

The regular meeting of the Richmond City Council was held at the Richmond Community Building located at 6 West Main, Richmond, Utah on June 16, 2009. The meeting began at 7:00 P.M.; Mayor Michael Hall was in the chair. The opening remarks were made by Jeff Young.

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

A motion to accept the May 19, 2009 City Council meeting minutes was made by Jeff, seconded by Terrie and the vote was unanimous.

DEPUTY REPORT

DEPUTY KERR: I reviewed our reports from last month and there were a few vandalisms and suspicious activities. Our department has been asked to monitor speeding concerns on 500 North and 300 East so we will focus on those areas. Please inform me when there are any problems or areas of concern and we will address them. I forwarded the speeding concern and any other concerns to the patrol division to keep everyone informed. Let us know of any concerns you may have.

MAYOR: We appreciate your service to the community.

REZONE REQUEST ON 800 SOUTH STATE FROM NEIGHBORHOOD COMMERCIAL TO RESIDENTIAL MEDIUM DENSITY

MAYOR: This is the discussion and possible vote of the Sue Morgan/ Raymond Smith property that was discussed at the last meeting.

A motion to approve the rezone request of Sue Morgan/Raymond Smith for property located at 800 South State Street from Neighborhood Commercial to Residential Medium Density was made by Brad, seconded by Jeff and the vote was unanimous; Allen abstained from the vote.

BUSINESS LICENSE

CUTTIN' EDGE

RYAN HUNT: I would like to operate a lawn care service throughout the valley. I would do the maintenance on the mowers and weeders in my garage.

BRAD: Are you going to disassemble motors and large equipment there?

RYAN: Just blade sharpening and routine maintenance. I have been there for five years and never had any neighbor issues with what I am doing.

Approved by Council.

UNHINGED WOOD PRODUCTS

BRIAN MADDOX: I have prepared a business outline of what I would like to do. I talked to the Fire Marshall and he has approved my property for this business purpose. Last year the business was located in Lewiston. Logan Coach was a major customer and when they shut down it caused the business to go bankrupt. I then purchased the equipment. I would like to do custom cabinets and wood furniture with some possible granite in-lays.

TERRIE: Since you will be operating saws and sanders what are the hours you are going to operate this equipment?

BRIAN: Probably from 8:00 A.M. to 3:00 P.M. daily. I have a full-time job; so this is not my main job. I guess there is a possibility of an emergency situation where I might operate the machinery outside that time period.

TERRIE: Operating a skill saw at night is a concern.

BRIAN: I have six inch thick walls that are insulated. The only concern might be from my neighbor to the west. I will talk to them and see if they have any concerns.

BRAD: Will you be spraying the cabinets at this location?

BRIAN: I don't have the space or equipment to spray. Wall to Wall painting in Logan does all the spraying for me.

BRAD: What about dust collection?

BRIAN: I have a very good dust collection system. Chief Hugo was who signed off on this.

Approved by Council.

CITY MANAGER REPORT

MARLOWE: The MBR plant will not be on-line as scheduled. Some engineering and weather issues have contributed to this. The bond money has been exhausted and I have submitted paperwork for \$680,000 from the U. S. Army Corps of Engineers and have another \$200,000 with the Corps of Engineers in process.

SCOTT BALL: Once a month, I would like to have some safety training occur at the MBR plant and was hoping the City would provide our lunch on those days. This will help Ben and Rob with their certification. This is self training; each one of us would teach each month on a rotating basis. I hope the City could buy our lunch on that day.

MAYOR: I don't see an issue with lunch being purchased once a month.

BRAD: Please keep a written report of what was discussed and a roll of who attended.

SCOTT: That is a must to keep my certification up-to-date.

MAYOR: I would like a mention of this in the monthly minutes as well.

SCOTT: An update what is occurring. There is problems with the main pipe to the

headworks. Nelson Brothers and Buzz Electric are doing very well.

MARLOWE: AQUA Engineering designed the flow line from the main to the headworks, and the main line is 18" lower than expected. AQUA must redo the engineering to correct this problem. This will cause a separate line to be run from the splitter to the headworks. Hopefully, on June 29th fresh water tests can be started. I want to be absolutely clear that this issue is not because of Nelson Brothers. It is a combination of things but none of them are due to Nelson Brothers.

