

**RICHMOND CITY COUNCIL**

**JULY 15, 2008**

The regular meeting of the Richmond City Council was held at the Richmond Community Building located at 6 West Main, Richmond, UT on July 15, 2008. The meeting began at 7:00 P.M. Mayor Michael Hall was in the chair. The opening remarks were made by Justin Lewis.

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

\*\*\*A motion to accept the June 17, 2008 City Council meeting minutes was made by Terrie, seconded by Keith and the vote was unanimous.\*\*\*

\*\*\*A motion to accept the June 30, 2008 special City Council meeting minutes was made by Keith, seconded by Allen and the vote was unanimous.\*\*\*

**DEPUTY REPORT**

**DEPUTY CARLEY:** It has been a busy summer so far, nothing harmful or dangerous though. Several animal related complaints. Stray dogs and not properly licensed dogs are the majority of the problem.

**MAYOR:** The City party is on September 6<sup>th</sup> and you and your colleagues are invited, please let them know.

**DEPUTY:** What time? Where?

**MAYOR:** 6:00 P.M. at the City park. It would be appreciated if you could request that S.W.A.T. and the Neighborhood Night Out unit to attend. We appreciate your service to the community.

**QUARTERLY COURT REPORT**

**JUDGE SKIDMORE:**

Number of Case Filed	152
State Revenue	
Surcharge	\$3,770.44
Court Security	<u>\$1,459.20</u>
Total	\$5,229.64
City Revenue	\$10,238.72
Total	\$15,168.36

As you can see by the report there has been a significant increase in cases. Right now we are a Class 4 court, which is 0 to 60 cases per month. At the current rate we could be heading towards a Class 3 court. From July 1<sup>st</sup> through 15<sup>th</sup> there have already been 51 cases.

**MAYOR:** What is the timing period that they look at in regards to case load?

**JUDGE:** I don't know. I am not sure if the increase is due to more patrolling but there are several more serious crimes. This has resulted in significant increase in workload. I assume you have seen the letter that was received in regards to finding my replacement down the road. It discusses the new process and I can give you a copy of the letter/information that I received as well. My information includes salary comparisons and down the road the salary for the Judge will cost the City significantly more. As the workload has increased, the expenses have as well. The Public Defenders that must be hired when a person cannot afford an attorney are hired on a billable hour's basis rather than per case as most cases are settled before it goes to court. The more cases we have the more expense we incur. I have had some people request community service in lieu of having to pay the fines. So if you have someone available to watch these people and projects for them to do let me know.

#### **MAINTENANCE REPORT**

**MARLOWE:** We got the white truck back today; it is registered and finally operational. We were supposed to fix pot holes last week but the only mix that is available right now is a UDOT mix and it is too heavy for our purposes. We need a different mix. The men are very busy right now.

**MAYOR:** There are several water leaks that are in the process of being repaired. I know I have received several calls regarding the pot hole issue so please pass the information along that we are waiting for the asphalt to become available. This is not something we can control. Raw materials are very hard to get this year.

**TERRIE:** I have received three of those same type of complaints recently as well.

#### **FIRE DEPARTMENT & EMT REPORT**

**BOB HUGO:** We responded to 15 calls and 8 had false alarms. False alarms are when we are called in but for whatever reason turned around before we can respond to the scene. We have recently staffed some local stations for mutual aid. It makes us feel good to do this as it shows we are trusted by others to help. Four or five accidents were responded to by us. One of them was at my residence. There have been four minor grass fires. The fire at the gun range could have been large but Ben responded in a hurry and got it put out before it got out of control. Our response time is excellent. We responded to a call at Pepperidge Farm which was an entrapment call. A person was trapped in some equipment. Normally once a year we do some training of this nature at that location and it is always a great drill. The person was trapped in some equipment and was removed without incident. I am glad to see the plan worked. The EMT's received several medical calls; there was one week where there was a call every day. We have some new people going through EMT and Fire training. On August 3<sup>rd</sup> through 5<sup>th</sup>, I will get to see the new fire engine. It will be 99% finished. We will see if we want any changes and it will be finished and delivered. We want it delivered as once we take delivery everything then becomes our expense. There was an issue where a department went and picked up a new engine

and it broke down on the way home, the department had to stand the cost of the repairs as they had received the engine. We don't want anything like that to happen. I am excited to see it. We did receive four SCBA's from Cache County.

**BRAD:** Are the pagers still on backorder?

**BOB:** They are still on backorder. The turnouts are on backorder as well. I have been told that there is a two month backorder on SCBA's as well.

