

**RICHMOND CITY COUNCIL****OCTOBER 20, 2009**

The regular meeting of the Richmond City Council was held at the Richmond Community Building located at 6 West Main, Richmond, Utah on October 20, 2009. The meeting began at 7:00 P.M.; Mayor Michael Hall was in the chair. The opening remarks were made by Mayor Hall.

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

\*\*\*A motion to accept the September 29, 2009 City Council meeting minutes was made by Keith, seconded by Terrie and the vote was unanimous.\*\*\*

**DEPUTY REPORT**

**DEPUTY CARLEY:** Pretty slow but Halloween always brings some issues; mainly fires. Someone actually started a recliner on fire in the middle of the road last year. It is great that people are watching and willing to report suspicious activity. There was a fire started behind Sharp Transportation last year and it was close to the building and almost turned into a big problem. As it gets dark earlier in the evening; criminal activity always increases. Thefts and burglaries overall are down. About 70% of our calls are reactive; someone has called in with a report and then we react to it. That is great. We are glad people are watching.

**MAYOR:** Are car burglaries down south decreasing?

**DEPUTY:** Auto burglaries usually occur in canyons. Green Canyon has a real problem there but not to much north of there.

**BRAD:** Did you find out anything on the abandoned vehicle we discussed at the last meeting?

**DEPUTY:** I have not. Does anyone know whose it is?

**MARLOWE:** Alice Sparks owns residence is where it is parked; her husbands name is Dave and they live in Trenton.

**DEPUTY:** Does Richmond City have an abandon vehicle ordinance?

**MAYOR:** Not that I know of.

**TERRIE:** I thought that we did.

**BRAD:** I think it expired when the nuisance ordinance was put into place.

**MAYOR:** Does any part of the nuisance ordinance apply in this case?

**BRAD:** Not until an official complaint is issued.

**MARLOWE:** I think the vehicle belongs to Gavin Little; they reside in the next house to the east.

**DEPUTY:** I will contact the Little's first and then proceed from there.

**QUARTERLY COURT REPORT**

**JUDGE FUNK:** There were 220 cases in the Third Quarter which is significantly more than in the First or Second quarter. I am not sure why; I do know that it has nothing to do

with the fact that we switched Judges in town. I only evaluate the case after the ticket has been issued. Not sure if more patrolling has been done or why. Due to the increase there is a significant increase in state and city revenue. I have been putting a special focus on the old cases that have not been resolved. Using the computerized State of Utah court system software is making this happen much faster. I would like to thank Jeff for his effort in cleaning up the office; the additional space is much appreciated by myself and Juliene. My goal with the court is to measure the quality of the service we provide as opposed to the quantity of cases we service. When sentencing, I want it to be a teachable experience. In some cases I make the defendant watch impact videos to see how their actions can affect many people. Due to current laws we always follow the minimum sentencing amount. In some cases we require counseling as well. In other cases we can require that schooling be completed such as a GED.

*Cases Filed 220 State Revenue \$10,383*

*City Revenue \$10,810*

**MAYOR:** I have been to a few sessions and it is a positive experience.

#### **MAINTENANCE REPORT**

**SCOTT BALL:** The MBR plant filters have been cleaned for the first time. Trying to work on keeping solids down. We did have one time that the readings spiked and that contributed to the filters plugging. The work orders are being worked on.

#### **FIRE AND EMT QUARTERLY REPORT**

**COLTIN LARSEN:** The Fire Department had a slow quarter. The wild land fire season is coming to an end. We only responded to one of those this year. The number of wild land fires overall in the valley was down. We had five calls from Pepperidge Farms in the last quarter. When the water pressure would go low for whatever reason it would trip the alarm and we would start to respond and get called back each time. They have since figured out how to manually shut down the alarm for the future. When the alarm triggers in the future, they will first verify there is a problem and then the call would be issued. We responded to a total of thirteen calls in the third quarter.

**BRAD:** You responded to Pepperidge three days in a row?

**COLTIN:** Yes. This was new for everyone and a good learning experience.

**BRAD:** Fire Chief Lyle Bair had a prior commitment and could not attend this evening.

**COLTIN:** The EMT department on average responded to one call per week. One was a fatality and that was very hard for everyone. Statistically the fall season is the worst time for auto related accidents. I have also provided you some information on the drill attendance for the EMT Department for the last quarter. Amber Cox and Stacie Spackman are doing more training. Due to the swine flu, strike teams are being formed around the county to help the schools administer the shots in November. EMT intermediates can give the actual shots and EMT basics can assist; mainly to help restrain the children.

