

RICHMOND CITY COUNCIL

February 20, 2007

The regular meeting of the Richmond City Council was held at the Richmond Community Building located at 6 West Main, Richmond, UT on February 20, 2007. The meeting began at 7:00 p.m. Mayor Michael Hall was in the chair. The opening remarks were made by Leslie Erickson.

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

A motion to accept the January 16, 2007 City Council meeting minutes was made by Terrie, second by Keith and the vote was unanimous.

DEPUTY REPORT

MAYOR: Deputy Eggleston has been reassigned. Our new Deputy will be Deputy Nyberg. Deputy Eggleston is hoping to introduce Deputy Nyberg to the Council at our March meeting.

WATER COORDINATION PRESENTATION

EVAN OLSEN: I am providing you the 108 year precipitation record. As you can see there were five major droughts during that time frame. The population of Cache Valley is expected to double in the next 23 years. County Planner Wendell Morse believes that number is very conservative. If correct, that would mean about 225,000 – 250,000 people in the valley 23 years from now. The valley is entitled to 60,000 acre feet of water from the Bear River and currently none of it is being utilized. In order to take advantage of this water, a dam would have to be built to hold it. There is a proposal in the works to put a dam in the Washakie area. I would like to see a written recommendation from the Mayor about what needs to be done to our water resources in the future. The county wants input from all of the cities. A committee would be established to review all of the concerns and recommendations from the various cities. I am meeting with the local canal companies tomorrow. We all need to plan for the future.

MAYOR: The establishment of a Water Conservation District has failed twice in the past.

EVAN: Yes it has.

MAYOR: Why has this failed?

EVAN: I don't know. I think there should be a vote from the people to establish a water board, special service district or water conservation district.

KEITH: Are districts working elsewhere?

EVAN: They must be. The difference is that they market water and Cache County does not. There has been a huge demand in the last six months for water, I have been told.

TERRIE: We keep hearing about the State just coming in and taking water rights.

EVAN: I believe that we need to join other districts so that the water just cannot be taken. I think that the option of putting a dam in the Oneida Narrows should be revisited.

MAYOR: Would a special service district or water board carry any clout?

EVAN: Not sure. They would need power from the County Council to act. What kind of entity should be formed to deal with others that want our water? They all sell water, Cache County does not. We need to figure out how to preserve the 60,000 acre feet of water or it will be gone. There used to be an abundant supply in the aquifer. That is changing, Ballard Springs recently dried up and it was not in a drought year. I believe population growth is drastically affecting this.

MAYOR: Are there any other options other than a dam or reservoir?

EVAN: I don't think so. Willard Bay is leaking. They are having to lower the level to make the repairs. When repaired the level could increase maybe two feet above its current level. The bird refuge is a possibility for storage. I met with Preston and Franklin Mayors to see what involvement they would like to have. Both Mayors have an interest in being a part of what we do. Please send your recommendations to me within a week. We need to plan ahead, and secure our water rights. A drought is inevitable. The 60,000 acre feet will be reallocated if not used.

TERRIE: Can cities conserve?

EVAN: We need involvement from all cities not just a few.

TERRIE: I am struggling with having appointed officials versus elected officials.

EVAN: Make that one of your recommendations. Taxes will increase. Why would someone run for this office? It will be a thankless position.

MAYOR: We appreciate your time this evening.

BUSINESS LICENSE REQUESTS:

TRUE CALLING RECOVERY

WENDEL PITCHER: We repossess vehicles for banks and loan offices. We are currently based out of Hyrum but moving to Richmond. In most cases the autos will be stored elsewhere. There are rare cases where they will be stored at our residence for up to 10 days but that will only be the case when the lender has been threatened. They will be stored in my garage or blocked in by other vehicles in my driveway. I do have a couple of derby cars that I am getting rid of and one older car I am repairing. I have not had any complaints from previous neighbors or my current neighbors.

Approved by Council

LAGASSE BUSINESS SOLUTIONS

ARLIN LAGASSE: I would like to start a small business by doing website design for small business. I am hoping this will lead to consulting in the future as well. There will be no local impact as I will meet with my customers at their location.

