

**RICHMOND CITY COUNCIL**

**October 16, 2007**

The regular meeting of the Richmond City Council was held at the Richmond Community Building located at 6 West Main, Richmond, UT on October 16, 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, Leslie Erickson and Terrie Wierenga. Allen Lundgreen and Keith Ward were excused.

\*\*\*A motion to accept the June 26, 2007 special City Council meeting minutes was made by Terrie, seconded by Brad and the vote was unanimous.\*\*\*

\*\*\*A motion to accept the September 18, 2007 City Council meeting minutes was made by Leslie, seconded by Terrie and the vote was unanimous.\*\*\*

**FINANCIAL REPORT**

**JUSTIN:** Chris gave me an invoice this week from UDOT for \$50,755.64. It shows a beginning balance of \$90,755.64 less \$40,000.00 deposit with a net balance of \$50,755.64. After discussing with the Mayor and Marlowe, we are not sure if this is owed or not. Until this matter can be reviewed further, all budgets will need to be frozen and additional expenses put on hold until this is resolved. Marlowe said there was an agreement with UDOT in regards to this matter, reached several years ago. We are going to find that agreement and see what the terms were, as well as the agreement between Richmond City and UDOT. This was very unexpected and we have not been able to confirm with Terrie or Leslie about this past agreement as well. The invoice is in regards to culvert work done when the highway was widened last year. Chris has provided me with copies of two payments to UDOT for \$20,000.00 each. She is going to find the paperwork in regards to these two checks as it appears they were payments in regards to this project. I will provide the Council and Mayor with details on this as they become available. I would expect this is going to require a meeting with UDOT to provide some clarification on this matter. No new budget requests can be met at this time until this situation is resolved.

**MAYOR:** This has only been brought to my attention within the last two days and after reviewing with Marlowe and Justin over the last hour, I agree that this is the approach that we need to take until this is resolved.

**TREASURER REPORT**

**CHRIS:** The auditors will be here next week for the audit. We received four garbage cans at the park and only had to pay for one.

**MAINTENANCE REPORT**

**MARLOWE:** 100 South between 200 and 300 East, and 800 South between State Street and 100 East, have been graveled. The damage on 300 North will not be repaired until spring.

### **FIRE DEPARTMENT REPORT**

**BOB HUGO:** All of the calls we received in the last quarter were for wild land fires. There were 9 calls in July, 11 in August and 8 in September. So far in this budget year we have brought in an additional \$18,000.00 of revenue above what was budgeted for; so it is good for us to be on the plus side. We received a new laptop and desktop computer. We need to start submitting our reports on-line.

**NICK SANDERS:** Our current internet service is dial-up and it is very slow.

**BOB:** I believe the signal issue is a communication issue between the Fire Department Building and the City Office Building.

**MARLOWE:** The signal is good. It has been tested before.

**BOB:** There is a possibility for wireless service.

**MARLOWE:** It used to work but currently does not and I don't know why.

**BOB:** It needs to be resolved immediately. The new computers were given to us free of charge by SIMS. The internet is password protected. We are going to construct a classroom in the upstairs of the station as well as some offices. The materials for this project have been donated. We are also going to receive some equipment for the new truck free of charge from Cache County.

**MAYOR:** I would suggest that you have a meeting with Justin, Brad and myself in regards to the budget so we can make sure that we all have the same understanding.

**BOB:** The new engine is five months behind schedule. It is due around the start of 2008. Cache County will be providing approximately \$30,000 – 40,000 of equipment free of charge for this truck.

### **EMT REPORT**

**NICK SANDERS:** In July, we responded to 11 calls. The calls consisted of a burn, breathing, a possible suicide and a 1050 to mention a few. In October we have responded to two to three calls so far this month. The new computers are making it much easier to do the required paperwork. We received a pediatric backboard from the State of Utah at no cost. The defibrillator will be out of service by the end of the year. Amber Olsen and Stacie Spackman are in the trial period of joining the EMT program. We need more help during the day time.

**TERRIE:** Do you have information on the mass casualty drill that is occurring on Thursday?

**NICK:** Colton Larsen is in charge. It will start around 6:00 P.M.

**TERRIE:** All CERT members should attend.

## COURT REPORT

### JUDGE SKIDMORE:

Number of Case Filed            151

#### State Revenue

    Surcharge            \$2,794.21

    Court Security \$1,791.40

        Total    \$4,585.61

City Revenue                    \$8,301.39

Total                            \$12,887.00

The grant that we applied for; a new P.A. system has been approved. Juliene will be attending a conference next week to fill her hours requirement. The third quarter was slower than the second quarter which is a good thing. We were within a few cases of having to be reclassified from a number four to number three court system.

