

RICHMOND CITY COUNCIL

MAY 17, 2011

The regular meeting of the Richmond City Council was held at the Richmond City Community Building located at 6 West Main, Richmond, Utah on Tuesday, May 17, 2011. The meeting began at 7:00 P.M., Mayor Michael Hall was in the chair. The opening remarks were made by Chris Purser.

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

A motion to approve the April 19, 2011 City Council meeting minutes was made by Paul, seconded by Brad and the vote was unanimous.

DEPUTY REPORT

DEPUTY KERR: I brought a copy of the Hyrum City skateboarder ordinance for you to review. There are things in it that I like and things I dislike. This is what they do with skateboarders on the main roads. I think it would be well worth your time to review.

MAYOR: Please tell us what you like and dislike so we can take into consideration in regards to our ordinance.

DEPUTY KERR: I like how it keeps people off of the street and on sidewalks. This includes other items such as toy vehicles as well, not just skateboards. It keeps everyone on designated sidewalks. It also talks about in areas where there are no sidewalks that the person needs to keep to the far right as possible and go the same way that traffic is going. There are violations and even confiscation. I think that is hard.

MAYOR: Judge Funk has talked with City Attorney Kelly Smith about this issue and the verbiage in our proposed ordinance is about the same.

DEPUTY KERR: If we confiscate something where do we take it? I don't want to be responsible for it. We could log it into evidence at our facility.

MAYOR: I don't think there will be a lot to deal with and we can just leave them here at the office and let Judge Funk handle it.

DEPUTY KERR: I guess we could put in our office here at the City office and let Judge Funk retrieve when he settles the citation. I do like the wording about keeping them off the street. There is a lot of detail and wording in this ordinance. Safety is the biggest concern in this entire issue. Hyrum's ordinance also discusses ramps and jumps. Something for you to review and consider but probably not necessary for this community.

MAYOR: I do like the section where it says you cannot attach to a vehicle and be pulled along.

DEPUTY KERR: This gives us something we can do. It lists punishment for first, second, third and fourth time offenses. I can stick around if needed for your discussion on this topic.

PAUL: The section talking about private property. For example, the local LDS stake center is posted for no skateboarding can it be enforced on private property?

DEPUTY KERR: We can cite them if it is properly posted. Hyrum's ordinance was well thought out. It covers a wide variety of things.

MAYOR: I appreciate you bringing it in for review this evening.

DEPUTY KERR: Another issue is parking at the Cub River Sports Complex. One concern I have is there are some signs but not enough signs to the far west.

MAYOR: I am working with Mayor Fields of Lewiston and we are going to install some “No Parking Beyond This Point” signs as vehicles park near the parking lot entrance and exit and cars have to pull the nose of their vehicle in the road to see and could get hit.

DEPUTY KERR: I have been trying to enforce as much as possible. Some people have stated that the signs are being blocked by vehicles and they could not see them so that is why they parked there. Maybe we can raise the height of the signs?

MAYOR: That is something to consider but I think it would be best to add more signs. The current sign posts are cemented in.

DEPUTY KERR: I just want to make sure that people don't have any excuses. Another issue is people being in the City park between 3:00 A.M. and 4:00 A.M. I am not talking juveniles but people that are 18 or older. I am not sure but in the research I have done I cannot find an overnight park ordinance for the community?

MARLOWE: We don't have one.

DEPUTY KERR: That is something we are dealing with. You don't want or need them there at that time. It is a great place to hide and is kind of a center point for people to gather. We have asked them to leave but don't really have any way to enforce it currently. I can look for other local ordinances as I know that Wellsville City just passed one. I was busy and did not have a chance to review the call volume for last month.

MAYOR: Jeff (Young) is gone this evening so I will fill you in on some Black & White Days information. Please know that you and the other deputies are invited to the breakfast on Saturday from 7:00 A.M. to 10:00 A.M. The parade will start at 5:00 P.M. We would like the same roads closed and will use the same route as always. Do you know if Sheriff Nelson will be attending?

