

RICHMOND CITY COUNCIL

MAY 18, 2010

The regular meeting of the Richmond City Council was held at the Richmond Community Building located at 6 West Main, Richmond, Utah on Tuesday, May 18, 2010. The meeting began at 7:00 P.M.; Mayor Michael Hall was in the chair. The opening remarks were made Justin Lewis.

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

A motion to approve the April 20, 2010 City Council meeting minutes was made by Paul, seconded by Terrie and the vote was unanimous.

APPRECIATION OF SERVICE PLAQUE PRESENTATION

MAYOR: Dr. Randy Jones has served on the Planning & Zoning Commission for the last few years as well as the Chairman of the Commission for the last year or so. I would like to present him tonight with this plaque in appreciation of the service he offered to the community. We appreciate his time and service; he will be missed. We wish you good luck in your future endeavors.

COMMUNITY BUILDING THEATER USAGE REQUEST

MAYOR: Spencer Jensen is requesting to use the Community Building theater on a regular basis and will present his idea tonight.

SPENCER JENSEN: I used to teach Irish dance or River dance and during the winter I cannot clean windows so I wanted to try this. It would only happen during the winter and it is more of a hobby than an occupation. I would like to use this building once a week; for an hour.

JEFF: I think it is great if this building can be utilized.

MAYOR: I assume you are going to charge a fee to the students?

SPENCER: I would charge \$10.00 per class. Right now I don't have any students. I need some income in the winter months. If I can get one student that would be \$40.00 per month and I would pay that amount to the City for use of the building. Is that doable?

TERRIE: What does it state in our ordinance?

JEFF: That it will be evaluated on a case-by-case basis. Personally, I am not against a modest fee to start with and if it grows then we can adjust. I just want to make sure the building is taken care of, if it is utilized.

MAYOR: Would this cause us any insurance issues?

TERRIE: We would just need to add a rider to our policy and Spencer would be required to have insurance as well.

JEFF: It is easy to get for a modest fee.

TERRIE: I think we could look at a minimum and maximum fee schedule.

SPENCER: I would like to use the building from November through March.

TERRIE: You are talking the theater, not the dance hall?

SPENCER: Yes.

JEFF: You will need to coordinate with Chris when you want to use it so we don't have over bookings on the same dates.

BRAD: What type of equipment will you be using?

SPENCER: I will bring my own stereo but was hoping to use the speakers in the theater.

JEFF: Yes, they can be used, they can be accessed from above or by a chord that Jeremy left when he was using the theater.

BRAD: What ages are you going to teach?

SPENCER: Probably middle and high school age but I am willing to teach any age.

BRAD: I just want to make sure the building is not misused. I know it is hard to manage large groups of kids by yourself; as well.

SPENCER: I want this to be a performing team so periodically we would have a performance here as well.

BRAD: Does he need a business license?

MAYOR: Yes.

BRAD: Keep that in mind if you continue to pursue this down the road.

SPENCER: My understanding is that I don't need a license if I am making less than \$1,000 per year?

MAYOR: That is correct.

SPENCER: I think I will make significantly less than that.

MAYOR: We will check with our insurance company to make sure there are not any issues. Can you give us an update on your highway building project? We are getting lots of questions about what is going on out there.

SPENCER: It is coming together slowly.

BRAD: Did I see a fence?

SPENCER: Yes, to keep my daughter in when I am working. I don't want her to wander towards the highway.

MARLOWE: The fence is not an issue.

BRAD: But if he connects the two structures that is an issue.

SPENCER: Right now it is a mess but I am going to make it nice.

APPRECIATION OF SERVICE PLAQUE PRESENTATION

MAYOR: Juliene Parrish has been pulling double duty for many years as Librarian and Justice Court Clerk. I would like to present her with this plaque of appreciation for her years of service as Justice Court Clerk. She will continue as Librarian and Melissa Titensor will be replacing her as the Justice Court Clerk. Juliene has worked with two Judges, Judge Funk and Judge Skidmore. We appreciate your time and what you do for the community. Thank you.