## STREET CONDITION UPDATE

**NORTON THURGOOD:** The progress report that I have supplied shows 2006 proposed treatment as well as actual treatment. The assessment is by city block. The back of the report contains the 2007 proposed and actual as well. In 2006, it was proposed that 41,085 square yards of chip sealing be done, 28,547 were actually done. Proposed crack sealing was 10,995 and actual ended up 12,071. The cost of the 2006 treatments was \$64,749. Please review the actual year end condition assessment report. We started with condition rating of 68.98 and at the end of the year it was now 73.59, a 4.61 increase. That is a very good increase and proof that the system is working. For 2007, it was proposed that 21,682 square yards of chip sealing be completed and actual was 29,865. I believe that number seems low and will double check this report. We did not have any crack sealing planned in 2007 but actually did 15,998 square yards. This was done due to the change in treatment at 470 South. We are now on target with our chipping by year and actually did some of the 2008 proposed treatment areas in 2007. Slurry seal in 2007 was proposed at 5,884 and actual was 12,293. The 2007 assessment index climbed from 73.59 to 74.48, a 0.89 increase. My organization also oversaw the road work that was done at the cemetery as well. In 2008, armor coating, and rejuvenation are some of the items needing to be completed. I think the Council needs to consider from Main Street to 300 East doing a slurry seal rather than a chip seal. To do slurry seal would cost approximately \$4,000 more than the chip seal for that area. Slurry seal is basically a chip seal plus an additional layer. This area is showing high stress levels. An overlay in this area would cost approximately \$52,000. Reflective cracking is not showing on 200 North or 300 East so that is good and has saved a bunch of money in those areas. I would consider using thicker oil and bigger chips in the area from Main Street to 200 West.

**MAYOR:** I feel that 470 South turned out very well.

**BRAD:** Why are some of the negative numbers in this report?

**NORTON:** That means roads are getting worse. Drainage issues are the number one issue for road damage.

**BRAD:** So we need to get a road grader and remove the road edge?

**NORTON:** Yes.

**BRAD:** Is that something you do as part of your plan or is that our responsibility?

**NORTON:** That is something you will need to arrange.

**MAYOR:** We will bring Keith up to speed on your report and discuss getting a road grader to take care of the road edge.

**NORTON:** The problem with the grader is that the operator is not aggressive enough. I am even guilty of this. There needs to be a definite edge when complete.

### **CHERRY CREEK HEIGHTS THIRD PHASE**

**BRENT WEBB:** I have brought all of the engineering plans for review this evening. Let me know what questions you have.

**TERRIE:** What about weed control on the open spaces?

**BRENT:** The homeowner's association is responsible but I am going to take that area behind Phase 1 and make a park. I will put in a sprinkler system, lawn and some decorative boulders. Then I will turn it over to the homeowner's association and they will be required to maintain it.

**BRAD:** What about the 500 North road?

**BRENT:** That area was approved for multi-family. I have decided I don't want to be a landlord. I would like to bring this back to the Council at a later time and have them consider senior housing in that area as opposed to the multi-family. I would like to put in the 500 North road now. I have heard that the cemetery is thinking of putting bathrooms and a work shop in the hayfield next to that road. I would like to ask the cemetery about making a water and sewer hook-up now before the road goes in. There is a total of 21 units in Phase 3.

**MAYOR:** I like the idea of senior housing and believe it should fit into that multi-family designation. This is something we will check into as well.

**BRENT:** I would like to do the road work in Phase 3 as well as 500 North this winter but it will all depend on the cost. To clarify, the 500 North road that we are talking about is to go from the end of Cherry Creek Parkway to 300 East 500 North intersection.

**BRAD:** 500 North is the responsibility of who?

**BRENT:** I am responsible. It was part of the original deal of this subdivision.

**BRAD:** You are aware of the new construction standards that have been approved since the approval of Phase 2?

**BRENT:** Yes. The only major difference I see is in the road requirements.

**DAREK KIMBALL:** How many lots are served by that main road?

**BRENT:** Thirty-one currently with an additional 21, which is in Phase 3.

**DAREK:** If there are more than 35, two roads are required for fire related issues.

**BRAD:** What about the irrigation water shares being transferred from Phase 2?

**BRENT:** I will have them transferred by December 31, 2007. I will also be coming back before the Council with a proposal on the senior housing.