MAYOR: I am glad there will be a new line. There would be a possible plug point with the old one. I am glad we are doing the correct fix.

MARLOWE: AQUA guessed on the depth based on some measurements that turned out to be wrong.

BRAD: The grinder will be abandoned?

MARLOWE: Yes.

BRAD: I think we should sale or get scrap metal price out of it.

SCOTT: It has sat for a very long time and would need repair to be functional.

MARLOWE: It is an in-line grinder and even a small limb would jam the system. It was very hard to access and hard to fix.

BRAD: Let's get rid of it, if it is not working.

CITIZEN CONCERN REGARDING SPEED LIMIT ON 500 NORTH

JEFF: I have been approached about a speed limit concern on 500 North. Jenny Bair can explain what is going on.

JENNY BAIR: I would like to propose that 300 East from Main Street to 500 North and then East up the hill be reduced to 25mph. There are lots of kids and people walking in that area. Children can be very hard to see. There are many young children in that area. I would like to see a residential speed limit.

MARLOWE: It is posted at 30mph currently. If changed you would have to include the entire road not just the proposed road.

MAYOR: The problem is enforcing the law, not the speed limit itself. A sign does not fix the problem.

JENNY: The long stretch from Vivian Christensen's to the intersection is a big issue.

MAYOR: All of the calls and concerns I have received are regarding the hill, not one regarding that open stretch of road.

JENNY: I did an unofficial petition of the residents in that area and they are in support of reducing the speed limit.

JEFF: We just need to make sure that 30mph is actually followed.

MARLOWE: Residential is 25mph unless otherwise posted. The rule of thumb is that you won't be pulled over if you are only going 5 mph over the speed limit.

BRAD: Isn't there a sign in front of Allen's house with a flashing beacon?

ALLEN: That was installed before I was elected to the Council.

TERRIE: We had rumble strips in South Dakota.

JEFF: What is the overall feel of the Council?

JENNY: What about speed bumps?

BRAD: They are very bad for snow plows and cause extensive damage.

TERRIE: I think we enforce the current speed limit first, then look into a flashing light and then possibly rumble strips. Let's get a report in August or September if any progress is being made by the speed limit being enforced.

JENNY: Some homeowner's did not sign the petition, they did not want a lower limit as they were afraid they would get issued a ticket.

JEFF: Please e-mail me the results of the progress if any.

BUDGET PUBLIC HEARING

A motion to close the regular Council meeting and open the public hearing was made by Terrie, seconded by Brad and the vote was unanimous.

JUSTIN: I actually received the actual amount on property tax from Tamra Stones right before this meeting. It will be \$95,323 as opposed to the proposed amount of \$89,843. The offset would be to put the additional funds in the Capital Projects Fund at this time.

TERRIE: We will have a bill for \$168.57 for web hosting. In the Building Department budget, the \$1,000 allocated to the Historic Commission can be reallocated elsewhere since the commission has been disbanded.

BRAD: I would like to get the cost on some park benches.

MAYOR: I think that is a good idea.

TERRIE: I would like to see the office computers upgraded as well. They are very slow.

JEFF: I actually just had that same conversation with Marlowe. They are very slow and need to be updated. We need to find out about a secure backup system as well. Our current backup is located right here in the office and that is not good. I think for \$100 or so a year we could get a guaranteed secure backup system.

TERRIE: I have seen some as low as \$1.00 per month with great security. Faster machines would help with productivity.

JUSTIN: I suggest that Jeff look into the cost for new machines for Marlowe and Chris and we can then make a decision. The new budget does include a \$1.00 per month increase to the water and sewer monthly fees.

A motion to close the public hearing and reopen the regular Council meeting was made by Jeff, seconded by Terrie and the vote was unanimous.

JUSTIN: The proposed changes to the new budget would be to increase the General Property Tax revenue from \$89,843 to \$95,323, decrease the Bldg – Historic Commission from \$1,000 to zero and increase the Capital Projects Fund \$6,480.

A motion to approve the July 1, 2009 through June 30, 2010 budget was made by Terrie, seconded by Jeff and the vote was unanimous.