PAVAS ROAD CONDITION UPDATE

MAYOR: The City has contracted with PavAs (Norton Thurgood) to oversee the road maintenance for the City. We have asked Norton to come in this evening and give us an update.

NORTON THURGOOD: As of this year, chipping will have been done on roads chipped/slurry sealed on 100% of the roads that were graded in poor condition. This was twenty-two sections of road. Eighty-six percent of the roads graded in fair condition, a score of 50-75, have been treated. A poor road is scored 0 – 50 and a good score is 75 – 100. Fifty-seven percent of the roads graded as good have been treated. We have dabbled in working on the good roads as the newer asphalt was in a situation it could be treated. About seventy-three percent of the entire system has been treated. We had a five-year plan to treat all the roads and started in 2006. In 2008, nothing happened because there was not any oil available to purchase. So we are getting closer. In 2006, the average score was 65, as of 2009 the average score is now 76.8. That is phenomenal, not many towns that have committed to the project have stuck with it. I would suggest getting with the legislators and letting them know what you have done and you should get a bonus or reward for it. A B&C Road fund bonus could be given. Newton completed their process last year and Trenton was within one mile of getting theirs complete. Things are going well.

MAYOR: I am happy with the relationship between PavAs and the City. Tell us about slurry seal, is it a good option?

NORTON: Slurry seals are good in certain situations. To get a decent price, 300,000 square feet or more needs to be done at a time. It is a good seal and those that we have done in the City are still a tight seal. If timed right, we could partner with other communities to get good pricing. Ten years ago, slurry seal had a bad name when 20,000 or more cars per day were going across a section of road. We are limited on how much we can spend and have contracted with Cache County in the past. They are good chip sealers. There was a problem last year with a new operator but the only way to get experience is to run the machinery.

PAUL: Is that what happened in front of Park School?

NORTON: It was because of a computer error on the equipment and because of a new machinery operator. Plus the oil distributor had to continue to stop because of vehicles moving in and out and that caused problems as well. Plus we are using less than ideal chips.

PAUL: Why are we using those chips?

NORTON: Cost. They are coming from Cove currently. A good 3/8" uniform grade chip will cost \$25.00 per ton even with a little sand and dust in them but the chips we are using are \$9.00 per ton. So the best chips are almost 300% more in cost. We are only losing about 7-8% of the chips so why would we want to change where the cost difference is so drastic.

PAUL: The coverage of chips was not an issue. Are we using enough oil?

NORTON: I shot a higher amount of oil than normal. Normal is 35/36 per square yard and I shoot at 43 per square yard. I always shoot high as it creates a good tight net. I don't shoot on the light side. We have lost some chips in Hill Haven as well. I brushed some of the areas in Hill Haven with a broom and was very surprised to still see oil/aggregate in the cracks, this is very unusual for a road in that poor of condition. It has paid much bigger dividends than expected.

PAUL: Any news on the interlocal agreement in the Legislature? I know it survived for now but I am worried about the future.

NORTON: I don't know anything in this regard. It used to cost \$0.95-0.96 per square yard now it costs \$1.35 per square yard. The last bid I got from a big private contractor was at \$2.70 per square yard. Nobody can survive at that price.

MAYOR: I know the Mayor's and Cache County were fighting this. Main Street still looks great.

NORTON: We have to keep all of our options open for the future.

TERRIE: Can we still access your website to look at our roads?

NORTON: Yes, go to www.pavassolutions.com. Your user ID is Richmond and your password is (intentionally omitted).

JEFF: I am curious, Scott (Ball), what is your opinion on this where you are out there on the roads every day?

SCOTT: What is the problem with covering all the chipped roads with oil?

NORTON: It can be done but at a very significant cost.

SCOTT: I bet we have sixty plus man hours sweeping in front of Park School plus an unknown amount of hours sweeping in Hill Haven.