**BRAD:** How many total phases in this project?

**BRENT:** Seven.

**MARLOWE:** Just a reminder that this subdivision was approved back in 2000.

**TERRIE:** I want Darek to review this.

**BRENT:** I agree, I think he should review it as well.

**BRAD:** Are there street lights in Phase 3?

**BRENT:** Yes. I may also have to put some in the end of Phase 2 as it is very dark at night in that area.

**BRAD:** I want to see the 500 North road west of 300 East completed as part of Phase 3.

**BRENT:** I agree and will visit with the cemetery about water/sewer hook-ups.

\*\*\*A motion to accept Phase 3 of the Cherry Creek Heights Subdivision Final Plat with the conditions that Darek Kimball review and approve, irrigation water shares from Phase 2 be turned over to Richmond City by December 31, 2007 and the road from the end of Cherry Creek Parkway to the intersection of 300 East 500 North be completed by the end of construction in Phase 3 was made by Brad, seconded by Terrie and the vote was unanimous.\*\*\*

## **BUSINESS LICENSE**

### **BRAINS MEDIA, LLC**

**MICHAEL REIS:** I would eventually like to operate a graphic design firm. Right now it is just myself at my residence. All of my current clients are from out of state. I do the work via e-mail. No sign or parking needs.

\*\*\*Approved by Council\*\*\*

## **CITY OF WREATHS**

**NANETTE MILLER:** I would like to propose that Richmond become the City of the Wreaths. Other local cities are like this and have a specific designation like City of Trees. This is just a theory where neighborhoods come together and make wreaths for the light poles. We could advertise this on the website. It would be a great service project. I have looked and we could hang the wreaths and flags at the same time.

**TERRIE:** Maybe something like Adopt-A-Wreath or Pole.

**NANETTE:** Good idea.

**MARLOWE:** There are some outlets on the light poles.

**MAYOR:** I like Terrie's idea. Let's put in the newsletter and see what type of response is generated.

**NANETTE:** After they are made, who would install them on the poles?**MARLOWE:** We need to make sure that the poles are not damaged and our city workers will install.

**TERRIE:** Maybe they could be hung such as a banner, then wreath, banner, etc. Let's get in the next newsletter. There are not any funds in the budget for this, Nanette.

**LESLIE:** The wreaths will need to be very sturdy, we don't want the snow to ruin them.

**MAYOR:** They will need to be a standard size that will fit between the cross bars. They would be installed after Thanksgiving. We need to know if this project is going to happen or not within the next two weeks so that we can plan accordingly. There would need to be a minimum of six wreaths to make this worthwhile.

**LESLIE:** Size restrictions?

**MARLOWE:** They must fit between the existing banner crossbars.

### **ORDINANCE 2007-5**

**MAYOR:** The State Tax Commission just realized that the transit sales tax was lowered when the sales tax on food was changed by the Legislature in the 2007 session. We have the option to increase the rate from .0025 to .003. After discussing this item with several people, I would propose we keep the existing amount of .0025. This ordinance is just reinstating an existing ordinance.

**MARLOWE:** If this ordinance is passed, there would be no lapse in this tax. It would continue on January 1, 2008. If not passed, then it would stop on December 31, 2007. As you may note from the information in your packet, the CVTD is taking a 0.005 hit because of the type of food not being taxed; however, as also noted you can revisit this issue to ensure that the CVTD is held harmless after the results of the November 6<sup>th</sup> election are in.

\*\*\*A motion to adopt Ordinance 2007-5, AN ORDINANCE ESTABLISHING A TRANSIT SALES TAX WITHIN THE CITY OF RICHMOND, UTAH, OF ONE-QUARTER OF ONE PERCENT (0.25% OR 0.0025) TO BE DEDICATED TO CACHE VALLEY TRANSIT DISTRICT, was made by Brad, seconded by Leslie and the vote was unanimous.\*\*\*

### **CURRENT BUSINESS LICENSES**

**MAYOR:** In your packet is a current listing of all business licenses in the City. It shows which ones are paid and unpaid. I would like everyone to review this list and come back with questions for the next Council meeting. We need to find out if the ones that have not paid are still in business and find out why they have not paid.

**JUSTIN:** Just a reminder that all of these licenses expire on December 31<sup>st</sup> and will all need to be renewed again in 2008.

**MARLOWE:** In 2000, Dairy Products sued Wellsville City. It went to the Supreme Court and Wellsville prevailed. If any of these licenses are to be challenged we need to follow the proper procedures established by that case.

### **2008 RAPZ TAX**

**MAYOR:** The RAPZ tax money that is received is for a specific allocation. Last year we used these funds to upgrade the bathroom facility at the park and to construct the new American

Legion hamburger stand. I would like to use some of the funds to repair the damaged asphalt in the ball diamond area.

**BRAD:** What is better for foot traffic, asphalt or concrete?

**DAREK:** Concrete will last forever, small sections of asphalt are very expensive and hard to get the work done properly.

**MARLOWE:** Asphalt gets weeds and cracks as well.

**BRAD:** I really think we should consider replacing with concrete.

**MAYOR:** Let's get some bids for this project.

**BRENT WEBB:** It would be very hard to access that area with a paving machine. Concrete would be much better in that area and it will last forever.

### **COUNCIL MEMBER REPORTS**

**BRAD:** The Fire Department will be losing the old green truck when the new truck arrives. The old green truck will be given to Hyde Park City.