**MAYOR:** We appreciate your service and cannot afford to pay the value of the service that you offer to the community.

**CITIZEN CONCERN ABOUT POSSIBILITY OF HAVING "CHILDREN AT PLAY" SIGN INSTALLED IN CHERRY CREEK HEIGHTS PHASE 2.**

**ANNA MARIE ISAACSON:** We (Anna Marie, Stacie Spackman, Lacy Abbott) would like to see about the possibility of getting a "Slow, Children at Play" sign in our neighborhood or "Children at Play". There are several children in our subdivision and people are always speeding through.

**MAYOR:** Where would you like the sign?

**ANNA MARIE:** In the second phase of the Cherry Creek Heights P.U.D. on the north side of the road entering the subdivision. We would be happy with one sign there and possibly a second sign at the bottom of the road but right now the road dead ends.

**BRAD:** Does Brent Webb have any obligation?

**MAYOR:** No.

**MARLOWE:** It is our street, our responsibility.

**BRAD:** I think the sign is a great idea.

**KEITH:** What other signs are in that area?

**JUSTIN:** There is a stop sign leaving the east side of Sunburst Lane; another at the bottom of Sunburst Lane as well as one on the corner of 300 North and 500 East for traffic going north to south and a yield sign on that corner for traffic going south to north or east.

\*\*\*Approved by Council to have "Children at Play" sign installed in Cherry Creek Heights P.U.D. second phase.\*\*\*

**MAYOR:** Stacie (Spackman) please contact Marlowe in a week or so to show him the location where you would like the sign installed.

**RESOLUTION 2008-3**

**MAYOR:** Elaine Ward attended the June City Council meeting and informed us of the possibility of joining in the North Cache Historic Scenic Byway project. The byway through Richmond would be the highway from Pepperidge Farm to Maverik and then west towards Trenton.

**TERRIE:** I think it is a good idea. If we agree to participate in the process we can pull out at anytime if for some reason it is not desirable. There is the possibility of more historic funding if

we join. There could be some sign issues but UDOT is as restrictive as the byway regulations would be. We would be listed in some tourism brochures as well.

\*\*\*A motion to adopt Resolution 2008-3, A RESOLUTION TO PARTICIPATE IN THE PROCESS TO DESIGNATE THE NORTH CACHE HISTORIC SCENIC BYWAY, was made by Terrie, seconded by Keith and the vote was unanimous.\*\*\*

#### **RESOLUTION 2008-4**

**MAYOR:** During a recent review of the water/sewer monthly rates it was discovered that there is a clerical error in Ordinance 2008-1 which was adopted in February 2008. It stated the current rate at that time was \$26.00 per month for water service, the correct amount should have been \$25.00.

**JUSTIN:** All of the monthly billings have been correct and the \$1.00 increase was enacted on July 1<sup>st</sup> changing the rate at that time from \$25.00 to \$26.00.

\*\*\*A motion to adopt Ordinance 2008-4, AN ORDINANCE MAKING MINOR ADMINISTRATIVE ADJUSTMENTS TO ORDINANCE 2008-1 ENTITLED “AN ORDINANCE ESTABLISHING A MONTHLY BILLING AND RATE SCHEDULE FOR CULINARY WATER FROM THE RICHMOND CULINARY WATER SYSTEM WITH ADDITION CHARGES AUTHORIZED BY TITLE 14-000, CHAPTER 14-500 OF THE *CODE OF REVISED ORDINANCES OF RICHMOND (1975, ADOPTED 1976)*”, AND TO FORMALLY DECLARE HISTORIC CERTAIN ORDINANCES AND RESOLUTIONS RENDERED OUTDATED AND/OR OBSOLETE BY SUBSEQUENT ACTIONS PASSED AND APPROVED BY THE RICHMOND CITY COUNCIL, was made by Brad, seconded by Terrie and the vote was unanimous.\*\*\*

#### **BUSINESS LICENSE**

##### **SPORTS IMAGING OF UTAH, INC.**

**MARIANNE SMITH:** I would like a license to be able to take photographs during sporting events and of teams. All of the photo shoots would be on location. I would produce the photos at my house and then mail them or deliver them personally.

**TERRIE:** No film developing, all digital?

**MARIANNE:** No developing. It is all digital. Right now this company is located in Salt Lake and wanting to expand.

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

## **FINANCIAL REPORT**

**JUSTIN:** We are preparing for the upcoming audit of the just completed budget year. The audit will occur around November 3<sup>rd</sup>. The water monthly charge increased \$1.00 per month from \$25.00 to \$26.00 starting on July 1<sup>st</sup>. I have included the proposed wages for the City employees for the new budget year for your review.