Approved by Council

LAROCCO'S FLEA MARKET

ALICE LAROCCO: I would like a license so that I can sell miscellaneous items such as art, glass, and pottery on-line.

Approved by Council

FINANCIAL REPORT

JUSTIN: Overall we are in pretty decent shape. The Fire Department and EMT Departments are slightly over budget due to the salary portion of their budget. As we know this is not something they can control. I commend them for their work in staying on budget in the areas they can control. Juliene has the Library right on budget just like normal. She does a tremendous job; if all departments were like Juliene we would never be over budget in any department. Please be advised that starting in February you will start to see the Recycling Fee Collected as well as paying the Cache County Service Area for this fee. This fee is just like the Garbage Fee. We collect the money and pass it right through to the Service Area. Richmond City does not receive any financial benefit from this.

HEALTHY COMMUNITY

ALLEN GRUNIG: Tobacco is the leading cause of preventable death. Within 4 – 5 years it will become obesity. We would like to work with your community to help Richmond receive a Healthy Community Award from the State of Utah. The only cost to this program is about \$60.00 for a banner or flag if the award is received. Our goal is to help the citizens become healthier. Currently, we are working with Hyde Park and Smithfield City. This information can become available to the citizens through your newsletter or website link. We would appoint one of our staff members to work directly with an assigned Council member to help attain one of these awards which are designated by bronze, silver and gold.

CARRIE MORTENSEN: We want to give citizens more access to being healthier.

ALLEN GRUNIG: This is a new program. We approach one new city per year. Our website is www.brhp.org. All of the information on this program can be accessed from that website.

MAYOR: Leslie will be assigned to work with your staff.

ALLEN GRUNIG: What will happen is the following. A staff member will be assigned to your city. That staff member will work with Leslie to determine what award requirements have

currently been met and what need to be worked on. From there we will work toward accomplishing the requirements that the city currently does not have.

BUSINESS LICENSE REQUEST, CONTINUED:

APIS ENTERPRISES

PETER MENTZEL: I am a professor at Utah State. As a source of additional income I do speaking, receive book royalties and do beekeeping. I have recently organized an S-Corp at the recommendation of my accountant and attorney. They have told me that as part of this process I should obtain a local business license as well. The beekeeping is more of a hobby than a source of income. I am in compliance on the beekeeping with all Utah Department of Agriculture rules and regulations. I do not sell honey from my residence. *Apis* is Latin for bee.

Approved by Council

COUNCIL MEMBER REPORTS

BRAD: Chief Bob Hugo is concerned about where the new fire truck is going to be stored. We are looking at several options. We are also trying to see if there is any grant money available as well, for something like this.

TERRIE: When Cordell applied for the CDBG Grant last year there were plans and a cost breakout of a new building. Maybe that would help with your grant work.

BRAD: I would like to get any information you have on that.

MAYOR: Does the new truck fit in the station?

BRAD: Yes, it will is my understanding. I have been told that you would not be able to walk in front or behind it, as it is so close to the doors and walls.

LESLIE: Planning for this years Black & White Days celebration will begin soon. Gerald Bell's help at Black & White Days will be missed but we will get through it. The Holstein Commission would also like to thank Gerald for all his help over the years. Two hundred three letters to Santa were answered recently to local children as part of the Sub for Santa program.

ORDINANCE 2007-2

MAYOR: This proposed ordinance is in regards to establishing a culinary and wastewater authority per the State of Utah. It would also require developers to provide water needs both residential and irrigation for future growth. The Council would be the Board for both the culinary and wastewater authority.

BRAD: Is two acre feet of water equivalent to one water share?

DAREK KIMBALL: Volume is always better than shares. The volume included in a share fluctuates.

MAYOR: We are using numbers supplied by the State in this ordinance.

MARLOWE: Section 12-509 of the ordinance gives negotiation rights to the Council. Negotiation would be at the Council's discretion.