DEPUTY KERR: I will be leading as far as I know. I have not been told any different.

MAYOR: We want you guys involved this week, with your presence it keeps bad things from happening. One item that you should be aware of is that it has been brought to our attention that there is the possibility the horse pulls could be cancelled because of the equine herpes disease that is spreading. It is something that will be discussed later this evening as the State of Utah veterinarian is reviewing the situation and supposed to make a recommendation by 8:00 P.M. this evening.

DEPUTY KERR: I have arranged for a property watch on each shift starting tonight for the festival.

BRAD: There will be a significant increase in volume at the City park on Friday night with the City wide movie that will be played.

DEPUTY KERR: We will have officers on foot during that time walking around the park.

MAYOR: If the horse pulls are cancelled we will be doing something else that evening but don't know what that would be at this point.

DEPUTY KERR: I have arranged for the officer's to be in town during the swing shift hours, is that correct?

MAYOR: Yes.

DEPUTY KERR: Would you like me to stick around for the skateboard presentation later on?

JUSTIN: I think we need time to review the Hyrum ordinance and to look at our proposed ordinance.

MAYOR: Our discussion won't happen for an hour or so, so go ahead and go. If we have any questions we will contact you in this regard. Thanks for your service to the community.

YOUTH COUNCIL PRESENTATION

MAYOR: Wendy Poyner and Rebecca Thatcher along with some members of the Youth Council have come before us this evening to introduce themselves.

WENDY POYNER: I am excited about the Youth Council. I had no idea what was going on or needed to be done last year but I am learning. Rebecca (Thatcher) was very involved in the Lewiston City Youth Council and has helped to enlighten me and help me in this regard. Emily Cardon is the Mayor and has helped on the Logan City Youth Council previously. Caitlin Reese is a past and current member. April Henderson is the Treasurer and in her first year on the Council. Sophia Huff is the secretary. We were involved with the Smithfield City Health Days Parade. We helped with the Little Miss Pageant in April. We also helped recently with the City wide clean up. We will be helping with the Black & White Days Festival as well. Emily is working with the Smithfield City Youth Council to see if some of them can come and assist us during Black & White Days. We will extend an invitation to them to help us during the Friday night movie. We will be operating the hamburger stand at the ball diamond on Saturday and hope to have some help from the Smithfield and Lewiston Youth Council's that evening.

MAYOR: They are relied on to help with certain projects and are always wonderful to work with and have always been willing to help.

WENDY: We just hope to keep it moving forward.

MAYOR: Kudos to both of you leaders. We know that you were just thrown into it last year and you have both done very well. We appreciate your service. We have talked about the conference at USU and would like to see a presence there if possible. Thank you for all you do.

EMILY CARDON: It would be nice to have a letter from the Mayor in helping us to recruit new members. We recruit at the end of the school year and the start of the school year.

MAYOR: I will get you a letter.

SUZANNE DENT APPRECIATION OF SERVICE PLAQUE PRESENTATION

MAYOR: We would like to present this plaque to Suzanne Dent for her years of dedicated service to the Planning & Zoning Commission. She served from February 1, 2003 through December 31, 2010. We all appreciate the time you have served the community.

FINANCIAL REPORT

JUSTIN: So far we have collected \$930.00 in Black & White sponsorship fees. The plaques for the playground park benches have been ordered from Al's Trophies and Frames. At the last Council meeting it was approved to remove \$250,000 from the Capital Projects Fund currently being held in a State of Utah Public Treasurers Investment Fund and open an eighteen month CD with Cache Valley Bank. The paperwork has been prepared and will be signed this evening and

the check will be signed as well and the account will be opened tomorrow. There is also a \$127,000 payment to the State of Utah as the second payment on the MBR plan this month. This payment is 100% principal, no interest involved on that loan. The harvest market signage has been paid for a total of \$698.00. The bills are just starting to roll in for the Fire Station remodel and through the end of April only \$663 had been spent but I know there will be a bunch of invoices approved in this regard this evening. There were not any attorney fees for the Cub River land swap in April but will be more in the future as that deal is finalized. The Richmond City Cemetery District Audit was completed this last week and has been submitted to the State of Utah.

