

RICHMOND CITY COUNCIL**AUGUST 17, 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, August 17, 2010. The meeting began at 7:00 P.M.; Mayor Michael Hall was in the Chair. The opening remarks were made by Allen Lundgreen.

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

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

DEPUTY REPORT

MAYOR: We appreciate all your department's help with the micro burst wind clean up last night and last month.

DEPUTY KERR: I know that you mentioned previously that skateboarders in the road are a problem and I have noticed this as well. There is not a specific ordinance that I know of that permits them from being there. They are just a traffic hazard that needs to be dealt with. Is National Night Out part of your annual City party?

MAYOR: Yes and our City party is on Friday, September 10th. We would like to have the S.W.A.T. van there if possible.

JEFF: It will be about the same as normal with the dinner starting at 6:00 P.M. and the air rides open for the kids at 5:00 P.M. We will want you to enter with your equipment from 100 South on the east side of the bathrooms and then make a circle around the pavilions.

BRAD: Could you bring the simulator as well, it is always a big hit?

DEPUTY KERR: If you like, I will try and make it happen.

JEFF: I will make sure that some parking stalls are blocked off so it will be easy for vehicles to enter and exit. The party will last from 5:00 to 8:00 or so. We will eat at 6:00 and you and all your coworkers are invited to eat and attend.

PAUL: Do you know if the graffiti on Theurer's store was removed?

MAYOR: I am not sure; I have not looked.

DEPUTY KERR: I am not sure either.

BRAD: You guys doing the property watch on the park has been great.

DEPUTY KERR: Vehicle drive bys are always helpful and we can do more if needed. Just our presence usually helps.

BRAD: I would like you to continue to monitor the park for two more weeks until school starts.

DEPUTY KERR: What time is best?

BRAD: Right around dusk. They (kids) usually always run away as soon as they see headlights.

DEPUTY KERR: I will put another property watch into effect and we will continue.

PAUL: Do we need to look at a possible ordinance in regards to the skateboarding issue? Do you know what other communities do or have done?

DEPUTY KERR: I am not sure.

PAUL: If you could review and let us know at the next Council meeting that would be helpful.

DEPUTY KERR: I am not sure what we could cite them for. I will see what others are doing and exactly what they are citing people for if they are.

BUSINESS LICENSE

FIRELINE PRESS

MELISSA ELLSWORTH: I am here to request a business license for firelinepress.com. My father started the company over thirty years ago and currently resides in Chicago, Illinois. We make calendars and shift charts for the firefighter and paramedic industry. All sales are done via the Internet and telephone. The business would consist of us printing calendars, using a dye cutter and having some miscellaneous supplies. We produce the calendars ourselves. My dad will continue to run the business from Chicago and I would make the product here. We plan to lease the old bank building right across the road if the license is approved.

PAUL: Where did you say your father is located and that the business will be run from?

MELISSA: Chicago; however, he will live with me from September through February or so and then turn it over to myself. I hope to be able to hire an employee down the road but for now it will be just me and him. Occasionally we will use UPS or FedEx but we will try and buy all the products locally to save on freight fees. We send all of the product via USPS.

A motion to approve the business license request for Fireline Press was made by Terrie, seconded by Paul and the vote was unanimous.

CITIZEN REQUEST TO CHANGE MOBILE HOME ROOF LOAD LIMIT FROM 40 LBS PER SQUARE FOOT TO 30 LBS PER SQUARE FOOT

MAYOR: Sara Ann and Reed Ripplinger would like to make a request to the Council concerning roof load weight limits on mobile homes. I have provided each of you with the write up in this regard from Cache County Building Inspector Paul Berntson.

SARA ANN RIPPLINGER: We own the mobile home park out at the north end of the City. For two years, we have not been able to get any mobile home trailers in or out of our park. Cache County has established a 40 lbs per square foot weight load limit for the roofs of mobile homes and almost all are made to 30 lbs per square foot. This has created a great hardship on myself and Reed trying to run that business. I checked with Cache County Building Inspector Paul Berntson on his position and he says it should be the 40 lbs. He suggested that I contact the Department of Professional Services if I had questions about it. I did so and found out that Salt Lake City has changed to follow the HUD standard. HUD says that 30 lbs in this area is acceptable. FHA and HUD both recommend 30 lbs per square foot roof load. We want to bring in newer mobile homes rather than older mobile homes when possible. Anyway, I am hoping you will be willing to allow us to accept mobile homes with the 30 lb roof weight limit. One option we have is to make the park an RV Park so the pipeline workers have a place to stay. The County won't even let these mobile homes on the road right now because they don't comply. What is the Council's position on this? We are being forced out of business.