### **Yearly Earnings**

Chris Purser	\$24,942.60
Justin Lewis	\$12,096.48
Ben Lundgreen	\$25,982.04
Robert Bair	\$30,706.08
Marlowe Adkins	\$27,162.36
Julienne Parrish	\$17,736.96
Judge Beth Skidmore	\$7,867.68
Mayor Michael Hall	\$2,400.00
Council member Brad Jensen	\$1,200.00
Council member Jeff Young	\$1,200.00
Council member Allen Lundgreen	\$1,200.00
Council member Keith Ward	\$1,200.00
Council member Terrie Wierenga	\$1,200.00
Fire Chief Bob Hugo	\$2,400.00
EMT Leader Nick Sanders	\$2,400.00

EMT/Fire Department Employees \$8.00 per call or drill  
Dumpster Workers \$8.00 per hour  
Jan Gilbert (Crossing Guard) \$383.20, per month when school in session  
Tamara Petersen (Crossing Guard) \$300.75, per month when school in session  
Tamara Petersen (Parks Worker) \$10.82 per hour, part-time basis

\*\*\*A motion approving the wages for the city employees for the budget year July 1, 2008 through June 30, 2009 was made by Brad, seconded by Terrie and the vote was unanimous.\*\*\*

### **CITY MANAGER REPORT**

**MARLOWE:** The D.U.P has gone through all of the historical materials. They have left a box in the office that they would like to get copies of the documents within. The rest can go to USU Special Collections immediately. Does Marie or Cheri need to get permission to make the copies?

**MAYOR:** Dan Miller is going to help them with this.

**MARLOWE:** I would like to see all of the other materials delivered immediately. As of right now they are just sitting in the office.

**MAYOR:** Let's make the donation now.

**TERRIE:** They normally like all of the items at once but they could start now with what we have. The D.U.P. has 60 days to get all of the copies made.

**MARLOWE:** Terrie, will you contact USU?

**TERRIE:** I think Jeff should contact Brad Cole at USU as this is his area.

**MAYOR:** We need to sign the contract in order to move forward. Do we all agree on this issue?

**MARLOWE:** There will need to be a motion to proceed.

**TERRIE:** USU will supply special collection boxes for the materials. It is a very simple process.

**MAYOR:** Terrie, please get the collection boxes. I will have Jeff speak with the D.U.P. about getting the copies done as soon as possible and let's move forward.

**TERRIE:** I will contact Brad to get the process started.

\*\*\*A motion was made allowing for the agreement between Richmond City and Utah State University Special Collections to be signed was made by Keith, seconded by Brad and the vote was unanimous.\*\*\*

**MARLOWE:** I have provided each of you with information showing building clearances for January through July 2007 and January through July 2008. In 2007, there were 24 new residences from January through July, in 2008 there are 10 new residences. As you can see and already know, building is slowing down considerably. It will continue to slow until the fire water flow issue is resolved.

**BRAD:** I appreciate this information and would appreciate it if you could supply it on a quarterly basis.

**MAYOR:** Building is slowing all over the valley. North Logan, for the same time frame just mentioned, issued 28 permits in 2007 and only 8 in 2008.

**MARLOWE:** An update on the MBR plant. I have met with Darwin Maughan, owner of Buzz Electric, about the transformer pad. Rocky Mountain Power is now requiring a vault. I am not sure if this is part of the original bid or will require a change order. Brad from AQUA will need to review and let us know. Dale Nelson, site director for Nelson Brothers, has brought to my attention that the ground is not flat as first thought. It had never been properly surveyed either. Cache Landmark Engineering was contracted and has got the area surveyed. A 22 feet deep trench was dug and amazingly there is no water. This will not require any pumping as anticipated and will save money and time. This will help to make up for the two weeks that we are behind schedule. As you will notice there is a hole in the sewer pond fence. This was made so that the trucks will go through the gate and then enter into the construction site. The head works hole has been dug and the MBR building hole will be dug next. There is still not currently a building permit. Cache County had a concern on how fires would be fought at the site where there is not currently any culinary water in that area. I have met with Assistant Chief Aaron Walker and County Fire Chief Gary Roberts about this issue and showed them how it is not practical to run an 8" culinary line to the site. There is a rock shelf that would make it impossible to run the current culinary line directly to the site in a straight shot for the west end of the current line. The line would have to go approximately two blocks north, then cross the railroad tracks and then come back south two blocks before it could continue west to the site. They have been very cooperative in helping on this issue. The action plan is to have the 5,000 gallon tanker moved to the site. We will have Bob see if it can be kept on the site or in the compound to the west. As soon as the new MBR system is functioning in 2009, we will draw down cell 2, then install a draft hydrant. It would be an 8" hydrant. The hydrant will need to be installed before freezing occurs in 2009. The effluent from the MBR plant will be pumped into Cell #2, which will be seven surface acres by six feet deep. More than ample supply to stop a fire if it occurs. During the winter, the tanker will have to be stored inside a building to keep from freezing. The scenario with the tanker must happen for us to obtain the building permit. We can hopefully have the permit by this coming Thursday at the latest. We need the permit so that the footing/rebar work can begin. We will also provide the hazardous material information that the county has asked for and they can review that data. The Cache County Fire Department has been very good to work with.