MAYOR: In case anyone did not know we are approved for \$40,000 in RAPZ tax funds for our park pavilion upgrade request. I felt really fortunate to get \$40,000 of the \$60,000 or so we requested. There were \$3,800,000 in requests and \$1,700,000 was approved for projects. Several communities did not get approved on any projects. We will be bricking the pillars on both pavilions. As well as all new electrical right from the breaker box and there will be all new soffit, fascia and siding. If there are any funds remaining it will be used in replacing the old existing wood picnic tables with new picnic tables.

JUSTIN: I have talked with Mike Abbott of Western Construction and he said to go ahead and get the electrical and brick work done first and then he will come in and finish up. I have asked Jeff to contact Sokun Dy to get him rolling on the brick work and asked Brad to oversee the electrical work that will most likely be done by KVA Electric.

BLACK & WHITE DAYS HORSE ACTIVITIES UPDATE

MAYOR: The *Salt Lake Tribune* and the AP wire are both reporting an outbreak of equine herpes. This could possibly halt all horse related activities in the state. Eight horses have tested positive and several other Utah horses are symptomatic. It was picked up at the National Cutter Races in Ogden a couple of weeks ago. It is spread from horse to horse contact. The State of Utah Veterinarian could recommend to cancel all horse related events at this time. Whatever is best for the horses is what will be done. There is a meeting going on right now with a horse pulling representative, horse judging representative and Jeff Young in behalf of the Council. We should know the recommendation by 8:00 this evening. We already have calls coming in from some of the pulling teams and most have said they will not come now. We will know for sure later this evening. We might need to have a secondary movie or keep the booths open later to accommodate this change if needed. We will make announcements and correct the advertising as needed. Pete Schropp and Shane Spackman are attending this meeting and will let the Council know as soon as a decision has been made.

PAUL: They are deciding as a committee to hold the event or not? The National Horse Pullers Association has the decision to make, not the City Council.

TERRIE: This will affect the horses in the parade as well.

MAYOR: There are currently six to eight horse groups in the parade.

TERRIE: We need to contact them and let them know.

BUDGET PUBLIC HEARING

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

JUSTIN: I would like to make some adjustments to the current budget in the general, water and sewer funds. The total adjustments to the general fund would be \$36,580, to the water fund \$12,354 and to the sewer fund \$36,169. In the general fund this is to add items such as the library grant, the donations received, and mainly to the increase in the amount of sales tax received.

MAYOR: Our next Council meeting will be on Wednesday, June 8th and there will be a short meeting on June 30th to pay year end bills.

JUSTIN: The new budget must be approved no later than June 22nd.

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

A motion to approve the following changes to the current budget period of July 1, 2010 through June 30, 2011 was made by Paul, seconded by Brad and the vote was unanimous.

Revenues

- 3107 TRANSFERS IN - CAPITAL PROJECT
- 3110 GENERAL PROPERTY TAXES
- 3130 LOCAL OPTION SALES TAX
- 3210 BUSINESS LICENSES
- 3364 LIBRARY CLEF STATE GRANT
- 3381 COUNTY FIRE DEPARTMENT
- 3611 COLLECTION FEE - PENALTY
- 3621 RENT - PARK
- 3663 LIBRARY - MISC INCOME
- 3670 CACHE COUNTY AMBULANCE
- 3682 FIRE DEPT. ACTIVITIES
- 3684 CITY BASEBALL
- 3691 GAIN ON SALE OF ASSET
- 3834 DONATION - PARK
- 3837 DONATION - BLACK & WHITE