JEFF: As I review this list provided by Paul most areas only require the 30 lb limit. I was told that if the formula is calculated to 35 lbs then it is automatically rounded to 40 lbs.

PAUL: Has one (roof) ever collapsed in your park before?

SARA ANN: No, and we have been in business since 1978. In 1980 or so, there was that great big winter and none of them collapsed then either.

DAREK: I don't know about the building code but I would assume it is acceptable if built to the HUD standard.

SARA ANN: From 1958 to current they (mobile homes) are a lot better built. The ones older than that were very poor for sure.

DAREK: I know that different areas of the County have different load requirements based on the formulation table created by the State.

TERRIE: Six years ago we had an unapproved modular home that was below the standard. The recommendation by the inspector is a minimum of 35 lbs.

SARA ANN: It is not so much the snow is the issue as it is the ice building up on the roof. We are getting nowhere with this. There is a possibility that the roof could be removed and four or five more braces added but that is not cheap to do.

MAYOR: What do new homes built at the factory come with standard?

SARA ANN: All new homes are produced at 30 lbs unless the buyer wants to pay for an upgrade to 40 lbs.

MAYOR: What was Paul Berntson's recommendation per pound?

MARLOWE: Paul recommends 40 lbs. Keep in mind that if the home has a HUD tag that trumps all other requirements.

PAUL: So if it is HUD approved then we automatically have to accept it but only if the HUD tag is attached?

TERRIE: HUD homes are premanufactured homes not mobile homes.

MARLOWE: Yes, the HUD homes are prebuilt.

SARA ANN: Does a double wide mobile home trailer qualify the same as a prebuilt?

TERRIE: They are classified differently as far as I know.

MAYOR: Marlowe is talking modular homes not mobile homes which are at question.

BRAD: How are other mobile home parks in the valley dealing with this?

SARA ANN: They have the same problem that we do; it is a challenge for everyone.

TERRIE: I think on an average year based on our conditions that 35 lbs should be the minimum.

REED RIPPLINGER: If the snow is deep then common sense says to shovel it.

SARA ANN: We have never had any problems with this after many years. What about parking 30 ft RV trailers there?

PAUL: Is it zoned for that?

MARLOWE: I am not sure.

BRAD: Allen, do you know?

ALLEN: I don't think so.

SARA ANN: The trailers would be here four to five months until the job is completed and then move on. I don't want to do this but may need to because of the issue with the mobile homes.

JEFF: Are we the exception to the rule? Is Cache Valley the exception to the rule? It is recommended that 35-40 lbs for the valley which is above the norm but this must be because of

the harsher conditions in this valley. I would expect this to be the reasoning we are above other areas in the state.

MAYOR: That is part of the elevation standard.

PAUL: Section 12-23-1 states that RV trailers cannot stay in a particular spot more than 30 days in one year.

SARA ANN: That won't help us then.

PAUL: We are sympathetic to your situation but it is hard to go against the building inspector recommendation.

REED: Then why not kick people out of existing homes that don't meet the standard? This is not something that should be retroactive.

MAYOR: I see this in the banking world in regards to mobile homes; they won't be financed anymore. They are a hard sell. I won't go against what our consultant recommends; it opens us up for liability even if very slim.

TERRIE: The RV trailer code states it must be a guest or family members. This might be a case for a conditional -use permit.

ALLEN: I would think so.

JEFF: This sounds like the right process to make it legal. Present the plan to Planning & Zoning and follow the process.

MARLOWE: I think the intent was to prevent this. I think it is a non-issue. The intent was for mobility; RV's are not contrary to this. I don't think you need a conditional- use permit. The sewer just cannot be dumped into our system from treated RV tanks.

SARA ANN: They would be required to hook up to the electricity and sewer system.

MARLOWE: I think the intent was mobility.

PAUL: I support having Planning & Zoning review this.

MAYOR: I think going to Planning & Zoning to get a permit with attached conditions is a good idea.

JEFF: I just want to make sure we are not against code.

TERRIE: The conditional-use permit would be for a specific period of time as well.

JEFF: So is the amount of time set in the permit?

MARLOWE: One year is the standard but it can be changed.

SARA ANN: In reality, nobody wants to stay in an RV in the winter.

JEFF: The permit needs to be for a specific period of time.

MARLOWE: I would suggest that the permit is good for all mobile home parks in Richmond as well.

JEFF: I agree, it should be the same in all.

TERRIE: I am not concerned about the time period as we can review as often as needed.