**BRAD:** Parents have the option to attend school on that day for that medical procedure as well.

### **TREASURER REPORT**

**CHRIS:** Since the computer update; this was the first time we have done a billing cycle and it went very well.

**MAYOR:** The office looks great; thanks to all of those that helped with that.

### **FINANCIAL REPORT**

**JUSTIN:** I would like, with the Council's permission, to transfer some funds from various accounts. I would propose that \$11,835.00 be transferred from the Water Impact Fee Cash Account to the Capital Projects fund cash account as a payment on the loan. It would consist of \$10,000 in principal and \$1,835.00 in interest which is for the months of June through September.

\*\*\*A motion to approve the transfer of \$11,835.00 from the Water Impact Fee Cash Allocation Account to the Capital Projects Fund Cash Account was made by Terrie, seconded by Jeff and the vote was unanimous.

**JUSTIN:** I would also like to transfer Richmond City's portion for the current budget year for the Cub River Sports Complex from the Capital Projects Fund into the Cub River Sports Complex Cash Allocation Fund. Also, Lewiston City has been sent a letter detailing the income and expense for the last budget year and a request was made for them to pay their \$7,500 portion of the Cub River Sports Complex as well.

\*\*\*A motion to transfer \$7,500 from the Capital Projects Fund Cash Account to the Cub River Sports Complex Cash Account was made by Keith, seconded by Jeff and the vote was unanimous.\*\*\*

**JUSTIN:** Boyd said that he recently attended a Cub River Sports Complex board meeting and the discussion was good but the attendance was poor. I have submitted RAPZ tax reimbursement requests for the Entertainment Pavilion as well as the Park Parking Lot. The next reimbursement request should pay those projects out in full. So far in this budget year; \$53,090 has been spent in Class C Road Funds and \$13,462 on the parking lot at the park. Last week; myself, Brad, Terrie, Ben Lundgreen, Bob Hugo and Fire Chief Lyle Bair met to discuss the EMT department and Fire Department budget process. I feel it was a very good meeting. We did collect one sewer and water impact fee in September. The cost to clean and repair the water tank was \$3,740.00. In September, we collected \$425,486 from the Army Corp of Engineers toward the MBR plant. So far, \$5,318,252 has been spent on the MBR plant project. This is not yet complete and there will be more added onto that.

## **DISCUSSION OF BUSINESS LICENSE FOR AN ORGANIC CHEESE FACTORY IN THE OLD WDCI CHEESE FACTORY BUILDING**

**MAYOR:** Ray Winn has come before us tonight to discuss a business he would like to open up in the old cheese factory. Ray, please come forward and make your presentation and answer any questions.

**RAY WINN:** It was good to visit with each of you individually, recently. The council is very diverse; which is good. I was the RDA chairman for Smithfield City due to my appointment as Mayor previously. I called Randy Sant as he was my contact in this area. He said they are now called CDA's; and they are easier to get. If Lower's were located in an RDA, I would expect that Richmond City would get \$60-70k per year. I don't know what the city would get if the old factory was in one. The first redevelopment area in Smithfield is where Lee's Marketplace is located. Lee's actually received about \$250,000 over ten years for being there. I don't agree with it but that is what happened. RDA's are established to make blight areas no longer blight. That area was not a blight area as it was just agricultural fields. There was \$800,000 in the RDA fund when I left office in Smithfield. I did some checking and it would cost \$13,500 to \$15,000 to establish an RDA in Richmond. McDonald's, Wendy's, State Farm and that tire store are all in RDA areas in Smithfield. I have looked into the utility tax that would be generated as well. I contacted Dave Bigelow, who operated the cheese factory in Wellsville until it closed; he said it generated about \$5,000 per month for the city when in operation. I would expect this to be 20-25% of that or less. We are still not sure on the areas we want to occupy down there. The engineer said he is not worried about seismic issues in that building. We would need some new stud walls and FRP board. It would not be hard to fix the seismic issues with the roof. It would be an issue if we are required to fix the entire building rather than the portion we want to occupy. As you know, we want to start an organic cheese plant. We want to start renovating immediately. It has been 60 year since the Whitney plant closed down.