Total General Revenue Adjustment

Expens

- 4120 ADM - MILEAGE & CONVENTION
- 4124 ADM - OFFICE EXPENSE
- 4131 ADM - AUDITOR FEES
- 4133 ADM - ENGINEERING FEES

4211 BLDG - SALARIES
4213 BLDG - SOCIAL SECURITY
4223 BLDG SUBSCRIPTIONS &
4225 BLDG - MAINTENANCE
4313 PUBLIC SAFETY - SOCIAL SECURIT
4320 PUBLIC SAFETY - MILEAGE &
4323 PUBLIC SAFETY -
4324 PUBLIC SAFETY - OFFICE EXPENSE
4326 PUBLIC SAFETY - UTILITIES
4364 PUBLIC SAFETY - FINES TO STATE
4420 STREETS - MILEAGE &
4423 STREETS -
4427 STREETS - GAS & OIL
4448 STREETS - EXPENDABLE SUPPLIES
4463 STREETS - SUNDRY
4471 STREETS - CLASS C ROAD FUNDS
4489 STREETS - BACKHOE SNOWPLOW
4494 STREETS - PARK STRIP
4523 PARKS - SUBSCRIPTIONS &
4563 PARKS - SUNDRY
4592 PARKS - HARVEST MARKET
4613 FIRE DEPT - SOCIAL SECURITY BE
4663 FIRE DEPT - SUNDRY
4694 FIRE DEPT - BLDG REMODEL
4760 EMT - TRAINING
4762 EMT - RETEST FEES/SHOTS/DRUG S
4823 LIBRARY - SUBSCRIPTIONS &
4824 LIBRARY - OFFICE EXPENSE
4827 LIBRARY - PROCESSING SUPPLIES
4837 LIBRARY - COMPUTER UPGRADE
4875 LIBRARY - STATE GRANT BOOK
4876 LIBRARY - STATE GRANT

Total General Fund Expense

3711 WATER - MONTHLY CHARGE
3716 WATER - METER CONNECTIONS
3717 WATER - NEW IMPACT FEE
3719 WATER - SUNDRY REVENUES

Total Water Enterprise Revenue

5120 WATER - MILEAGE & CONVENTI
5123 WATER - SUBSCRIPTIONS &
5124 WATER - OFFICE EXPENSE
5125 WATER - MAINTENANCE

5126 WATER - UTILITIES
5127 WATER - GAS & OIL
5132 WATER - ATTORNEY FEE
5133 WATER - ENGINEERING FEE
5197 WATER - TANK CLEANING/REPAIR

Total Water Expense

3731 SEWER - MONTHLY UTILITY FEE
3733 SEWER - CONNECTION FEE
3734 SEWER - NEW IMPACT FEE

Total Sewer Revenue Adjustments

5223 SEWER - SUBSCRIPTION &
5224 SEWER - OFFICE EXPENSE
5225 SEWER - MAINTENANCE
5226 SEWER - UTILITIES
5227 SEWER - GAS & OIL
5248 SEWER - EXPENDABLE SUPPLIES
5251 SEWER - BONDS & INSURANCE

Total Sewer Expense Adjustments

BUSINESS LICENSE

ROC PAPER CIZORZ DESIGN

RORIE TAFOYA THOMPSON: I have a graphic design art business. I do a lot of free lance work with out of state people. There would not be much traffic to my home at all. I am also an artist and would like to be able to sale my artwork under the same business license and name as well.

MAYOR: So this business would be based out of your home?

RORIE: Yes.

MAYOR: What type of clientele?

PAUL: What about deliveries?

RORIE: There would not be anything being delivered to my home. Most of my customers consist of internet based sales. I would also like to attend things like the Harvest Market as well to try and sale some of my things.

MAYOR: Terrie Wierenga is the City representative for the Harvest Market if you have any questions.

A motion to approve the business license request for Roc Paper Cizorz Design was made by Brad, seconded by Allen and the vote was unanimous.

PUBLIC HEARING REGARDING PROPOSED ORDINANCE 2011-4

MAYOR: This public hearing is to discuss the proposed ordinance for the monthly utility billing for the culinary water system.

