do not build the actual cabinets.

Approved by Council

Ergospeck Inc.

SHERIK PECK: I am a partner in a 10 person clinic. I specialize in physical therapy and injury prevention. I have exercise equipment in my residence that is used for my patients.

BRAD: Any concerns with traffic flow?

SHERIK: I do mostly consulting at the client's location. Occasionally I will have a patient for physical therapy.

Approved by Council

T & A Tile and Masonry

TROY DUDLEY: I have state licensing. I want to store my equipment at my residence when not in use. I have a bunch of scaffolding.

Allen: How much scaffolding?

TROY: Around 100 total pieces.

Approved by Council

CITIZEN SIDEWALK CONCERNS

SAM SCHROPP: Lyle Anderson and Mutt Murray are lifetime residents of Richmond and due to failing health conditions have to use electric wheelchairs. It is sad to see them not be able to get around because the sidewalks are in such disrepair. I am told there is no money for sidewalk improvements but yet you are in the process of approving new services. I find this ironic that more homes can be added when we cannot maintain what we already have. Is it possible to replace the sidewalk between 100 South and Main Street? I think that the cost/benefit of all new projects should come into play before a decision is made.

MAYOR: The City has an ongoing program where the City will provide the materials if the citizens will do the labor or pay for the labor to be completed. We need citizen help on this to make it work. I am aware of the concerns with several sidewalks in town.

SAM: I will contact Cody Anderson and see what can be done as for the labor.

TREE CONCERN

BRYAN RIEBEEK: The trees in front of my residence on City property are dangerous. In the last storm a 30' x 25' branch fell and ruined a portion of my fence. What can be done so that someone is not hurt or more property damaged?

MAYOR: I know of your concern. Trees are extremely expensive to prune. Our budget is small and only allows for a few trees to be pruned each year.

BRYAN: The utility company is ruining the trees and causing them to die.

BRAD: Have you contacted Rocky Mountain Power with your concern?

BRYAN: No.

BRAD: I have heard that sometimes they will cut down the trees at their expense but the homeowner must remove them from their property.

MAYOR: Bryan, please contact the utility company and let me know what they tell you.

GARY GIBBONS ANNEXATION PETITION

BRAD: What is the proposed zoning on this property? How many total acres?

MARLOWE: A10.

BRENT WEBB: Around 197 acres.

MARLOWE: This property borders the current City limits and the Webb subdivision.

BRENT: That property contains as much water as the City is already using. It is extremely valuable.

MAYOR: If approved to move forward with this proposed annexation it would be approved on January 1, 2007.

A motion to accept the Annexation Petition for the Gibbons/Skabelund property was made by Brad, second by Allen and the vote was unanimous.

FINANCIAL REPORT

JUSTIN: We are still preparing for the upcoming audit. I was informed today by Chris that Lewiston City is claiming we owe an additional \$3,952.58 for the Cub River Sports Complex. We are going to request an itemized break down of payments before we move forward on this. The budget for last month looks very good, please note that bonds and insurance expense for each department is over budget for the month but this will catch up over the next 11 months. This expense occurs in July of each year.

MAYOR: Please make sure I see any information regarding the Cub River Sports Complex.

RICHMOND CITY PARTY

MAYOR: L.D. has agreed to help again this year.

LESLIE: We will need 8 cookers, 225 lbs of beef, 42 dozen rolls is not enough, 45 dozen ears of corn is not enough, 17 lbs of butter, 12 cans of beans, 1 box of bacon, 8 coleslaw, a bushel of tomatoes, and 25 watermelon. There were around 500 – 520 in attendance last year. We will need over 700 cups.

MARLOWE: I will obtain the food handlers permit.

ALLEN: I will take care of the beans.

LESLIE: Any help with the corn will be appreciated. Coke will arrive at 3:00. Please come and help as soon as possible. The party starts at 6:30 and everyone needs to be there earlier.

COUNCIL MEMBER REPORTS

KEITH: I have spoken with Mike Abbott of Western Construction about the remodel of the restrooms at the park. There will need to be new plumbing fixtures, a new roof as well as the doors changed. When complete this restroom facility will be ADA compliant. Brad already poured the needed concrete as part of his son's Eagle Scout project. The bid is \$18,722. The American Legion wants a bigger building for their project. The old building must go, it is not repairable. What if the new building is moved down by the new existing restroom facility at the ballpark? This would give us more room for additional bleachers.

MAYOR: Excellent idea.

KEITH: The size needs to be kept reasonable where this facility is only used approximately 3 days per year.

MAYOR: The Lion's Club has agreed to remove the old building and tree.

TERRIE: Are there any other building options but block?

BRAD: Would it be possible to use some of the RAPZ Tax money to pay for the concrete at the park bathrooms so it does not come out of the sidewalk budget?

MAYOR: I believe so. Civic groups will be donating a majority of the labor on the new American Legion building.