**BRAD:** Is Chief Hugo aware of the scenario with the tanker?

**MARLOWE:** Yes. One fireman will be designated to get the tanker as their first priority in the event of a fire at the MBR location.

### **CLOW FIRE HYDRANT USAGE**

**BRENT WEBB:** I am providing the tools for the Clow fire hydrants as promised. I would like it noted that I am donating these to the City. I have spoke with Joel Downs who sells the Clow hydrant and he says they are as good as the Mueller. Currently, the Mueller is allowed in the construction standards and the Clow is not. I have assembled/disassembled a Clow hydrant in the presence of Rob and Ben and showed them all the parts. Joel is available to help repair the Clow hydrants, that is a service that he offers, and I don't know of anyone that helps repair the

Mueller hydrants. I am in the process of getting a letter that shows the comparison between Clow and Mueller. They are basically the same unit. Currently, there are both Clow and Mueller in the City. If you have any concerns about the Clow; I would suggest calling Logan City as they are using the Clow hydrant. I know that Joel's preference is Clow and Mueller. I would like to see a change to the construction standards that allows for the use of Clow hydrants and states they are acceptable.

**TERRIE:** We already have some in use and they are acceptable. This is a no brainer.

**MARLOWE:** I would like to see it where the Clow are restricted to only subdivisions and those outside of subdivisions are Mueller. In that manner we will have clusters instead of scattered hydrant types.

**BRAD:** Brent and Brian have been very proactive on this and provided some great information. There are three hydrants in question and they are all in the third phase of the Cherry Creek Heights subdivision.

**MAYOR:** We need to update or manual to include these in the future.

### **PUBLIC HEARING ON POSSIBLE REZONE**

\*\*\*A motion to close the regular Council meeting was made by Terrie, seconded by Keith and the vote was unanimous.\*\*\*

\*\*\*A motion to open the public hearing was made by Terrie, seconded by Keith and the vote was unanimous.\*\*\*

**MAYOR:** Doug Gibbons presented the proposed zoning changes to the property at the June Council meeting.

**JUDGE SKIDMORE:** Where is this property?

**MAYOR:** The property is located from approximately 900 North to 10600 North (County) and State Street to approximately 800 East.

**MORTY JENKINS:** I have concerns about highway access. Right now the closest way to access the highway from that property and the Webb subdivision is 200 North and the (Gilt Edge) Mill road (11600 North, County). I think the City should consider other access points and will need to secure right of ways. There needs to be other access.

**JUDGE SKIDMORE:** What is the projection of the increase in population and the number of homes in that area?

**MAYOR:** There are no specific numbers at this time. All of that has to go to Planning & Zoning for approval.

**DOUG GIBBONS:** There are approximately 200 total acres of which we would like to see 111 acres low density and 20 acres medium density. There would be approximately 60 acres of open space.

**MARIANNE SMITH:** Have any proposals been seen or submitted?

**MAYOR:** No. The only thing presented is just the rezone only.

\*\*\*A motion to close the public hearing was made by Terrie, seconded by Brad and the vote was unanimous.\*\*\*

\*\*\*A motion to reopen the regular Council meeting was made by Brad, seconded by Terrie and the vote was unanimous.\*\*\*

### **COUNCIL MEMBER REPORTS**

**KEITH:** 100 South, 800 South and Rocky Point Road have all had the chip/seal work completed. There won't be any more chipping this year as the raw materials are not available. In speaking with Norton, the road that runs on 200 South from 200 West to 400 West could be repaired using the chip/seal funds.

**BRAD:** On that road, UDOT already did approximately 200 feet of the road as part of the widening project. It would sure be nice to extend the road work from 400 West all the way to the Maintenance Shop.

**KEITH:** There will not be any crack sealing or slurry seal this year as well because of the lack of raw materials. As for the new sidewalk from Maverik to the Marvin Traveller residence we are still waiting on UDOT approval. Robert Murray is going to remove the tress from that area as well as the dead trees in the park. **MAYOR:** I have visited with Nathan Petersen from UDOT about the sidewalk. He is new to this position and this project got lost in the transition to Nathan. I think it will move forward now that he is in charge and aware of it.