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

MAYOR: I want to introduce this topic and give some history on it. I have talked to several citizens the last week and appreciate their concerns and calls. I will give you some background on this issue. This plan deals with a new proposed water tank and updates to the culinary water system. We will establish a new two million gallon water tank. The design and pictures are on the wall and can be reviewed. J-U-B Engineering is overseeing this project. We recently made a proposal to the CIB board for some funding. I want to reiterate something that the public perception is flawed in understanding. Whether or not one more house is built in this community or not, this tank and system must be built. It has nothing to do with just growth issues. A couple of years ago, the State of Utah changed their fire flow requirements and we are now not adequate in that regard. We have seen this issue play out through the valley as other communities are having to meet these same requirements. Projects have been completed or are in progress in Hyrum, Nibley, Clarkston and Wellsville to name a few. There are a couple of things I want to make you aware of. The size of the new tank would be two million gallons. Right now we have two, 500,000 gallon tanks. In hindsight those tanks should have been bigger. A lot of the building of the tank is hard costs. Another key is getting the land where you need the land to be. We use a gravity flow system, therefore, we have to be high enough on the hillside for a gravity flow system to work. That limits where the tank could be located. Some citizens even approached us about donating land for the new tank but it just did not work out on those parcels. We started looking for land for this project about two to three years ago. We did some mapping and determined the best two or three locations. We were able to obtain the best property. We then went to the CIB board and presented our plan. The tentative plan is a 5.145 million dollar loan paid over 30 years at a 3.75% interest rate. There is currently not any free State of Utah money available and if we did receive money from them it would be paid over twenty years not thirty years like the CIB board allows for. If we would have used private funding for the loan, the interest rate would have been in the 5-6% range and would have adjusted in approximately seven years. I feel good about the tentative approval of this project. Alex Buxton, Darek, myself, Marlowe and Justin made the presentation to the CIB Board. We had already submitted our plan up front for their review so the meeting with the Board was not that long. We have a copy of it on record if you want to review it. As far as growth goes, any new home that comes in gets an impact fee assessed. We are trying to guess how many new homes will come in per year and the amount of funds that will bring in but it is just a guess. We have to set our base water rate to make sure we have the funds to meet our debt obligations. Our first payment due to the CIB Board would be in 2013. This project would happen in three phases. The first phase would be the water tank and chlorination building. This is where the water makes its first contact with the system. Second, then we would hook the new tank into the existing system. The road down

Cherry Creek is where the current piping is already located so we would tie into that line. The third phase would be to do some looping of lines in the existing system. With the previous growth we have lines that are dead ends and the state requires them to be looped. This project is a water improvement project. The biggest concern for myself and the Council is the monthly fee. It is going to go up to pay for this project. We all pay the same as everyone else in the community. Even the City Engineer lives in town and pays the same fee and is mindful of the costs. We are very mindful of what this will do to everyone. When submitting our paperwork, Brian Carver from BRAG, reviewed the new rates and said they are competitive and responsible and they are in support of the proposal. Our rate will be in the upper one-third of the valley but not the highest and certainly not the lowest. This is a many year project in the making and costs to build are very low right now.

PAUL CHAFFEE: What is the proposed rate increase?

MAYOR: When we went to the CIB board and were tentatively approved the yearly payment would be \$288,000. They require us to have 125% debt coverage making it so we are required to have a yearly amount of \$360,000 available. We wanted to extend the term as long as possible to help keep the rate increase as low as possible. It would be nice to pay it off earlier if possible. There are roughly 750 hookups between homes and businesses in the community. That would require an additional \$480 per hook up per year or an increase of \$40 per month. We don't have to have the debt service coverage in place until the payments start in 2013. We are adjusting it now to stair step the increase over time rather than having one big increase in 2013. With the increase it will cost approximately \$2.10 per day per household to have culinary water.

BRENT WEBB: It will be hard on fixed income people.

CONNIE RAWLINS: Will the rate go down in thirty years after the loan is paid off?