MARLOWE: It would be easier to do on a calendar year basis as people will most likely not be moving in the winter.

TERRIE: There needs to be a specific sewer dumping procedure.

BRAD: They cannot add any chemicals to their tanks. Just hook up and drain right into the system chemical free.

MAYOR: Reviewing this information, it shows that weight recommendations are rounded so if the formula states 35 lbs then it is rounded to 40 lbs or the nearest ten.

SARA ANN: So 35 lbs is not acceptable?

MARLOWE: No, Paul said that it must be to the next rounded number of ten by the standard.

PAUL: It is hard when all new mobile homes are produced at 30 lbs.

SARA ANN: What about putting a false roof over the top? Financially it might not be feasible though.

MARLOWE: Paul said a false roof is acceptable as long as it meets code.

MAYOR: At this point I think there are a couple of options. You can go to the Planning & Zoning Commission for a conditional-use permit for the RV trailers and then based on their recommendations it would then come to the Council for approval. I won't go against the recommendation of our Building Inspector or the State guidelines. Planning & Zoning meets the first Tuesday of each month and the Council the third Tuesday of each month.

FINANCIAL REVIEW

JUSTIN: At the last Council meeting I forgot to have you formally approve the wages for the new budget year for the employees. The wages are as follows:

Employee Earnings	Monthly	Yearly
Chris Purser	\$2,313.62	\$27,763.44
Justin Lewis	\$1,090.20	\$13,082.40
Ben Lundgreen	\$2,387.11	\$28,645.32
Robert Bair	\$2,821.12	\$33, 853.44
Marlowe Adkins	\$2,517.56	\$30,210.72
Julienne Parrish	\$1,626.24	\$19,514.88
Judge Matthew Funk	\$900.00	\$10,800.00
William Scott Ball	\$3,750.00	\$45,000.00
Justin Gilbert	\$2,080.00	\$24,960.00
Mayor Michael Hall	\$200.00	\$2,400.00
Councilmember Brad Jensen	\$100.00	\$1,200.00
Councilmember Jeff Young	\$100.00	\$1,200.00
Councilmember Allen Lundgreen	\$100.00	\$1,200.00

Councilmember Paul Erickson	\$100.00	\$1,200.00
Councilmember Terrie Wierenga	\$100.00	\$1,200.00
Fire Chief Lyle Bair	\$220.00	\$2,640.00
EMT Assistant Leader Larsen	\$120.00	\$1,440.00
Fire Assistant Leader Lundgreen	\$100.00	\$1,200.00

Jan Gilbert (Crossing Guard) \$406.54, per month when school in session
 Tamara Petersen (Crossing Guard) \$319.33, per month when school in session

Melissa Titensor (Justice Court Clerk)	\$10.30 per hour
Michelle Gilbert (Library Worker)	\$7.50 per hour
Patricia Forsgren (Library Worker)	\$8.55 per hour
MistiDawn Ramirez (Library Worker)	\$8.20 per hour
Tina Reese (Library Worker)	\$8.79 per hour
Anthony Miller (Parks Worker)	\$9.00 per hour
Gordon Chase (Cemetery Worker)	\$12.00 per hour

Dumpster Workers	\$8.00 per hour
Cemetery Workers	\$9.00 per hour

EMT/Fire Department Employees \$8.00 per call or drill

TERRIE: Michelle Gilbert has been a Library volunteer in the past and is going to be taking the place of Murphy Forsgren.

A motion to approve the employee wages for July 1, 2010 through June 30, 2011 was made by Brad, seconded by Paul and the vote was unanimous.

JUSTIN: I would also like to transfer \$7,500 from the Capital Projects Fund into the Cub River Sports Complex Fund as our portion of this year's charges.

A motion to approve the transfer of \$7,500 from the Capital Projects Fund to the Cub River Sports Complex Fund was made by Jeff, seconded by Paul and the vote was unanimous.

JUSTIN: Also, at the end of June we transferred \$13,903.75 from the Restricted Water Enterprise Fund to the Capital Projects Fund as a payment of \$10,000 in principal and \$3,903.75 in interest on the loan. I needed a formal motion for this transfer as we did not formally make a motion at the June meeting but agreed we wanted to do it.

A motion to approve the transfer of \$13,903.75 from the Restricted Water Enterprise Fund to the Capital Projects Fund on June 30, 2010 was made by Brad, seconded by Jeff and the vote was unanimous.

JUSTIN: The insurance for the year has been paid, this happens in July of each year. This basically is allocated approximately \$3,500 per department. Paul is busy getting streets and sidewalks worked on and has spent \$29,517 in Class C Road Funds last month and more work is being done this month and next month.