**TERRIE:** When would trucks be making deliveries?

**RAY:** Everyday. About 70,000 pounds per day. We would not offer any retail sales.

**TERRIE:** How many trucks would you figure per day?

**RAY:** One, two, maybe three per day; it is not a serious issue.

**TERRIE:** To some folks it is and they are concerned.

**RAY:** It takes ten pounds of milk to make one pound of cheese. Ideally four trucks per day would mean we are doing well.

**TERRIE:** How would you unload the product?

**RAY:** I would use the old bays if possible.

**JEFF:** On the west side? That is a long ways from where the process will occur. Does the FRP board fully enclose the inside?

**RAY:** FPR is so that it can easily be washed and cleaned.

**TERRIE:** It is swipe resistant.

**JEFF:** That makes more sense than what I first thought.

**RAY:** We have already cleaned some items out of there.

**JEFF:** It definitely needs a thorough cleaning to be safe for food production.

**TERRIE:** The new stud walls and work on the ceiling will help the structural integrity

of the building. Some of the walls are crumbling.

**RAY:** The part of the building we want to use is not that bad. The cement floor is 9” deep or so; the foundation wall on the east wall is six feet tall or so. The foundation is still in impressive shape for a building that old.

**BRAD:** There are some infrastructure issues/concerns. For water, we are not sure if there is a connection. The north connection was capped years ago. I have heard rumor of a connection on the south side but that is unknown. It will be hard to determine where a water line is located. The building has been abandoned for so long that it was not included in the impact study; therefore, water and sewer impact and connection fees would apply and they are quite high. With the sewer, there is a grade issue. From the current south east location you want to use it would be uphill to the 200 South lateral. Going north you would have to go through a rock wall and out into an agricultural field. That is a minimum of two blocks to the north. You will need to research the cost of running a new line or having a life station installed. We also need to make sure that your wastewater can be dumped into our new system. We have a pretreatment ordinance that I would suggest you review.

**RAY:** We have a filter system that should take care of that.

**MAYOR:** Darek Kimball, our City engineer, has been asked to attend this evening to tell us the pros and cons and concerns.

**DAREK:** Trevor Lindley is our wastewater specialist and I will let him comment on this.

**TREVOR LINDLEY:** Without knowing the specifics of the product; flows tend to be treatable if you are prepared for them. Dannon Yogurt in Salt Lake City is a big wastewater producer and they have found a way to make it work. Flow equalization and cleaning cycles must be steady for an MBR plant. There would be a big spike if a large amount was all of the sudden just dumped. A PH adjustment has to be made and that is very hard on the MBR bugs. Fats, oils, and greases are known as FOG and they are hard on the system. Membranes have a limit of 150 milligrams per liter of FOG and to exceed that could void the warranty. The waste may be very high in one nutrient and low in another but the bugs need a good balance. Dairy waste is treatable. Samples need to be taken, flows established and a process data card reviewed. Potentially you could have a TSS charge, a BOD charge or other fees; these vary from place to place. The main reason this plant was installed was to help with phosphorous. We need to make sure there is not any in this waste. We need a good data sheet to review. The more the data the better, as well as flow rates. We could then make an assessment of the impact on the MBR system.

**JIM GOODLEY:** A normal BOD limit is 300 milliliters per gallon, a dairy runs around 3,000-5,000 milliliters per gallon; prior to pretreatment.

**TREVOR:** We need to know about the waste stream before moving forward.

**BRAD:** This should give you ideas of what we want to see and what we need to consider.

**RAY:** I don’t see much BOD in my process.

**BRAD:** We just want to make you are aware. First, before any improvements can be done to the building they need to be approved by building permit. You need to get signed off on each phase of construction. The salvage rights to that building have been sold. You need to check with our county building inspector, Paul Berntson, and see what is

required. You will need a fire protection plan as well. This is something we will need to review again as well. We need to make sure you, your employees and any volunteers from our department that might have to respond down there will be protected. I don't want anyone in danger because of a substandard building. All of the fire hydrants have been abandoned. I also have a concern about the demolition process. I want to make sure nothing harmful goes into the air. Is there asbestos in that building?