MAYOR: Those streets are an anomaly.

NORTON: Hill Haven and Park School are the only roads that I know we have had issues with.

It can be done. D.O.T.'s do it because of heavy traffic areas and high speed roads. It is a completely separate process from other work that is completed. There is about 3,900 square yards in front of Park School if I remember correctly and that is only a small tar pot. I know of two small private distributors that might be willing to do it. I am hoping this summer when it gets really hot that the road in Hill Haven will help to heal itself. Really, the Hill Haven road is beyond repair. Our plan was to get all of the maintenance done throughout the City and then be able to focus on areas like Hill Haven.

JEFF: So we can still accommodate some of these issues in the future?

MAYOR: Yes.

SCOTT: There is curb and gutter at park school on the one side of the road but not on the other side.

MAYOR: We appreciate the relationship with Norton and PavAs.

NORTON: Remember, the three main problems for roads are drainage, drainage, and drainage.

Drainage is the biggest issue for any road. I want you to know as a citizen of Richmond that I am appreciative of the care you are giving our assets. Other communities are doing nothing.

CITY MANAGER REPORT

MARLOWE: The HVAC heat exchanger's are cracked and broken. The fan has quit working tonight. The good news is the heat exchanger's are under warranty and will be replaced next week. Carbon monoxide could have leaked into the building so they were turned off. On the MBR plant, we finally received the two copies of the O & M manual from AQUA. So I will make the last payment for the construction of the MBR plant in June. From there forward, payments made on the MBR plant will be for maintenance and debt reduction purposes.

BRAD: So all we have left to do is the permits?

MARLOWE: Yes but they have nothing to do with the construction of the plant and the current permit is good for three more years. I was looking at some ARRA funding for the water tank

project but it would be very costly as it is required that only products produced in the USA must be used. A special waiver is required for non-USA parts. The expense would be higher and the delays would be long using ARRA monies in part because of the delays in seeking waivers for parts no longer made anywhere in the United States. I just want you to keep those conditions in mind and be aware. I am reviewing the new LUDMA (Land Use Development Management Act) guidelines and comparing them against our current ordinances. There will be changes coming to some of our ordinances. The State Legislature changes LUDMA every year.

FINANCIAL REPORT

JUSTIN: I have prepared a preliminary budget for your review for the new budget year. It is almost identical to last year other than it does include the cost of living increases for the employees. I did adjust Class C Road Funds from \$60,000 to \$66,000 in the proposed budget. For the current budget year, our starting point was \$778,285 and for the proposed budget our starting point is \$784,317. At the June 15th Council meeting we will need a public hearing to discuss the new budget and to review the current budget and make adjustments. The new budget is required to be adopted no later than June 22nd. I would like everyone to know that Terrie (Wierenga) donated \$678 for the bark at the “star project” in the park. The Library received \$4,325 from a CLEF grant as well. The last reimbursement request for the RAPZ tax approval on the park parking lot has been submitted. Once we receive these funds all of the RAPZ tax funds that have been allocated to the City will have been paid-in-full. The power meter at the Cub River Sports Complex was read and we now have an approximate credit of \$2,434. No impact fees were collected in April. The cost to clean the sewer lines and remove the roots/debris ended up being \$18,257.91 and was money well spent.

PAUL: That is a good start to this project.

BRAD: The last repair that we had to pay for in this regard was over \$5,000; so it was 1/3 the cost of what we just cleaned twenty-five percent of the entire sewer system for. This is a great start and will be a great item to get done each year.

CULINARY WATER SOURCE PROTECTION DISCUSSION

TERRIE: I have visited with Mike Lowe of the Utah Geological Service and Mark Jensen of the Division of Drinking Water. With the potential new water source for the City and all the existing sources we need updated studies and well protection zones established. I think it is a good idea to look at the hydrology of our current system. UGS does this. A private firm would charge \$12,000 to \$15,000 per source; UGS charges \$500 for all the sources plus travel costs and they provide the same data as a private firm. I think our maximum cost would be \$2,500. We need a well defined area for all of our water source areas. As a citizen and not a Council member I want to see this happen.