**TERRIE:** We recently had the Library summer appreciation party. It is time for new officers and it was decided to leave everything as it currently stands. Everyone is staying in their same position. They are all doing a great job. There are four new EMT trainees and three fire fighters receiving EMT certification. They are well trained. As the Mayor has stated, we cannot pay them what they are worth. The CERT group meets on the third Thursday of August. Some brochures are being developed. There are 20 to 24 citizens that have had some type of CERT training. The CERT team aides in the face of a disaster. We meet once each month and go through various drills. We are in the process of purchasing some emergency kits.

**MAYOR:** The Utah Local Governments Trust has sent us an article in regards to hiring youth summer help. It shows some of the regulations in regards to hiring youth the age of 14 through 17. Rules are very restrictive for 14/15 year olds and not as much for 16/17 year olds. It explains in detail what 16/17 year olds are allowed to do as far as driving vehicles and equipment. Recently, we received the results of the Utah Local Government Trust safety inspection. There are no repeat offenses, overall it is a good report. There are some items we need to update and others that need to be reviewed.

**MARLOWE:** There are some suggestions that are not feasible such as jetting the sewer lines annually. That is just not financially possible. I am not sure how to respond to that item. The safety posters have arrived. The hand rail at the Maintenance Shop and Fire Station will be resolved soon. There are two separate issues for the boards on the seats of the bleachers. One is for the bleachers outside and the other is for the bleachers located under the roof. They are deteriorating and need to be replaced. This could be a good Eagle Scout project. The cover on the chlorinator has been repaired. Coincidence that all seven tanks were at the chlorinator. Only enough for three to be chained and allowed in that area. We just had not got them moved after they were delivered and the inspector noticed. The water heater needs restrained in the fire

station. The high shelving in the maintenance shop needs to be anchored to the wall. I will order the necessary signs. The eye wash assembly has been mounted in the disinfection shed.

**MAYOR:** Senate Bill 72 goes into effect on July 1, 2009. It sets the new standard for Judge salaries based on case load management. The State will dictate the wage of Judges and court workers. The process of how a Judge is nominated will change drastically as well. The third change is a conversion to the CORIS software database. The state will help in this process but we will be paying considerably more for a judge in the future.

**JUDGE SKIDMORE:** We are already using that software system, we upgraded to it with some grant money.

### **COUNTY WIDE LIBRARY PROPOSAL**

**JAY MONSON:** I am the chairman, since January, of the committee that is looking to see if it is feasible to have a countywide library system. We meet on the 5<sup>th</sup> Tuesday of those months that have five. Tami Pyfer, Kathy Robinson, Brian Chambers, and Craig Petersen are also on the board. 75% of Utah is on a countywide library system. Cache Valley was on a countywide system until the 1950's when by a 2-1 vote it was disbanded. The original yearly fee to use the Logan City library was \$24.00 now the fee is \$160.00. There are still about 200 enrolled to do this. A North Logan man has started a petition about a countywide system, there are around 700 signatures and several are from Richmond citizens. There has also been a survey recently completed.

**KATHY ROBINSON:** The survey was sent to elected officials asking for their input as they will be making the decisions. We wanted to know needs and concerns as well as clear up any misconceptions. There will not be any buildings built. What Logan City is doing is their own project from their own funds.

**JAY:** We have visited several libraries throughout the State. The Council of each city will have the vote to join or not join. We want your feedback on what you want to see or dislike.

**KATHY:** The resolution that is brought before this Council will be the exact same that is brought to all of the other communities.

**JAY:** If approved, there will be a County Library Board that will consist of three citizens from Logan City, three from the northern communities and three from the southern communities. Sixty one people responded to the survey. There are concerns about funding, accessibility, and buildings/programs to name a few. The Cache County Council has the authority to establish a countywide library system. Each city Council will be asked if it wants to participate in the system. As for the financing, the initial budget would be for \$2,700,000. Right now, the budgets for all of the current libraries in the valley is \$2,500,000. Each city's share of the budget will be based on the amount of property in the city. A city can pay its share from the general fund or levy a library property tax to generate the funds. If the funds are collected through property tax, the fee would be \$65.00 per year, or \$5.50 per month on a home valued at \$180,000. Consolidating into a countywide system should reduce overall costs due to "economies of scale" approach.

**TERRIE:** What about the current collection in the library?

**JAY:** The items stay where they were donated.

**TERRIE:** Is that a written policy?

**JAY:** Yes, it is written policy. All citizens of the joining communities will have access to each library that joins the system. An online catalog will allow citizens to search for items from their home. Citizens will be allowed to order books from their home to be delivered and returned to the library closest to their home. A courier service will be made to deliver the materials from one library to another. The current time to get an item delivered in Salt Lake is less than a two day waiting period. Currently there are 6,000 citizens in Cache County that have no access to any library.