JUSTIN: I have been informed that the audit will occur from November 23rd through 27th. I will clarify that they really want to do this on Thanksgiving week. We received \$5,523 for the library CLEF state grant.

TERRIE: This is being used to purchase new computer equipment.

JUSTIN: We received \$325 for the farmer's market and I know that \$250 was a donation from the Center for Disabilities.

BRAD: I would like to get more fruit for the breakfast next year and hope we can increase the breakfast budget to accommodate that.

COUNCIL MEMBER REPORTS

BRAD: The Fire Department has been quiet overall. In regards to the controlled house fire burn on the Saturday before Memorial Day; the property owner set the date based on information from Cache County Fire Department. This was not set or determined by Richmond City or the Richmond City Fire Department. Cache County only has certain open burn dates based on an index and other items. It was that weekend or the homeowner would have had to wait another year. I appreciate the service of everyone involved in that.

TERRIE: I saw the on-line pictures and video. It was very impressive.

BRAD: It burned very hot. Richmond City supplied perimeter coverage only. The homeowner had all the required permits. Right now, a few members of the department are in Southern Utah for some training. In regards to sewer, this project that has taken many many years to get done, is finally starting to wind down. We are still investigating possible sites for the future water tank.

MARLOWE: LiquiVision will repair the water tank in July. Both tanks will be cleaned as well. The water supply to the City does not have to be shut off to do this. The scales are in place as well.

BRAD: Has the orange truck been taken to Itty Bitty for repair yet?

MARLOWE: Not yet. I have been waiting for their return call of when they want it delivered.

BRAD: There is a differential leak that needs to be fixed on the orange truck.

SCOTT: The scales are in place and we are waiting for the electrical to be completed.

BRAD: There are no new nuisance complaints.

JEFF: The next Black & White Days meeting has been moved back to later in the summer. The parks in are great shape considering all the recent rain that has been received.

TERRIE: I have had great comments on the flower bed at the park.

JEFF: Tamara has been doing a great job considering how bad the weather has been.

BRAD: The sprinklers at the park that need to be moved have been capped.

JEFF: We will be installing speaker wire when the sidewalk is completed.

BRAD: The conduit can be installed whenever. You can add more conduit if it is needed or wanted.

JEFF: We will be able to use Pat Lewis' speakers in the future as needed.

JUSTIN: I have a concern about the weeds in the barrow pit especially at the intersection of 300 East and 300 North. It is impossible to see when coming to that intersection from the west.

MAYOR: Has the tractor been repaired?

SCOTT: Rob is working on it.

BRAD: A sickle mower would be best. It is very hard to mow tall grass with our mower.

ALLEN: You can use my sickle mower.

BRAD: Scott, please have Rob get with Allen to use the mower.

JEFF: I was approached about a year ago about a concept involving the Richmond Fort.

TERRIE: Larry Bair contacted us over a year ago about reconstructing the old Richmond Fort from when the City was founded 145 or 150 years ago. They have obtained verbal commitments on the land for the fort. They have raised a good core of money already. They want to know the local interest in this project. They will be in town on June 26th at 4:00 P.M. to present their ideas. It would be similar to the Jensen Historical Farm but just on a couple of acres.

MAYOR: I think it is a great idea.

TERRIE: It would be a couple of employees and many volunteers.

MARLOWE: Does the land they are looking at already have water and sewer?

TERRIE: Yes, it is already on the property.

MAYOR: My concern is if it does not make it financially we do not want an eyesore.

TERRIE: They have a trust fund they want to establish. It will be a non-profit organization for tax purposes.

MAYOR: Please give us an update at the next meeting.

ALLEN: Building is up from 2008 slightly. Lots of sheds and remodels being done; more than 2008. There is an issue in the Sadler Subdivision with the Richmond Irrigation Company. Is Pepperidge discharging into the City sewer system?

MARLOWE: Pepperidge is supposed to call before they discharge anything into the system. I have not received any calls. I propose a meter be installed.

BRAD: I have been told there is a meter.

MAYOR: There needs to be a meter and it should be hooked to the SCADA system.

MARLOWE: The meter may be in the building.

ALLEN: We have the right to look for it.

MARLOWE: They are in violation if they are discharging into the system.