MARLOWE: I would like to include the well on 600 South as well, even though it is not currently being used.

TERRIE: Every City source would be included.

MARLOWE: Our current ordinance, 2000-1, expires on December 31, 2010 and I would like to have the new ordinance in place before the old one expires. This would include all springs and wells for five more years.

TERRIE: UGS is already in the valley doing other projects so we would just have to pay our prorated portion of their charges.

BRAD: How do we proceed with this?

PAUL: Are there any strings attached to this?

TERRIE: Only if UGS writes the ordinance is there any worry; we are writing the ordinance so there won't be any issues.

MARLOWE: With the new well there are two possible locations. They are close but not on top of each other. Can they include both in their study? Source protection areas are shaped like a bullet. They start from a point and then fan out. We need to include both possible locations for the new well.

JEFF: Is this an issue since the location is still in limbo?

TERRIE: I will make sure to ask them to include in their assessment.

DAREK: This is just one portion of the entire plan. The ordinance only applies to areas within the City, not those that we have located out in the county. Our wells are outside of the City limits.

MARLOWE: The City does have the right to protect our sources.

TERRIE: This was recently discussed in the Legislature as well.

DAREK: I know there can be friction when the county is asked to enforce City rules.

MARLOWE: This would be an issue for several communities not just Richmond.

MAYOR: Bob Fotheringham is a great help as well.

DAREK: Counties should be willing to look out for cities as we are located within the County.

TERRIE: Can we afford this in the current budget year?

JUSTIN: Yes.

MARLOWE: I would like to see Terrie help to oversee this project.

A motion to approve UGS to perform a hydrology study for the Richmond City wells and springs was made by Terrie, seconded by Paul and the vote was unanimous.

MAYOR: This is a good time to get this done.

COUNCIL MEMBER REPORTS

PAUL: The discussions with the Schill's regarding the sidewalks in their mini-subdivision have been concluded. The Schill's have been very good to work with. There was an understanding when the subdivision was approved that the developer (Schill) would do certain things and installing a sidewalk in front of the three lots was a part of this. The Schill's said they had an agreement with the lot buyer's but we were afraid if we did not enforce the agreement with the developer that made the agreement with the City that this would set a precedent. The Schill's agreement to install the sidewalk was with the City. The Schill's have paid the estimate for the sidewalks and the matter is now considered closed. We are going to put an announcement in the newsletter that in July there will be some road reconditioning in Hill Haven where basically a

half pipe swell will be installed and it will take a week or so to get done. This is so water will be properly funneled down the road and not into homeowner's yards/driveways. I have received many calls regarding sidewalk issues. Cadillac Concrete will be doing approximately \$8,000 or so of sidewalk work soon. The sidewalk that was removed by the homeowner between 200 East and 300 East has been replaced by the homeowner. Pot holes are increasing and will be fixed when the weather turns warm. Right now it would not be worth while to fill the pot holes in cold weather and most of the batch plants are not even up and running yet. We are using our limited funding to get maximum results.

MAYOR: I appreciate your assistance in getting the Schill matter resolved.

PAUL: Scott Christensen has about 50-70 feet of sidewalk that has been broken up by trees and is a safety issue that we will have to look into.

MAYOR: What about the sidewalk that was removed in front of Nellie Bagley's home?

JUSTIN: When Ben was reading water meters he realized that the Bagley residence had used 357,000 gallons of water since last fall but the home has been vacant since September. He turned off the meter and contacted Richard (Bagley). Richard contracted with Brent Webb to repair the water leak and as part of the repair they had to remove a section of sidewalk. The repair was completed and the sidewalk was poured last Saturday.