**TERRIE:** Richmond and Lewiston allow anyone access to their items.

**JAY:** Cities with debt free buildings may retain ownership or convey ownership to the countywide system. Cities with building debts are responsible to pay those debts before the library can be turned over to the countywide system. The countywide system will pay maintenance costs for county owned library buildings and will share in maintenance costs for city owned buildings. Utah State University may or may not join. They have over one million items in their current collection. There is no pressure to join. It is my opinion that a countywide system will be established. I believe right now that Logan, Smithfield, North Logan, Newton, Mendon and the county will all join immediately.

**TERRIE:** As for the financing. The county would be setting the taxes. I know that \$200,000 won't be enough for cataloging and recoding all of the items in all the libraries. **JAY:** The State of Utah has told us that \$200,000 is realistic. There are State of Utah incentives to go to the Cyrus cataloging system.

**TERRIE:** This is a big project and \$200,000 is very low. I think you are overly optimistic. What about grants? Our library has been very successful in receiving state and federal funding.

**JAY:** That money will still be available. You won't lose any opportunities; you should gain more opportunities for grant money.

**MARTY HIGHAM:** The \$200,000 is not enough. The fuel costs for the courier service are increasing everyday as well. Do the current city library employees become county employees?

**JAY:** Yes, they would be Cache County employees. All employees would be raised to the current level of the Logan City library employees. Nobody is going to be fired. In fact, we will need more employees because more people will start using the libraries.

**BELINDA BURNINGHAM:** Who is responsible for building changes, upgrades and maintenance?

**JAY:** Each city will be responsible. All of the libraries will remain open, none will be closed. Upgrades, new buildings and renovations will be the responsibility of each city. I have visited with Doug Alder, chairman of the Washington County Library System, and his goal was to have a new library or renovate existing libraries in every community. It took 20 years but he has accomplished this goal. Smithfield is in desperate need of more room. **BELINDA:** What about handicap accessibility? It is an issue at our library and would be very expensive to update.

**JAY:** All of the libraries will stay the same. Nothing will need to be changed.

**TERRIE:** It says there will not be any personnel changes for two years. Then what?

**JAY:** There will not be any changes for two years and then some employees may want to or be moved to other libraries.

**TERRIE:** So we could have non-Richmond citizens working in our library?

**JAY:** Maybe, if the Board reviews it and determines it is better.

**TERRIE:** What about the Book Mobile?

**JAY:** It will stay open until it is no longer needed.

**TERRIE:** I think it is a great asset for the branch communities that don't have a library.

**JAY:** On August 29<sup>th</sup>, we will report to the Cache County Council. A resolution will then be made and sent to each community for their vote. There has not been a date set for a response.

**PATRICIA FORSGREN:** Will the library hours be the same or changed?

**JAY:** That will be up to each community.

**PATRICIA:** Will there be a central purchasing agent? What if we want a specific book then what?

**JAY:** The librarian for each community will make recommendations to the county buyer. Then a decision will be made. There is no reason for each community to have a copy of the same book.

**PATRICIA:** We want to be able to get what we want.

**JAY:** I would suggest that you get all the facts and then make a decision.

**MARIANNE SMITH:** Are there other libraries that are bursting at the seams?

**JAY:** At least Richmond, Mendon, and Smithfield; there could be others that I am not aware of.

**PATRICIA:** Same city director?

**JAY:** Same current staff but each employee might have different roles. The countywide system should allow for more specialized programs. Right now libraries are being used more than ever before.

**PATRICIA:** About 10-12 years ago there was a proposal on buildings that if it wasn't cost effective certain libraries would be closed.

**KATHY:** The local library board would be responsible for a decision like that.

**MARLOWE:** The board consists of?

**JAY:** Three from north of Logan, three from Logan, and three from south of Logan. Logan loses out where it is not population based. Each community will not have a representative. Right now I don't know who will or will not join. The local Mayor will make recommendations to the Council for board members.

**BRAD:** If anyone has additional questions, who can they contact?

**JAY:** I will leave my contact information.

**MAYOR:** Thanks for attending this evening and clarifying some issues.

## **WATER & SEWER IMPACT FEE APPEAL**

**MAYOR:** At 175 East 100 North there used to be a home and it was vacated around 1989 and later demolished. The property owner would now like to build a new home at that location. The water/sewer hookup for that location is currently being used by Ken Carlson at his shop located immediately behind where the home was previously located. The current owner is appealing to not have to pay the impact fees associated with a new residence. We need to do what is right for the City but what is fair to the citizens at the same time. I and several others have spoken to Monte about this issue and he will show his case tonight. I want him to know that he is among friends while speaking to the Council.