PAUL: Twenty-seven thousand linear yards at about \$1.00 per yard has been completed. Pricing was comparable to 1999 pricing. Great deal.

JUSTIN: Just as a reminder, we collect \$927.42 per month on the cell phone tower, \$500 on the rental home and \$680.92 from the post office. We did not collect any water or sewer impact fee funds in July.

PAUL: What is Deferred Revenue?

JUSTIN: That is the estimate of the property tax due and collectible.

COUNCIL MEMBER REPORTS

BRAD: The Fire Department has been very busy helping with the microburst wind damage clean up and a structure fire in Clarkston last night. I will be getting with Chief Bair and the other members of the Department to discuss doing some fire station improvements. The trench has been dug in regards to the water tank and the project is moving forward.

MAYOR: The attorney for the City and the property landowner attorney are talking and we are moving forward with getting bids and getting the preliminary work done. Craig Call is their attorney and is the former State of Utah ombudsman in these types of situations and has been advising them of their options and the options that the City has. I think it is good for us that Craig is their attorney as he understands both sides. This is just a step by step progression. Darek will be getting us some numbers and Cache Valley Bank, Lewiston State Bank and Zions Bank all have an interest in helping with the funding for the project. Since I have an interest and Paul has interest in some of these banks; Justin will be working more directly with them. The geological work on the site has been completed and approved.

BRAD: These are some great infrastructure projects that have been completed and will be completed for the City. We are still in the process of looking for a new/used 10-wheeler truck and might start looking at trucks back east as they seem to be more readily available and come already equipped with a sander and snowplow. There are no new nuisance complaints.

JEFF: The City party is on Friday, September 10th at the City park with the dinner starting at 6:00 P.M. We will need to determine what time we want to get together to start preparing. Last year we planned for 500 (people) and ran out of everything.

MAYOR: I think we should break the corn cobs in half as very seldom do the children eat an entire cob and some adults as well.

JEFF: I think some full-size and some broken in half would be great. The meat will come from Lower's and the cole slaw from LD's. Ice Cream from Casper's and Kip is making

arrangements to get the corn. Lee's will supply the rolls. Allen will bring his special beans. Let's meet at 3:00 P.M. to get the meat cut and put in the cookers and start with the corn. What about the coke trailer? It was so slow last year filling the cups that we really need two trailers.

BRAD: Cans would be easier and just as cost effective I think. Take some small children sized pools and fill them with ice and cans.

JEFF: Terrie will get the food permit. The Lion's Club will deal with the pop and ice and how it is distributed.

TERRIE: I would suggest that they hand out the cans rather than let people just come up and grab them.

JEFF: I think we plan for 600 this year. Allen, could you do one more cooker of beans?

ALLEN: I will do five cookers rather than the normal four. I will pick up all the ingredients as well.

JEFF: Let's plan to meet at 3:00 P.M. at the park to get started.

BRAD: We need some electrical circuits that won't trip.

JUSTIN: I can supply a generator to use if you can deal with the sound for a few hours.

JEFF: I have left several messages with the Checketts regarding the air rides and they have not returned my calls. If I don't hear from them soon I will make arrangements elsewhere. I have been contacted a couple of times about having a Christmas play since we no longer do the melodrama during Black & White Days but nobody is willing to take this over and run it.

MAYOR: June Hancey has contacted me about wanting to do a booth at the County fair next year for Richmond City. She says she has people willing to help and we have not been represented in this way in many years.

CHRIS PURSER: Leanne Traveller has contacted me and wants to help out wherever she can in the City.

MAYOR: What about with the Youth Council? I think Bruce and Leanne would be great over it together. Let's go and meet with them.

JEFF: What about getting some shirts with the City logo on them for the party and the League meetings?

MAYOR: Good idea.

TERRIE: Just get something simple.

BRAD: The Logo Shop has our logo and information on file; I will contact them and get some options.

ALLEN: Planning & Zoning had a few items on their agenda this month but only Spencer Jensen came in and I think we have him going with a deadline for completion.

TERRIE: He has to have the work done by October 6th.

ALLEN: A fertilizer manufacturer is looking for some property in Richmond to build a plant on. It would be a bulk plant like IFA. I have received some lower water pressure complaints from residents on 300 East, on the west side of the road. They have less than 20lbs of pressure.

PAUL: My mom (Karren Erickson) has low pressure as well as Jay Baggley; less than 20lbs.

DAREK: Those homes would be fed off the blue tank. The pressure regulator is in that building by your (Paul Erickson) house.