ALLEN: Their discharge pond is empty.

BRAD: For almost a year it has been empty.

DAREK: There were some weird spikes we could not account for when taking manhole readings. They were very consistent as well.

JUSTIN: Maybe they have had employee turn over and we should just contact them to see what is going on.

DAREK: If the effluent is clean, they are pumping.

SCOTT: It will kill the bacteria used in membrane system if they discharge into our system and we don't know about it.

ALLEN: The pond has been empty for over a year. We need to get some documentation of which lots received the irrigation water shares in the Sadler subdivision. In the minutes it stated that the shares are to be deeded to the property. The contractor is holding onto the shares.

MAYOR: We have not signed off on that subdivision yet and this issue needs to be included on the sign off list.

BRAD: Have water certificates been issued?

DAREK: Any word from Kirt regarding what is going on?

MAYOR: No.

MARLOWE: The two homes on the southeast and southwest corners of 65 West and 300 South being built by the Utah Correctional system. They have put into place sidewalks on the front side of those home, but the sidewalk on 300 South is Sadler's responsibility not the homeowner's.

MAYOR: We still have control in getting this resolved.

JEFF: That is the problem. They don't want to do anything until the snow fly's.

MARLOWE: The street lights have not been ordered yet, either. Three lights are required.

JEFF: Out of courtesy to the homeowner's should we send them a letter informing them this is the contractor's problem to fix?

MAYOR: No.

BRAD: They have obligations they must meet before the project can be signed off.

MARLOWE: I have personally talked to at least six homeowner's and they know the situation.

MAYOR: I would like this resolved before winter.

DAREK: I am not sure why they don't want it resolved. It just keeps extending the warranty. They have to guarantee everything for one year after we sign off on it.

BRAD: What about the sidewalk that was removed at 250 East Main due to a water line replacement and then the homeowner took out bankruptcy?

MARLOWE: Gary Dent will get it repaired at an expense to the City.

BRAD: What about the sidewalk in front of Stoddard's that they are responsible for?

MARLOWE: I have not contacted them yet; I will send them a letter.

ALLEN: There is also another sidewalk that needs repair by the Shirley Whitman residence. This was removed due to a water line repair a year or so ago.

MARLOWE: The homeowner's on 250 East Main bankruptcy claim was dismissed.

MAYOR: Can we place a lien?

MARLOWE: The City cannot place a lien according to how Bruce Jorgensen interpreted the law.

MAYOR: I will talk to Bruce about this.

TERRIE: How are we coming in getting the parking lines painted?

JUSTIN: I think we should get a professional to do the work so they just come in and get it all done as opposed to a volunteer doing a little work now and then some again later.

MAYOR: Let's tell Keith to get it resolved.

ALLEN: Let's fix all of the sidewalks mentioned rather than just one.

BRAD: What about the 500 North road that Brent Webb was to install in Phase 2?

MARLOWE: We have accepted the Phase 3 infrastructure and the 500 North road was not specifically stated that it must be complete to accept Phase 3. I have reviewed the minutes as well.

BRAD: Brent said he would put that road in when he did the road in Phase 3.

MARLOWE: That is not how the minutes read and the minutes are official.

DAREK: I believe it is when there are 35 homes that a second access must be in place

MAYOR'S REPORT

MAYOR: The Lion's Club always takes care of the Christmas lights on the park and various other local community items. They would like to put up a 14' x 14' shed to store the lights, their canopies and other items. Currently, they have been storing their items in the quonset. I am not sure if they want a building on a foundation or a portable shed. One place to consider is in the north west corner of the ball park.

JEFF: We need to find a place that will work for them.

MARLOWE: What about by the new restrooms?

TERRIE: I think the north west corner of the ball park is ideal.

BRAD: We need to make sure it is not by the 220 power source in that area as that power is very limited for vendors for Black & White Days. Just make sure the shed is not by those outlets.

JEFF: What about the west side of the old bathrooms?

BRAD: If they want a concrete pad to put it on then it could be poured when we are doing the other sidewalk work.

MARLOWE: A building permit would not be required since the total square footage is under 200 feet.

MAYOR: We are still working on acquiring some land for the water tank.