**MONTE FRANDSEN:** The shed is a current extension to the existing hookup. I have gone on-line to find out exactly what are impact fees. Richmond has an Ordinance 2007-4. I have also reviewed State of Utah statute 11-36-202. The ordinance and the statute are very vague. Impact

fees can be taken in several ways. A new baby makes an impact to the system. Changes in a home, make an impact on the system. Cities have preferences on how they collect impact fees or base them. It is more of a personal opinion. How does Richmond City define impact fees? I read it as a connection to the system. Several California systems see it differently. Texas is based on flow into the system. Some are based on the number of units in the residence that are impacting the system. On [www.impactfees.com](http://www.impactfees.com) it states that replacement homes are normally not charged impact fees nor are remodels. I just want a fair standard like other cities. I have personally called other Utah cities. Smithfield City responded and they would not charge a fee. **MAYOR:** Who did you talk too? I talked to someone at Smithfield that said they would charge the fee.

**KAREN FRANDBSEN:** Char Izatt.

**MONTE:** Fruit Heights said they would not charge a fee because there is an existing connection that is already there. State of Utah statute 11, Section 4 should be reviewed. The lines have been in use the entire time and the monthly City bill paid. This indicates a preexisting condition. How do we solve this? I have a lot with an active water/sewer connection as well as water meter. Why charge me the impact fees is my question? If I am going to be charged, which part of the ordinance specifically states why I have to pay the fee.

**TERRIE:** What State of Utah code did you reference?

**MONTE:** 11-36-202. I found it on the internet.

**TERRIE:** When was the house removed? What was the time period when the shed was built?

**MONTE:** The shed was constructed around 1990. The house removed around 2002.

**ALLEN:** The home was vacant for many years before it was removed.

**MONTE:** There is nothing about vacancy in the ordinance. The house was vacant; yes. The house abandoned, no!

**MAYOR:** When was the property purchased?

**MONTE:** 2001.

**ALLEN:** Who pays the current utility bill?

**MONTE:** Ken Carlson.

**KAREN:** Ken did not want to have a renter so the house was vacant for years.

**BRAD:** When you submitted your application there were two separate tax identification numbers? The property could have been sold to anyone?

**MONTE:** Yes. The property was split to protect Ken from any liability if something were to happen on the house property. He has deeded the property back to Karen and myself now.

**BRAD:** What if someone else purchased the property?

**MONTE:** It would have to be resolved differently because of the line connections. I will be using the existing connections.

**BRAD:** You said that flow does not matter but this is a new residence that will impact flow.

**MAYOR:** At time of application, there were two separate properties. Ken paid the bill. Now it has been changed to one property.

**MARLOWE:** What is the family relationship, if any, with Ken?

**MONTE:** No family relationship, we have known him for many years. Ken purchased the house and property and then split them.

**KAREN:** Ken has willed the property to us. It was split into two parcels for liability purposes only.

**TERRIE:** This is a puzzler.

**MAYOR:** To summarize. When applied for there were two separate tax identification numbers. Originally it was one property that was split into two pieces and then Ken Carlson hooked his shop onto the existing home hookups. Ken also pays the utility bill. The net effect to the system is an issue as well and it was not taken into account in the master plan.

**DAREK KIMBALL:** The intent of hookup fees was additional homes onto the system. Ken owned the property and it was titled in his name and then the property was willed to the Frandsen's?

**MONTE:** Yes. He is a very close friend of the family. It was willed to us, now it is deeded to us.

**DAREK:** The intent was any additional new home.

**MAYOR:** When were you planning to build?

**MONTE:** We wanted to start already. The impact fee issue and possible new sewer lines issue needs to be resolved. This is a significant cost that will effect what we can build for the home. I wanted my son to be able to work on it until he went back to school. If this is delayed a month he will be back in school and it will cause me more expense.

**MAYOR:** The permit was issued by Planning & Zoning?

**ALLEN:** I signed off on it.

**BRAD:** I did as well with a note about the fees. We are discussing it at the right time. Better now to be resolved than after the home is built. There are two properties with one connection when this was applied for even though it has been changed since that time.

**MONTE:** There should not be any fees where there is an existing connection.

**MARLOWE:** I am at fault. I told them there would be no impact fees. I did not realize the shop was attached to the connection. I said no fees due to the misinformation that I had.

**TERRIE:** I need time to review all of the information.

**BRAD:** You can still get the permit and start building. Both the water and sewer line are on the opposite side of the road of your new plan.

**DAREK:** Are you going to use a new connection or attach to the existing?

**BRAD:** There are many unknowns.

**TERRIE:** What about a sump pump?

**MONTE:** No sump pump.

**MARLOWE:** The City is only responsible for the main line. They are responsible to keep the lateral properly maintained.