A motion to approve Ordinance 2007-2 which is "An Ordinance Establishing a Culinary Water Authority and a Sewer Authority for the City of Richmond and Attaching an Exaction of Water Associated with Subdivisions Established Within the City of Richmond" was made by Terrie, second by Keith and the vote was unanimous.

ORDINANCE 2007-3

MAYOR: This Nuisance Ordinance is based off of Smithfield's. We used it as a basis for our ordinance because it has passed through a court of law and been upheld. We need to protect homeowner's as well as neighbor's rights. Note in Section 10-340, that the appointed inspector could be more than one person. Possibly a board with 3-5 members. These members would be appointed by the Council. All complaints would be directed to this board and not the Council. It would be a two year appointment. One City Council member would be assigned to oversee the board. They would only be required to meet as complaints are registered.

MARLOWE: The language in this ordinance is fine when mentioning a board or board members. I don't suggest changing any of the language as this has already been upheld in court.

TERRIE: I see issues. What about Section 10-323? Does this include goats, dogs and other animals in the stream? Is this including all farm animals and dogs? Dogs can be as bad in a stream as sheep.

MARLOWE: I don't know that answer.

TERRIE: I suggest we modify Section 10-323 "C" to say "sheep or any other domestic livestock and domestic animals". In Section 10-340 it only mentions "he", this needs gender control as the rest of the ordinance has gender control. Should be consistent throughout. All should be "he/she" not just "he".

BRAD: Section 10-314 "4", Vegetable waste is a part of compost.

MAYOR: The board would decide if the waste is a part of compost or just garbage.

BRAD: To understand correctly. We may have this ordinance but it does not have to be enforced? The board can make the final decision?

MARLOWE: In Section 10-314 "4" how about inserting "other than acceptable compost"?

TERRIE: Yes.

BRAD: Deemed historic when signed?

MARLOWE: This ordinance removes from active status out-dated ordinances, but that doesn't work to the detriment of the City. It enhances what we already have had with more effective language.

TERRIE: I think that "City Manager" should be removed from the ordinance.

MARLOWE: I will replace "City Manager" with "Inspector".

BRAD: 10-351 "B" states 30 days to remedy a problem regardless of size? Some problems won't be able to be resolved that fast.

MARLOWE: The Council can authorize additional time if necessary.

TERRIE: The Inspector can authorize 30 days to fix the problem even if the Council only authorizes 10?

MARLOWE: The inspector needs some authority.

TERRIE: 10-358, can the \$99.00 be changed if necessary?

MARLOWE: An ordinance can be passed updating specific sections of any ordinance.

BRAD: Is a renter or landlord responsible when a problem occurs?

MARLOWE: Pursue all, corporation, landowner, renter. Cite all parties and let them resolve the situation amongst themselves.

TERRIE: Smithfield's ordinance has been upheld legally, correct?

MAYOR: Yes.

TERRIE: This ordinance is necessary. I like the idea of having a board to resolve the issues.

MAYOR: Should there be three or five board members?

BRAD: At least five, so the group is more diverse.

TERRIE: Five.

MARLOWE: The ordinance must be passed before discussion on appointing a board can be made.

A motion to approve Ordinance 2007-3 "An Ordinance Establishing a Uniform Chapter 10-300 to the *Code of Revised Ordinances of Richmond (1975, Adopted 1976)* Entitled "Nuisances" as amended was made by Terrie, second by Leslie and the vote was unanimous.

TERRIE: Please send each Council member a copy of the revised ordinance.

FLAG PRESENTATION

MARLOWE: Randy Tripp has donated this flag, which was flown in Afghanistan on Veteran's Day of 2006, to the City. I felt it appropriate to have it placed into the "shadowbox frame" before being presented to you and displayed.

MAYOR: Send a letter of thanks to the Tripp family from the Council.

IMPACT FEE PRESENTATION

DAREK KIMBALL: Emily Sim from Public Sector Economics has prepared a presentation on Impact Fees for Richmond City.