**RAY:** I have not seen any asbestos but I am not sure.

**BRAD:** Also, keep in mind that if you want to burn anything you will need a permit.

**MAYOR:** I think this let's you know our position and concerns.

**JEFF:** I appreciate you being willing to come in tonight. We have had other business ventures down there that just opened up and we found out later. I feel much more comfortable now that I have heard from you.

**RAY:** I have \$300,000 worth of equipment waiting in Smithfield to go into a building. I want the building to be secure as well.

### **COUNCIL MEMBER REPORTS**

**BRAD:** As you know, Lyle Bair was made Fire Chief last month. We met with him and reviewed the budget. Attendance on drills is low. Some of this could be due to training elsewhere at the same time. We always could use more help. Pass along this information to anyone that you know that might have an interest. The Fire Department building is twenty plus years old and has never had much of a facelift. I have talked with members of the fire department and we need to find some money to give the building a face lift. It serves its purpose but needs an atmosphere change. With water, we are still moving forward on the tank project. We have ran into some dead ends but are still moving forward and hope things will come together sooner than later. We have enough water; we just need somewhere to store it. Sewer, Scott Ball is doing an excellent job. He is highly qualified and a great employee. The final bugs are being worked out at the plant. It is neat to take a tour of that building. There are a couple of motors that may need to be upsized. The sludge press has been used once now. It is very stinky. The facility is immaculate at all times and extraordinarily clean for the type of facility that it is. In the future, we need to start looking at flows and line sizing. The lines need to be able to handle future growth. Regarding maintenance, the park water lines have been drained. The snow plow trucks have been repaired and the salt and sand mixed and ready. There are no new nuisance complaints at this time.

**JEFF:** Lots of activity down at the City park. The north pavilion and parking lot have been connected with a sidewalk. The new cement was damaged when it was walked on and the culprits were nice enough to engrave their names in the cement. They have been arrested. They will go to Juvenile Court and possibly could pay damages and/or community service. Lots of time and money have been spent on this project and some of it will have to be done over because of this. I was told it will take three to four months to make its way through the judicial system. I would welcome some community service. The project has been great other than that. I think this is the best the park has ever looked. We will put down some sod in the spring to finish it up. I could not be happier with how

it turned out.

**BRAD:** What about the low to the ground drinking fountain?

**JEFF:** We will need to raise or possibly add another one. The landscapers did a great job. I am helping with a cemetery project that will use the help of the local scouts. I have done some research and I think Excel is the best program to use as the other software packages are \$2,000 to \$6,000. There is no cost for Excel. This will help to organize the cemetery plots.

**DAREK:** Our mapping system does cemeteries.

**JEFF:** I will consider all options. We need man hours more than anything. We need info and pictures. The goal is to be able to put this information on the State of Utah website. The D.U.P. has been kind enough to all us to use their old records. This is a huge undertaking but from the comments I have heard lots of residents would like to see it done.

**TREVOR LINDLEY:** Spatial Generation is the software we use at J.U.B.

**JEFF:** I am looking at GIS capabilities as well. I have many community members that are willing to donate the time once we start putting it together.

**ALLEN:** This set of house plans is number seven for the year. It is up from what I expected it to be this year.

**BRAD:** Are there hook-up fees on that house?

**MARLOWE:** No, they are using the connection of the abandoned house.

**ALLEN:** There were two rezone requests at the last Planning & Zoning meeting. The one is for the area directly east of the cemetery from 300 North to 500 North and between the cemetery and 300 East. Planning & Zoning approved that request. John White made a rezone request for the agricultural field by the Vivian Christensen residence. The parcel is from 300 North to 500 North and from 300 East to approximately 400 East. It is listed on the master plan as low density but the members of Planning & Zoning thought maybe the master plan should be revisited and denied the rezone at this time until the master plan can be reviewed.

**MARLOWE:** Erickson's was A-10 and RE-2 and they wanted to go to RMD which is minimum 10,000 square foot lots with 90 feet of frontage. That property is 10.6 acres.