BRAD: The bid from Davis Chrysler Dodge for a new maintenance truck came in at \$27,690.00. The bid from Wilson Motor came in at \$21,988.70. This truck does not have a bed; a utility bed will need to be added as with the Dodge if it is purchased. We included a PTO provision as well as a rear sliding window, the V10 engine, automatic transmission and snow plow package. This truck would need to be ordered and would be a 2007 model year. We added up filter switches as well so that they won't have to cut into the dash to add them later. The wheel base is 165 inches and the truck will have air conditioning. Wilson Motor is doing this with zero profit since it is a local City.

MAYOR: A decision needs to be made where the truck will need to be ordered.

KEITH: Since it is an order, how long will it take?

BRAD: Approximately October. The bed and snow plow will need to be added on when it arrives.

A motion to approve the purchase of a new maintenance truck from Wilson Motor Company at a cost of \$21,988.70 plus fees was made by Terrie, second by Brad and the vote was unanimous.

MAYOR: Please make arrangements to get the snow plow and utility bed installed as soon as it arrives.

BRAD: No news from the Fire Department. My son's Eagle Scout project at the park was recently completed. I would like to thank everyone for their help on this project.

LESLIE: I have a request from Stewart Bagley to use the Black & White building on Tuesday and Thursday from September 1 – October 31 from 7 – 9 P.M. He wants to help children where English is not their first language to do their homework. He would need a key to access the building.

CHRIS: There will be a conflict scheduling wise during the October 9th week.

LESLIE: I will let him know.

Approved by Council

ALLEN: Most of my issues have already been discussed. There will be a Neighborhood Watch Booth at the City party. I would like a note in the newsletter that we need more volunteers for this program and that they should contact Tim Smith.

MAYOR REPORT

MAYOR: Todd Weston, River Heights City Mayor, recently passed away. Please send flowers from the council. IPACO has submitted a bid for snow removal equipment for the sidewalks. It would be a John Deere Tractor with a 53 inch mowing deck. The bid is \$9,449.00; a two stage snow blower would be an additional \$2,417.00. I have spoken with Bountiful City as they use this for snow removal and they say that it works great. It will fit in the storage area behind the park bathrooms so it is close to the sidewalks. City employees will be the only ones allowed to use this tractor due to liability issues.

MARLOWE: The bid is good through August 31, 2006.

A motion to purchase the John Deere tractor with mowing and snow blower attachments from IPACO for a cost of \$11,866.00 was made by Allen, second by Terrie and the vote was unanimous.

MAYOR: We are on the State of Utah Sewer board agenda this coming Friday. Brad, Marlowe, and I will be attending the meeting. Impact fees are a concern that has been mentioned by the State. It has been suggested that our sewer impact fee be raised from \$554.00 to \$3,000.00. I have also been told to review our water impact fee schedule as well. An engineering study will need to be completed before water impact fees can be raised.

MARLOWE: Tim Beavers from Division of Water Quality is concerned our sewer impact fees are to low and will not be passed by the State. We need to let him know that we are proposing to raise these fees at our next regular meeting.

MAYOR: I have been contacted by three concerned citizens about Council members making charges on accounts. From now on, all charges by Council members will need a purchase order number. We need accountability to keep out of the public light and make sure there are not any problems. Chris Purser or myself will sign each purchase order. Make sure that the company name and purpose of the order is on the purchase order.

A motion to pay the following bills was made by Leslie, second by Allen, and the vote was unanimous.

Allen Rock	816.62
American Kids Preview	215.00
American Water Works	72.50
AT&T	123.27

Bear River Health	40.00
Bluestakes	14.60
Cache County Corp	21643.91
Cache Service Area	14165.19
Cache Valley Tire	376.55
Chevron	105.03
Christensen Constr	1512.00
Coats Rooter	400.00
Denny's	197.45
Discovery Girls	29.95
Ecosystems	90.00
Every bloomin' thing	75.00
Ferguson	92.92
Fred's Flowers	47.86
Gordon's Glass	153.00
Hach	176.00
Hall Oil	192.00
Intermountain Traffic Safety	364.23
IPACO	25.32
James Hopp Co.	15.00
Kids Discover	19.95
Kings	101.75
Lees	232.64
Lookout Books	227.40
Lyn Distributing	109.40
Maverik	501.56
Medtronic	461.79
Miriam Williams	170.20
Mountain Magic Sports	114.04
Mountain States Waterworks	2747.47
Nextel	197.39
Olson & Hoggan	672.00
PC's Unlimited	19.95
Penworthy	200.54
Questar	103.21
Qwest	445.53
Randys	1110.56
Reader's Digest	10.00
Remote Control	345.00
Richmond Irrigation	871.50
Rocky Mountain Power	3313.55
Shining Image	315.00
Smithfield Auto Parts	2359.90
Smithfield imp	81.52
Thatcher	1344.36
The Home Depot	320.71
Theurers	190.20
USA Bluebook	982.45
Utah Locan Governments Trust	755.70

Utah Power	201.47
Visa	163.07
Visa	1400.00
Waldenbook	667.14
Xerox	240.76

A motion to adjourn was made by Keith, second by Brad, and the vote was unanimous.

Adjournment at 10:45 P.M.

Michael E. Hall, Mayor

Justin B. Lewis, Recorder