EMILY SIM: I will be speaking in regards to Impact Fees, not Hookup fees. I have prepared a Water Impact Fee Summary as required by the State of Utah. Certain assumptions had to be made to calculate this information. One is that there are 700 current hookups and they are considered single family dwellings. Per Marlowe, I assumed also a 3.5% growth rate. It is better to use a high rate of growth than a low rate in these calculations. New users use excess capacity and require new facilities. The proposed new water tank will be 27% for current users and 73% for future users. In the proposed fee it can include the cost of the analysis, engineering and the master plan. Impact Fees should be evaluated every five years. I have to make sure in my calculation that new users are not being double charged through impact fees and property

tax, Richmond does not have this problem. My recommended amount for the water impact fee is \$4,214.00. This is the maximum you can charge, it can be lower but the City would be subsidizing the difference. Some cities will do this to encourage growth.

MARLOWE: None of our property tax goes to the water or sewer enterprise fund.

DAREK: Hookup fees have nothing to do with impact fees. These are the hard costs if the city does the work. This does not apply to subdivisions as the contractor usually does the work. Brass and copper have increased immensely in price recently and hard costs have increased significantly as well. The hard cost for a bore option sewer hook up is \$4,298.02 and \$3,770.42 if an open cut hook up. The city currently has a sewer hookup fee of \$1,278.00. As you can see the city is absorbing a tremendous amount on each of these hookups. I have calculated hard costs for water hook up fees for ¾”, 1”, 1 ½”, and 2”. They are as follows:

	Bore	Open Cut
¾”	\$3,535.89	\$3,806.29
1”	\$3,726.23	\$3,996.63
1 ½”	\$4,487.29	\$4,757.69
2”	\$5,311.56	\$5,101.96

The city currently charges \$1,257.00 for a ¾” water hookup. The city can adopt the proposed fees or reduce the price, but any reduction means the city is subsidizing that water hook up. Subdivision hook ups would just be charged for the meter and the man hours to install it. I would like Ben and Rob to evaluate these numbers to make sure they agree with the information I am including.

MARLOWE: AQUA Engineering is recommending \$5,500 for the Sewer Impact Fee. These reports prepared by Darek and Emily from J*U*B Engineers are very well put together and hard to dispute any of the information within.

MAYOR’S REPORT

MAYOR: I visited with Daren Duersch from UDOT regarding the recent speed limit inquiry. It is a mandatory test conducted by the State of Utah since the speed limit is different at the border. Our speed limit is 55mph and the Idaho side is 60mph. They are not evaluating changing the speed through Richmond at all but are looking between Smithfield and Richmond and Richmond and the Idaho border.

MARLOWE: I want to point out an issue that occurred in the Community building at a Christmas Party. We have this particular type of chair that when the hand pushes on the rear part of the seat that the chair collapses. This person at the party pushed on the rear of the seat top and the chair collapsed and that person fell to the ground.

BRAD: I might be able to get 200 chairs per year that are safer than the current chairs. I will check into this possibility.

MAYOR: On 600 South between the Bob Christensen residence and Curt Kidd residence there is a two lot subdivision. The previous owner was approved for this subdivision and then it was sold to the current owner. I would like to explore the possibility of passing an ordinance that

states when something like this is approved and sold that the new buyer must start the process over and go through Planning & Zoning all over again. There were six applicants for our part-time help employment position. We will begin the review process and would like to have the new person hired so they can start around the start of April. Smithfield City has an old street sweeper. They are purchasing a new one and were going to get paid \$500.00 by the company they are purchasing the new one from. They are willing to sell the sweeper to us for \$1.00 plus they would like us to purchase the new brushes they have for the sweeper at a cost of \$894.60. Ben and Rob have looked at it. We do not have the funds to fix it in this budget year. It would have to be something that is repaired at a later date.

MARLOWE: It needs a hydraulic motor. This unit is self propelled. Estimated usage is 5–8 years. The estimate to repair the sweeper for parts only is around \$11,000.00, the hydraulic motor is about \$8,300.00 of that cost.

TERRIE: How wide is the sweeping path?

MARLOWE: About 10-12 feet. A new sweeper is around \$100,000 according to Smithfield City. The average cost of a used one is about \$25,000.