TERRIE: Carol Tonnies and Marlyne Natali's terms on the Library Board expire this year. I have several names of people that I would like to ask or approach about being on the Board. I would like to have the new Board members by July 1st. The Library website is now under Library control and ownership. The State of Utah wanted everyone to have their own website so we used some of the State grant money and moved it over onto our site.

MAYOR: The website is great.

TERRIE: Our new meeting schedule will be to meet every other month; currently we have been meeting monthly. The EMT's are very busy and active. CERT is still meeting on a monthly basis. The Lion's Club has a proposal for a new pavilion in the area by the "star garden" and would like to know the thoughts of the Council in this regard. It would be a different style than the existing pavilions but still have covered protection. What are the plans of the City for this portion of the park? Could we apply for RAPZ tax funds? We just wanted to get the thoughts of the Council so we know whether or not to proceed.

MAYOR: What size are you thinking? Five, six or more tables?

TERRIE: Probably around that size and it would be south west of the star garden between the star garden and the highway.

ROGER PRIEST: It would be between the flag pole and the fort barrier.

BRAD: What kind of costs are we talking?

PAUL: I would guess \$30,000 or so but really have no idea.

BRAD: Wood will cost substantially more than some other products.

TERRIE: We just wanted to know if it is okay to pursue looking into it?

PAUL: I would like to approach the LDS Stake President to see if they are willing to participate and get their feedback on where they would like to see it located.

BRAD: Maybe close to the stake center so they could utilize it as well. I like the pole barn style.

SCOTT: Keep in mind that the irrigation line runs through that area.

BRAD: There is also going to be an engineering cost as well.

PAUL: There is an architect and some contractor's that are part of the Lion's Club. I think the raw materials will be by far the majority of the expense.

MARLOWE: I see people eating lunch or resting at the table under the pine trees and wonder if it should be closer to the road.

PAUL: It appears to me that we have broad support for this.

BRAD: I think that someone needs to oversee the project from start to finish so it will get done.

PAUL: The Lion's Club would oversee from start to finish.

MAYOR: Let's get some costs put together and I will write a RAPZ tax proposal. I think it would be good to try for.

ROGER PRIEST: What about the design and size?

TERRIE: I think it should have a historic look. The Lion's Club will pursue and get back with more information. The mosquito population is booming and the fogging program will start next week. Richmond will be fogged on Thursdays. We started treating the larvae on May 1st.

MAYOR'S REPORT

MAYOR: Marlowe, since the Deputies could not attend this evening, please thank them for the coverage at the Cub River Sports Complex as well as during the Black & White Days Celebration. The Cache County Judge has been dismissing the tickets issued at the sports complex and they will now be headed to Judge Funk for review in the future. The county does not want to deal with them. The survey has been completed in regards to the new water tank location and the appraisal has been ordered. We had two choices and selected Lenard Owens. If the property owner disputes the appraisal then a second appraisal will be ordered and completed by Tom Singleton. The flower beds in front of the office look great and I would like to see that Jared Gillman (A & D Landscaping) gets a thank you card for his help as well as thanks to Justin (Lewis) for his help. I would like to thank everyone for their efforts for Black & White Days. I cannot tell you how many times I was thanked or commended for how things were done this year. I think it all went very well. We were awarded funds for one of the three RAPZ tax projects we applied for. We received the funds for a new playground at the park. Lynn (Lemon) said that funds were extremely tight and that because we do all of the labor ourselves and only use the funds to purchase materials that we get the most out of our allocation and they appreciate that. I want to thank Brad (Jensen), the Lion's Club and the Boy Scouts that have helped with some or all of these projects in the past.

BRAD: We have received \$35,000 towards the purchase of new playground equipment at the City park. I have been working with Garrett and Company and received some proposals. The one that I like has four slides as well as a climbing slide. There are ground level toys as well. The colors I like are red, blue and yellow combination.

SCOTT BALL: Just keep in mind that darker colors get hotter.