MAYOR: It would be the goal but cannot be guaranteed. Right now the City has four debt obligations and three of those are water related loans. Two of them pay off in the next couple of years.

JUSTIN: The third one pays off in 2019.

MAYOR: That extra yearly savings will be taken into account as well.

CONNIE RAWLINS: What about the sewer rate?

MAYOR: The State of Utah required us to set that rate where it currently is because of the funding source on that project. The water and sewer enterprise funds are totally separate and cannot be commingled together.

JUSTIN: Part of the stipulation by the State of Utah on the MBR plant loan was that we agreed to charge a certain monthly amount in order to get the grants funds and interest free bond funds.

TUCKER THATCHER: Has the City made public the cost breakdown of the project? How much for the Engineer, etc?

MAYOR: That is public record and available here at the City office. As this project progresses that information will be presented in this type of meeting. There will be a couple of more public hearings on this matter.

MARLOWE: There will be a minimum of two more public hearings.

BRAD: The first step in the process was getting the funding.

MAYOR: There will be engineering cost estimates for all three phases.

JUSTIN: We had to get approved for the maximum amount not a minimum amount. We could not go back and ask for more funds later.

MAYOR: We are not obligated to use all of the loan proceeds and can reduce the scope and cost of the project if we choose to do so.

BRENT WEBB: Is this going to cause a dramatic increase in pressure?

MAYOR: It will help with pressure problems in certain areas of town. That was part of the initial process to figure those deficiencies so they can be corrected and meet requirements.

DAREK: The tank is set at a level to increase pressure and help with deficiencies now and later. One part of the project that was not mentioned is the new well that will be equipped and tied into the system. As the water flow goes down during the summer this will help with that deficiency.

BRENT WEBB: So we are not abandoning any well?

DAREK: We are still looking at a point of diversion closer to the tank.

BRENT WEBB: Why move it, it is a good well?

BRAD: It is an agricultural well.

DAREK: It will have to be redrilled, retapped and relined to stay at its current location. If it is not promising to move to another location we will leave it where it is currently located.

MAYOR: Right now we are still in the early stages. It still has to go to bid and the plans finalized. The tentative plan is to bid late this fall or early winter and break ground next spring.

MARLOWE: I am speaking as a citizen of Richmond not as a City employee. I am on a fixed income but there is not a lot of choice. This has been forced on us by the State and we must meet fire flow demands. We have no choice but to comply. I think of this project in terms of my grandkids. We must look forward and not just at today. It will be financially difficult but must be done. This is just a comment from a citizen but, yes, I do have more insight on this than most. I want to see a secure water system down the road and this project does that.

PAUL CHAFFEE: Talk about and explain impact fees.

MAYOR: About five years ago we adopted our current impact fee standards. These fees are approved by the state but can only be used for certain projects. We have one impact fee for water and one for sewer. As a new connection to the system comes on-line this fee is charged. These are a big variable as we don't have any idea how much impact fee funds we will collect yearly. They can be used to shorten the life of the existing loan.

JUSTIN: Our current water impact fee is \$4,401 and sewer impact fee is \$5,500.

MAYOR: This does not include the hookup fees that are charged separately. We are in the middle of the pack for the county in regards to these fees. Some other communities are much higher and some are much lower. These were extensively reviewed during the time of the building of the MBR plant.

BRAD: They can be reviewed from time to time and adjusted as needed. If a deficiency exists because of growth we can determine the rate to charge. The impact fee study that is conducted determines the maximum amount we can charge. We may have to adjust fees for this project.

MAYOR: Our impact fees will be reviewed as part of this project.

BRAD: We can only charge a percent of these fees to a project. It has to be determined how much of the project is attributed to new growth and that percentage of the project can be paid with impact fee funds.

MAYOR: So if 66% of the project is for new growth then up to 66% of the project can be paid with these funds.

PAUL CHAFFEE: Currently we have one million gallons in the tanks and will be going to three million gallons?