ALLEN: I know they are frustrated with the lack of pressure. When they have one sprinkler on and try to get a drink of water from the faucet in the house it makes the sprinkler quit working.

MARLOWE: We will be running the well 24/7 starting today.

DAREK: We need to check the pressure gauges.

PAUL: Please check and let me know what you find.

BRAD: After the well runs for a while then let's check and see if we still have a problem.

MARLOWE: The steel tank services Lower's Foods and North Cache Middle School as well and I know they use a lot of water daily.

DAREK: I can also talk with our water model guys and see what is realistic for pressure when the tanks are low.

MAYOR'S REPORT

MAYOR: I have a copy of the Cache County Library Ballot here before us. Any comments you have regarding this need to be sent to Lynn Lemon of the Cache County Council. Terrie and myself have already submitted our comments. This is something that they just keep pursuing even after it gets shot down time and time again.

In a building related matter, from now on when someone is building a new home/residence there is a form that the builder and homeowner must sign before construction begins that states they have received a copy of our construction standards. This will save us some grief down the road.

We currently have one home right now that we are dealing with that has an issue and he has pleaded ignorance in the matter. We are working with our attorney on this as it might be an as-is issue. By making sure that the builder and homeowner have a copy of the standards in the future this will not allow anyone to plead ignorance. Justin and Boyd will be out of town in September for our regularly scheduled meeting on September 21st and Justin was wondering if we would consider moving it back or up a week?

BRAD: I will be out of town on the 14th.

MAYOR: Let's move it to September 28th. Justin will post the notice in the *Herald Journal*. At the last Council meeting the Roscoe Subdivision was passed and our Planning & Zoning Commission had some questions/concerns regarding that passage. City Attorney Bruce Jorgensen has reviewed it and said that we are fine and that we followed the rules. We asked the County to review it as well and they said we are okay but had a couple of suggestions. They have it set up so that any subdivision with five or less lots can get approved with a preliminary and final plat at the same time. They also suggested that a copy of the Planning & Zoning meeting minutes be available and sent to the entire Council for review and to keep them in the loop. So moving forward, Marlowe will include a copy of the minutes in your packet to review before this meeting.

MARLOWE: But the minutes won't be formally approved.

MAYOR: Just put a note on them that they are unapproved.

TERRIE: That is the legal way to do it and acceptable.

MAYOR: After having the County and City Attorney review this, I feel that we are okay with what was approved and have no concerns with it. I have talked with Chris Anderson, the Planning & Zoning Commission Chairman, a couple of times about it and have reminded him that we need to work together and we appreciate what they do and do not want this to become a "them against us" situation. The Commission wanted another shot at this before it came to the

Council and this is something that we will just have to agree to disagree on. I feel we made the correct and right decision.

TERRIE: I talked with Jay at the County and he was the one that made the suggestions mentioned.

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

A&D Landscaping	1460.15
Ace Banner & Sign	240.00
Advanced Heating	113.00
Aflac	244.18
Altius	1601.85
Audio Adventures	26.96
Bear River Health	40.00
Beazer Lock & Key	19.25
Beeline Carpet Cleaning	350.00
Borders	96.06
Boundtree	501.47
Brent Webb	1110.00
Buzz Electric	186.84
Cache Service Area	16781.53
CED	99.95
Century	20310.00
Chevron	41.00
Clint Dirks	450.00
CNH Capital	1153.66
Denny's	200.25
Ecosystems	339.00
Fleet Services	27.30
H&E Equipment Services	231.00
Hall's	147.52
Highsmith	173.25
IFA	558.91
IPACO	69.70
JG Builders	15769.25
Junior Library Guild	167.40
L.N. Curtis	1102.11
Lee's	38.80
Lewiston City	800.50
Maverik	1338.58
Mountain Magic	184.35
Nextel	153.70

Northwood Rentals	593.80
Olson & Hoggan	1929.50
Pavas	3442.75
PC's Unlimited	19.95
PEHP	160.68
Questar	106.74
Qwest	438.40
Randy's	5.00
Rocky Mountain Power	8766.69
Ron Keller Tire	438.00
Safety Supply & Sign	245.96
Smithfield Auto	97.64
Sprinkler Supply	701.95
Staples	151.99
Thatcher	1594.85
The Book Table	36.74
The Home Depot	58.41
UEN	81.95
Utah Local Governments Trust	2260
Utah Safety Council	43.00
Verizon	60.29
Visa	287.73
Waterford	306.42
Weidner And Associates	1445.63
Xerox	193.64

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

Adjournment at 8:45 P.M.

Michael E. Hall, Mayor

Justin B. Lewis, Recorder