BRAD: Scott (Ball) has helped assemble this type of equipment in the past and is willing to help us with it when he gets back from his vacation. We will save over \$5,000 if we do the labor ourselves. The site is going to be hard to get level and will require a retaining wall on the south west corner of the area. It needs to be level before we can install the equipment. I am going to

get it ordered tomorrow. It will take four weeks to arrive. They will offer on-site supervision if needed. They also supply all of the construction specifications as well.

JEFF: Will it be similar in size to the Park School equipment?

BRAD: It will be a little bit smaller. It is ADA complaint in most regards. It has wider stairs and walkways. It will cover an area thirty-five feet by thirty feet. It needs a six foot protection zone as well so the total area needed is forty-eight feet by forty-three feet. The product that will be on the ground is not rubber or mulch but a product in between.

MAYOR: Go ahead and get it ordered. I want to get the plaques installed as well recognizing the projects as RAPZ tax funded projects. Our next Council meeting will June 15th. The star down at the park was rededicated on the Monday before Black & White Days. Richard Bagley gave a dedicatory prayer and the American Legion was in attendance as well. It was a short but good program. The proposed ski resort above Richmond has changed its name from Rainey Ranch to Cherry Creek Resort. They still have many hurdles to overcome and we are still being kept in the loop with any new information that comes out. At our June meeting we will have the discussion on Jon White's rezone request. It was originally set for this evening but Jon was out of town for business and asked that it be moved to the June Council meeting so he could attend and answer any questions if needed. We will also have a budget public hearing in regards to the current and new budget.

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

A&C Embroidery	121.00
AA Hudson	1067.00
Adam Johnson	128.61
Advanced Heating	225.00
Al's Trophies	493.77
Altius	1074.46
American Water Works	100.50
Bear River Health	40.00
Beazer Lock & Key	25.75
Beth Skidmore	512.50
Cache Chemical	59.80
Cache CountyCorp	3150.69
Cache Service Area	15553.20
Cache Valley Insurance	2808.00
Carpenter Paper	87.90
Chris Purser	118.69
CNH Capital	60.63
Denny's	90.36
Derk Gilbert	3.83
Ecosystems	281.00
Fleet Services	98.95

Follett Software	49.55
Gateway Mapping	3005.00
Geneva Rock	209.00
Granite Publishing	52.21
Hall's	93.07
Hobbs Turf Farm	1105.00
Ipaco	127.71
Jardine Petroleum	1050.10
JUB	1246.09
Justin Lewis	43.54
KCA Transportation	246.93
Kevin Christensen	8.46
Larsen Asphalt	1500.00
LD's	175.19
Lee's	1789.52
Lewiston City	409.19
Logan Landscape	678.00
Logan Regional	60.00
Marlowe Adkins	172.75
Matthew Funk	799.88
Maverik	699.95
Nextel	162.09
North Cache Vet	60.00
Olson & Hoggan	4257.50
PC's Unlimited	19.95
PEHP	122.12
Pitcher Propane	1524.82
Pitcher Sales	8.95
Questar	1253.74
Qwest	572.29
Randy's	33.45
Recorded Books	15.00
Reliable Business Systems	438.02
Renegade Rentals	58.00
Rocky Mountain Power	14193.92
Safety-West	2210.62
Smithfield Auto	462.26
Smithfield City	150.00
Smithfield Imp	495.42
Standard Plumbing	129.43
Staples	68.45
Tamara Hardy	99.00

Terrie Wierenga	54.00
Thatcher	1689.00
The Book Table	344.87
The Home Depot	221.02
The Logo Shop	149.52
Thomson Electric	117.86
Tony's Grove	608.31
UEN	163.89
USA Bluebook	167.94
Utah Local Governments Trust	78.33
Verizon	60.07
Victory Corps	781.74
Visa	394.33
Watkins	307.45
Wendy Poyner	87.57
Wilson Motor	20.99
Xerox	193.64

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

Adjournment at 8:45 P.M.

Michael E. Hall, Mayor

Justin B. Lewis, Recorder