MAYOR: Yes. The two existing tanks will still be used. There is one at about the midpoint of town and one south of town. We did a thorough cleaning last year and they are good tanks and we would not abandon them in anyway. They are good tanks.

WAYNE HENDERSON: We are counting on you to make absolutely certain to have minimum costs in this project and save us anything you can, even a few bucks a month. We are looking at a \$40 per month increase over three years. I would feel better if it was only \$30 or \$20 per month. I want a commitment from the Council and Mayor to keep the increase to a minimum. Be vigilant. Be vigilant in your studies. We all ask that of you.

MAYOR: You had that commitment from all of us when we ran for office. I have 100% confidence in the Council, the City Engineer and in the third party that has helped us obtain the funding. This has been a topic we have discussed for the last few years. It is the lowest market numbers in 40-50 years. We were able to get sewer funding at zero percent interest. At the CIB meeting other communities asked for water deals like the deal we got on the sewer loan and they were denied. We feel the interest rate we received is at least 1.5% lower than expected and it is fixed over the entire length of the loan.

DAREK: The zero percent funding comes with a lot of strings and some communities won't accept because of this issue and won't play that game.

MAYOR: We hired a financial consultant to help us obtain financing for this project. He paid for his fee by just getting us to the right people. There is a group of mineral producing counties in the southern part of the state. They get fees for the minerals and in the past they have loaned money to the communities in those counties. They have had extra funds become available and now are willing to loan them to communities from non-mineral producing counties. Our third party consultant introduced us to them. We made our presentation to the board on May 5th and were one of only two that received funding from non-mineral producing counties. We got some good feedback from them. We have discussed many times that our biggest concern is the rate increase and how to deal with it. We have done a lot of homework on this project. The infrastructure in this town, the county and the United State is out of date and in need of repair. We could put a lot of money into the system but we are doing what needs to be done and have to be realistic about where to start.

BRAD: This is the worst case scenario in regards to the funding. The monthly utility rate will reflect what is accomplished on this project. This has been studied for a couple of years.

WAYNE HENDERSON: How many more State mandates are coming that we are not aware of? We know more are coming.

MAYOR: They will continue to keep coming from the State and Federal government.

WAYNE HENDERSON: Have you ever sent a statement to the State of Utah explaining how hard these are sometimes?

MAYOR: The Council, Cache County Council and Mayor's Association voice our concerns or opinions all the time.

BRAD: We could build a smaller tank today to meet our demands but have zero room for growth. This project is for now and the future. Two-thirds of the costs of this project are hard

costs. The costs are the same for the engineering, and land no matter the size of the tank. We are investing in our future with this size of tank.

GAVIN LITTLE: Have you ever thought about selling the over flow water when it is available?

MAYOR: The State of Utah won't allow us to do that.

BRAD: They will take the water rights but won't allow us to sell them.

GAVIN LITTLE: You are requiring me to buy water on a monthly basis.

PAUL ERICKSON: These are all some great questions.

PAUL CHAFFEE: So what is the actual monthly increase?

MAYOR: The increase will be implemented over three years. We have to have 125% debt coverage so the increase could be \$40 per monthly spread over three years.

MARLOWE: I think the confusion is in the increase. The proposed increase right now is to go from \$28 per month to \$40 per month in July. It will then be reviewed on a yearly basis and could possibly increase as much as a total of \$40 per month over three years.

MAYOR: We are not increasing the full amount now as we don't know what our final numbers will be. We are hoping that the final numbers come in under five million. Everything will be taken into account and we can adjust as needed on a yearly basis. Everything is a factor in the final rate. We appreciate the turn out this evening. We built a \$5,000,000 MBR sewer plant, had numerous public hearings and nobody attended. We appreciate you guys being here. We have all tried to be vocal and encourage people to attend. We did not have much comment on the sewer rate until the first bills were received. There have been some great comments and questions. If you or your friends or neighbors have comments or concerns please encourage them to contact us. We want information and feedback on this project. We realize that many families are on fixed incomes and it is a huge hit, we are very mindful of that.