DAREK: I am going to talk to the people with the little gray house by the DWR property. Don Sadler's property is too low. His water rights are surface area related. He has an agreement with the Gibbon's. I need to talk to Don and gather some more information. I don't see he has a water right.

MAYOR: On June 30th, we will meet at 7:00 P.M. to approve and pay bills for the end of the budget year. I have had some inquires if we are having a 150 year celebration. I was thinking of doing something at the City party. The monument in the south west corner of the park says 150 years but some claim it is 145 years. The monument has not officially been dedicated and I think we could have a ceremony to do an official dedication at the City party that would give a brief history and take 15 minutes or so.

JEFF: Is there that much of an issue between 145 or 150 years?

TERRIE: This is a very heated argument with some people.

MARLOWE: It depends on if you go by when the fort was built or when the City was established.

TERRIE: We could just say it is 150 years from the time of the first settlement.

MARLOWE: I know that Salt Lake City had its first settlement 11 years before it became a City officially.

TERRIE: I think we should put in the newsletter we are going to have a 150 year observation.

MAYOR: I will discuss the Lion's Club shed with Paul Erickson and get that worked out.

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

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| A&D Landscaping | 174.74 |
| A.A. Hudson | 863.50 |
| Al's Trophies | 215.00 |
| Altius | 954.05 |
| Archer Monograms | 78.50 |
| AT&T | 36.74 |
| Audio Adventures | 104.40 |
| Badger | 597.20 |
| Bair Auto | 99.05 |
| Bear River Health | 40.00 |
| Borders | 189.70 |
| Cache Chemical | 199.06 |
| Cache County Corp | 31400.00 |
| Cache Service Area | 16241.29 |
| Cache Valley Magazine | 241.00 |
| Cantwell Brothers | 663.73 |
| CDW-G | 2069.39 |
| Chemtech Ford | 30.00 |
| Chevron | 17.32 |
| Clint Dirks | 540.00 |
| Clyde Ricks | 97.65 |
| Coats | 602.05 |
| Custom Fence | 570.00 |
| Dept of Workforce Services | 65.46 |
| Deputy Jon Robinson | 18.50 |
| Deseret Book | 226.31 |
| Ecosystems | 113.00 |
| Edge Excavation | 29136.84 |
| Fisher Home Furnishings | 608.00 |
| Fleet Services | 140.26 |
| Follett Software | 495.00 |
| Freedom Electric | 1436.51 |

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| Gall's | 655.73 |
| Hall's Store | 86.47 |
| Hobbs Turf Farm | 278.60 |
| Holophane | 1458.46 |
| IFA | 85.34 |
| Industrial Tool & Supply | 229.95 |
| IPACO | 648.97 |
| JG Builders | 742.50 |
| K&B Service | 24.95 |
| Knowbuddy | 261.35 |
| Laser Precision | 37.98 |
| LD's | 426.01 |
| Lee's | 1736.12 |
| Lewiston City | 4338.54 |
| Lynns Audio Video | 699.99 |
| Maverik | 544.18 |
| Motorola | 1436.00 |
| Mountain States | 2761.03 |
| Nextell | 247.42 |
| Oldcastle | 660.63 |
| Olson & Hoggan | 860.00 |
| PC's Unlimited | 19.95 |
| PEHP | 107.28 |
| Penworthy | 127.68 |
| Pizza Villa | 17.75 |
| Qwest | 474.36 |
| Randy's | 1091.6 |
| Remote Control | 682.50 |
| Rocky Mountain Power | 2371.01 |
| Safety Supply | 606.76 |
| Scholastic | 106.82 |
| Smithfield Auto | 390.13 |

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| Smithfield Imp | 170.53 |
| Standard Plumbing | 392.00 |
| Staples | 3.98 |
| Sunrise Environmental | 1581.82 |
| Thatcher | 1240.40 |
| The Herald Journal | 26.78 |
| The Home Depot | 75.63 |
| Theurers Market | 29.54 |
| Tony's Grove | 15.21 |
| Utah Communications | 270.00 |
| Visa | 3166.62 |
| WR White | 2427.70 |
| Xerox | 193.64 |

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

Adjournment at 8:55 P.M.

Michael E. Hall, Mayor

Justin B. Lewis, Recorder