MAYOR: I received a letter from the Logan City Police Department in regards to the 911 Call Center. They answer approximately 600 calls per day of which about 20% or 911 calls. This equates to about 40,000 911 calls per year. The number of dispatchers has increased from 10 to 22. Logan City just wants us to know that they are taking the necessary steps to keep up with demand. Received a thank you letter from Louise Mendenhall. The EMT's recently responded to a carbon monoxide detector at her residence and she wanted to thank us for their service and patience with the situation. Stevens Henager is offering a scholarship to a Richmond City resident again this year. Need to get RAPZ tax ideas immediately. I have visited with Kip Panter about the possibility of helping the Richmond City Cemetery District submit a RAPZ tax application. They are needing funding for a new maintenance building as well as bathroom area. The Cache County Sheriff's Office is celebrating their 150 year anniversary and will make a short presentation at the next Council meeting. Animal Control through Cache County and John Hester will be discussed at the next meeting and a decision will need to be made. At the last meeting we discussed the water line and road issues in Hill Haven. We need to put off any major repairs in Hill Haven for the immediate future and only make the necessary repairs. With the new sewer system and other items, there is not enough money to make such a big project like the water lines in Hill Haven anytime soon.

KEITH: The problem with the Hill Haven roads is that they have such a poor base. PAVAS has told me that we could save some money if we haul off the debris from the roads when the time comes.

TERRIE: Only do the minimum until the problem can be completed properly.

KEITH: We don't have to do anything.

MARLOWE: There is some patch work that needs to be done on 470 South.

MAYOR: Please make sure to insert information on the Nuisance Ordinance that was passed tonight into the March newsletter.

TERRIE: The Nuisance Inspection board will be elected or appointed officials?

MAYOR: We can put it in the newsletter as well as use input from the Council. The Voice of the City for the next month will be Janice Swendsen, she will discuss the Youth Council. The

business spotlight will be the Ferret Cubby in February and the Rock Hill Creamery in March.

TERRIE: I am concerned that a water board may have too much power.

MAYOR: We need representation since there currently is not any. I like the idea of elected officials since this will result in tax being charged.

TERRIE: Elected entity.

MAYOR: There should be equal representation from the North and South ends of the valley as well as Logan. I did receive a thank you letter from one of the Sub for Santa families. This is a tremendous program and I am glad we are a part of it.

TERRIE: The Historic Preservation Committee is doing some archiving and may see if we can get help from a USU intern as this is a much bigger project than anticipated.

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

Airgas	56.37
Al's trophies	140.15
AT&T	120.36
Atco	147.70
Bair Auto	2433.59
Bear River Health	80.00
Bluestakes	7.38
Cache Service Area	15506.08
Cache Valley Mayors Assoc	260.00
Cantwell Bros	42.21
Chevron	142.76
Christensen Construction	123.00
Coats Rooter	800.00
Denny's	29.90
Ecosystems	90.00
Holophane	274.70
IPACO	222.03
JUB	5783
Les Smith Construction	1870.00
Lyn Distributing	170.65
Maverik	430.15
Mountain States Waterworks	155.47
Nextel	188.96
Nick Rawlins	66.63
North Cache Vet	23.00
Olson & Hoggan	315.00
Patricia Forsgren	40.84
PC's unlimited	19.95
Peterson Allred Jackson	1400.00
Peterson Plumbing	142.48
Poster Compliance Center	158.00
Postmaster	160.00
Questar	2720.05

Qwest	442.32
Rocky Mtn Power	2960.43
Sagebrush	48.90
Sign Pro	2682.00
Smithfield Auto	1802.25
Smithfield imp	36.60
Staples	139.46
Thatcher	1958.20
The Herald Journal	227.85
The Home Depot	79.33
The Video Store	29.35
Theurers	260.92
Utah League of Cities & Towns	703.05
Utah Local Gov. Trust	2183.80
Visa	125.00
Waldenbook	240.79
Wilson Motor	53.96
WR White Supply	349.60
Xerox	240.76

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

Adjournment at 10:10 P.M.

Michael E. Hall, Mayor

Justin B. Lewis, Recorder