\*\*\*A motion to table the request by Monte and Karen Frandsen to not have to pay impact fees on their new proposed residence was made by Terrie, seconded by Allen and the vote was unanimous.\*\*\*

**MAYOR:** We will discuss this again at the August 19<sup>th</sup> Council meeting.

**MONTE:** You are holding me up starting this project until then due to the financial impact this might have. This is a big impact on what we can afford to do.

**BRAD:** Plan on paying the fees as of right now. You are appealing the fee and it will be discussed again.

**TERRIE:** This is the first I have seen of this issue. We are possibly setting a precedent and I need more information and time to research.

**MONTE:** The ordinance will not answer your questions?

**TERRIE:** I want to review City records, dates, etc. and don't want to vote until then.

**MAYOR:** When the ordinance passed there were two separate properties and then it was changed since then. Plan on paying the fees as of now.

## **MAYOR'S REPORT**

**MAYOR:** The City party is on September 6<sup>th</sup> at 6:00 P.M.. The Utah League of Cities and Towns meetings are from September 10<sup>th</sup> through the 13<sup>th</sup>. I have asked Chris to book the rooms now but need a confirmation of who is going by the next Council meeting. I am concerned that some of the day to day detail items are not getting done. I have talked to Justin and Marlowe about hiring another part time worker to help with these items. The street mowing is not getting done; there has not been time with our current workforce.

**MARLOWE:** I was just informed today that the Allis Chalmers tractor is not functioning.

**BRAD:** There is not a PTO on the John Deere so it cannot be used for this. What is wrong with the Allis Chalmers?

**MARLOWE:** I have no details on the tractor, I just barely found out myself.

**BRAD:** If we subcontracted the lawn mowing then who could mow the streets?

**MAYOR:** Rob and Ben only, the part time person could not mow the streets.

**TERRIE:** I know there is hidden debris in the weeds and it could cause serious and expensive damage to the equipment.

**BRAD:** We need to find out more info on the tractor.

**MAYOR:** In regards to the park strip on the highway; UDOT needs to issue a permit to make any changes. Bids need to be received from UDOT approved contractors, right now I have not found anyone that is UDOT insured.

**BRENT WEBB:** It is not hard to get the insurance that UDOT requires. I will be UDOT insured soon. Paul King and Tom Pitcher are both UDOT insured. Paul does not do concrete work though. Tom does.

**ALLEN:** They could be the general contractor.

**BRAD:** Edge/Jay Pitcher.

**BRENT:** Terry Bingham.

**MAYOR:** We need just one bid for the permit. I think it is time to get new the MBR maintenance worker hired so they can be part of the entire process. I would also like this worker to oversee water and sewer as well to help free up time for Marlowe. I would like to see this person hired within the next 30 to 60 days. We will need to get a help wanted ad placed. I will ask Brad from AQUA as well as Darek to help make the ad. The more applications the better.

**BRAD:** I have a park pavilion concept drawing for everyone to review. It will only be enclosed on the backside. It won't require a handrail or guardrail. The area it will be placed will be slightly elevated.

**KEITH:** The sidewalk at the Cub River Sports Complex that was funded by RAPZ tax dollars has been completed and not all of the anticipated handrail was required so it saved some funds for other projects.

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

A.A. Hudson	955.00
Allen Rock	692.01
Altius	654.16
Bluestakes	73.94
Brent Webb	1,579.50
Cache Chemical	72.40
Civil Air Patrol	245.00
CNH Capital	206.54
Elk Ridge Transport	3,880.00
Ferguson	220.83
Fleet Services	395.17
Geneva Rock	1,320.00
Hall Oil	554.88
Hull Tree Care	400.00
Intermountain Pharmacy	104.32
Intermountain WorkMed	58.00
JUB	85.00
Lee's	43.36
Maverik	530.15
N.W. King	400.00
Nextell	100.96
North Cache Vet	103.00
Olson & Hoggan	1,036.00
PavAs	530.60
PC's Unlimited	19.95
Pizza Villa	72.92
Owest	465.03
Randy's	834.24
Richmond Irrigation	988.00
Robertson Manufacturing	155.00
Rocky Mountain Power	1,200.01
Smithfield Imp	30.60
Standard Plumbing	438.22
Staples	60.27
Utah Local Gov. Trust	33,024.38
WR White	1,003.56

\*\*\*A motion to adjourn was made by Brad, seconded by Allen, and the vote was unanimous.\*\*\*

Adjournment at 10:20 P.M.

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Michael E. Hall, Mayor

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Justin B. Lewis, Recorder