**NICK SANDERS:** We were going to construct a training room in the upstairs but there is a bunch of stuff up there that belongs to the Lion's Club.

**MAYOR:** Brady Christensen is the president. Please contact him and get it removed or relocated.

**NICK:** I will make those arrangements.

**BRAD:** In order for the quonset to be utilized, drainage issues would need to be resolved, a new door installed, and the building insulated and heated. As for sewer, I am not sure of the speed of this project. Brad and Angela showed the Mayor, Marlowe, Terrie and myself the design of the building. It is very nice building and has the look of a barn. Very few people will realize it is not a barn. We will finally be able to see the detailed engineering of this project. We have two copies if anyone wants to review the plans. Some small changes have been requested but nothing major. We are still behind schedule.

**MAYOR:** Darek, Marlowe and myself will be evaluating the water system soon.

**BRAD:** There is one open complaint with the nuisance board. We attempted to contact via registered mail and this has failed. The timeline to fix the problem is 60 days and winter is approaching. The notice will need to be redone since the project cannot be cleaned up in the winter.

**LESLIE:** Justin, please let Gail Alvey know how much money is in the War Memorial Fund. There is a Youth Council open house on Saturday at 1:00 P.M. Janice may have to leave to honor another commitment. Can anyone help if she has to leave?

**BRAD:** I can help if needed.

**MAYOR REPORT**

**MAYOR:** Any preference on logo options for the City? There are several in the League of Cities and Towns book that we can choose from.

**TERRIE:** I would prefer something simple.

**MAYOR:** Let’s discuss further at the next meeting. I will be discussing some wastewater flow issues on the north side of town with Darek to see if there is a problem or a potential problem.

**DAREK:** I will review. There is a choke point in the sewer system by the railroad tracks that I need to evaluate. The variance is 200-800 homes.

**MAYOR:** Jeff Gittins recently wrote an article that was published in *The Herald Journal* in regards to the City Manager position. I want to be very clear and let everyone know that Richmond City is not on a Manager by Ordinance system. Other cities might be but we are not. In Richmond, the Mayor and Council are in charge, not the City Manager. I appreciate the service that Marlowe does for the City each and every day. I am in constant contact with him and he is a valuable asset to the City.

**MARLOWE:** Concerning the State Legislature, Howard Stephenson recently had a proposal that was shot down. He wanted the Mayor’s position to be nothing more than a ceremonial position.

**TERRIE:** I suggest that we put something in the newsletter about the Mayor and Council being in charge not the City Manager.

**MARLOWE:** I was hired in 1999 by the Council. I have no contract or agreement.

**BRAD:** This is a title problem for Richmond. Nothing else.

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

Ace Industrial	565.60
AG Truck	1859.27
Allen Rock	466.84
Allied Insurance	118.00
Bear River Health	40.00
Ben Lundgreen	80.00
Bluestakes	21.21
Cache Co. Corp	1734.00
Cache County Service Area	16,782.60
Cache Valley Tire	1,586.90
Cantwell	76.86
Civil Air Magazine	245.00
Concrete Jacking	1,280.00
Consumer Reports	26.00
Denny's	113.45
Ecosystems	90.00
Ferguson	4401.38
Gall's	178.97
Geneva Rock	11655.50
Hach	202.05

Hall Oil	1243.30
Ipaco	8.40
IPACO	47.25
J. P. Cooke	81.90
K&B Service	326.46
Large Print Overstocks	28.40
Laser Precision	37.98
Lee's	330.98
Lora Smith	31.70
Lyn Distributing	123.84
Maverik	234.97
Modern Display	308.33
Mountain Magic Sports	47.53
Mountain States Waterworks	3,765.51
National Battery	258.20
Nextell	90.61
North American Salt	5,996.95
North Cache Vet	229.00
Olson & Hoggan	777.00
PavAs	3,696.09
PC's Unlimited	19.95
Pizza Villa	37.12
Postmaster	148.00
Questar	99.01
Qwest	402.58
Rocky Mountain Power	5,184.62
Sinclair Fleet Services	94.65
Six States	139.17
Smithfield Auto	440.91
Smithfield Imp	289.75
Sprinkler Supply	334.32
Staker Parson	502.90
Standard Plumbing	352.43
Sunrise Environmental	500.87
Tamara Hardy	130.00
Thatcher	1,409.12
The Herald Journal	147.00
The Home Depot	93.78
The Library Store	12.58
Utah League of Cities	60.00
Utah Local Governments Trust	1057.59
Utah Municipal Clerks Assn	100.00
Valley Office Systems	35.19
Visa	1110.37
Waldenbooks	391.05
Watkins	210.90
West Circle Books	156.27
Wheeler	1203.00
Work Med	43.00
Xerox	242.56

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

Adjournment at 9:15 P.M.

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Michael E. Hall, Mayor

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Justin B. Lewis, Recorder