**BRAD:** Jon White wanted low density?

**ALLEN:** Yes. Jon's property is 21.85 acres.

**BRAD:** Was infrastructure discussed at all?

**ALLEN:** No. P & Z just felt this needed to be revisited first as to what the City wants to see in that area.

**BRAD:** Was there any discussion of a road at 250 North on the Erickson property?

**MARLOWE:** No.

**BRAD:** I had heard differently.

**MARLOWE:** This was just a zoning issue.

**BRAD:** Regardless, we need to plan.

**DAREK:** Keep in mind that flat section on 300 North as well.

**BRAD:** Yes, that is something that needs to be planned for.

**MARLOWE:** Jon White knows about the water issues that we are investigating at this time.

**MARLOWE:** I have had a couple of calls regarding kids needing to perform community service hours. We are required to supervise this and it would require overtime by the employees to do this. The men are getting ready to be done for the day when school is getting out. This is something we simply cannot do.

**MAYOR:** We need to find out who is assigning this.

**CHRIS PURSER:** I would assume Matt (Funk).

**TERRIE:** What if a Council member were to oversee the person doing the service?

**BRAD:** I could have definitely used some help at the park.

**SCOTT:** Last Thursday, I took an MPD estimate. Only so much phosphorous can go into the Cub River, we are right at the limit. This is just preliminary but we need to be very careful about anything we allow into the MBR system.

**JEFF:** We need to get an adapter or something so we can make sure we don't run out of battery power on the recorder at any meeting.

### **MAYOR'S REPORT**

**MAYOR:** Invitations have been sent to members of the past City councils as well as any other City elected official to have a tour of the MBR plant on Friday at 6:00 and then come back here at 7:00 and have each of the past Mayor's take five to ten minutes to talk about something special they remembered from their time in office. Light refreshments will be served. The Bear River Health Department will be doing immunizations at the schools in November for the swine flu. They have also provided this little notebook for our review and feedback. Eventually they would like to go to mass production and have one in every home. More allotments are needed for the swine flu. They are hoping for a huge shipment in November. Two weeks ago we met at the MBR plant and had walk through and generated a punch list of items for the contractor to repair so it can get signed off for final approval. I was very impressed; it was a very minimal punch list for a six million dollar project. I am happy with everyone that has been involved in this project. John Cook from the DWQ commented on what a great job Scott is doing and how clean the facility is. The general master plan is something we need to review. This is something we could possibly accomplish in a couple of workshops. I would like to visit with the Planning & Zoning members as well to get their input as well and then we would get Darek and J.U.B. involved. We are still working on the water land purchase agreement. The next Council meeting will be on November 17<sup>th</sup>.

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

A&D Landscaping	3995.50
Advanced Heating	65.00
AG Truck	879.6
Allen Rock	594.24
Allied Insurance	118.00

AT&T	266.88
Cache Service Area	16408.54
Caselle	80.00
Century	21955.00
CNH Capital	394.12
Consumer Reports	26.00
CV Fire Extinguisher	143.00
Denny's	73.98
Fleet Services	81.90
HACH	326.55
Hall Oil	346.25
Highsmith	77.13
Industrial Tool	3680.00
IPACO	1269.18
Joerger Construction	2655.00
JP Cooke	91.27
JUB	1715.50
K&B Service	80.14
L.N. Curtis	686.00
Lee's	169.23
Matt Sadler	4964.76
Maverik	621.16
Michael Frederick	42.00
Mountain Magic	84.08
Nelson Brothers	21134.00
Nextell	475.52
North American Salt	9202.49
Olson & Hoggan	1863.00
Parsons	4284.00
PC's Unlimited	19.95
PEHP	102.00
Postmaster	100.00
Questar	291.68
Qwest	1018.3

Randy's	290.00
Robertson Mfg	330.00
Rocky Mountain Power	7689.02
Skeleton Key Shop	45.00
Smithfield imp	19.99
Standard Plumbing	125.59
Staples	662.91
Thatcher	2097.60
The Home Depot	124.00
U&I Kiwanian	195.00
UASD	65.00
UEN	59.03
UT Local Government Trust	78.33
Utah LTAP Center	40.00
Verizon	60.07
Visa	1845.60
Visa -Library	391.99
Xerox	295.09

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

Adjournment at 8:45 P.M.

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Michael E. Hall, Mayor

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Justin B. Lewis, Recorder