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

BLACK & WHITE DAYS HORSE ACTIVITIES UPDATE

SHANE SPACKMAN: Dr. Karl Hoopes is the State Veterinarian and has been talking about the current horse disease.

PETE SCHROPP: It started in Ogden and is an equine herpes breakout. So far it has affected over 500 horses in 29 states and has killed 17 horses so far. Dr. Hoopes was considering banning or cancelling all horse gathering events. After consideration and many phone calls we have decided to postpone the horse show and horse pulls. The earliest possible date to reschedule would be on June 18th but we need more information from Dr. Hoopes before anything can be determined for sure. There will not be any horse events held in Richmond for quite a while.

SHANE: We have been in contact with some teams from Washington and Oregon and their veterinarians won't release the teams to leave the state. Most of the pullers would be willing to still come if we can schedule around another event that is close by. Maybe June 18th but that depends on many things.

PETE: The horse show would have a conflict on that day as Wellsville and Clarkston have celebrations on those days.

SHANE: We don't want to postpone but we have too.

PETE: We are also going to try and work with Lewiston on a possible reschedule date.

MAYOR: Jeff Young is the Council member in charge of this so get with him regarding any new information that you receive. We are willing to look at a future date.

PETE: *The Herald Journal* has been supplied this information about the cancellation.

SHANE: It has been a very hectic four to five hours as this problem came from out of nowhere.

CONDITIONAL USE PERMIT REQUEST

MAYOR: There has been a request for a conditional use permit to allow for two piglets to be raised at 39 South State as part of a fair project. The pigs would be gone no later than September 15th. The majority of the Council was at the Planning & Zoning Commission meeting where this request was made and we heard his presentation that evening. Currently it is against our existing ordinance but look at it in the regard that we are currently modifying that ordinance so it could be approved.

CLAY RAWLINS: We want to raise two 4H pigs from now until September 15th. We have talked to all of our neighbors with adjoining property and they have all approved and don't mind.

PAUL: I heard your presentation and I am glad that you did contact all of the neighbors first. I think it is a good project.

TERRIE: What are you going to do with the fecal matter? Haul it away?

MCCLAIN RAWLINS: We will put it in the garbage or compost it on some family property at the top of High Creek.

PAUL: Keep in mind that if any issues come up we will be contacting you and you will need to resolve those issues quickly.

MCCLAIN: Okay.

A motion to approve the conditional use permit request by Clay and McClain Rawlins to allow them to raise two piglets until no later than September 15th at 39 South State was made by Allen, seconded by Paul and the vote was unanimous.

BRAD: Be aware this is being reviewed in our ordinance shortly and must be renewed on a yearly basis. There is a possibility it may not be allowed down the road. It does expire.

SKATEBOARDER ORDINANCE DISCUSSION

MAYOR: Judge Funk got with City Attorney Kelly Smith and came up with some verbiage in regards being able to pass an ordinance to address the skateboarders in the road issue. It is something we need to revise and discuss. It is very similar to Hyrum City's. I like Hyrum's ordinance. I think a good starting point is to review Hyrum's and make recommendations from there. Get any proposed changes that you would like to see to Marlowe to be incorporated into our ordinance.

BRAD: It is very frustrating to have to do this. It has become a nuisance and public safety issue. The Deputies don't have a firm ordinance they can enforce right now in this community. We don't want to do this but have to for safety reasons.

MAYOR: I get calls every week on this subject.

PAUL: I need time to review what the Deputy presented this evening.

MAYOR: Marlowe, make sure this is a June agenda item.

PAUL: Isn't there an allowance in our current ordinance for ATV's or is that something we need to define? We don't want to include ATV's in this. I think it is a good starting point.

MARLOWE: ATV's are separate.

BRAD: I like the parent responsibility portion in the Hyrum ordinance.

MAYOR: We will review in June with possible passage in July.

MASTER PLAN UPDATE

PAUL: It looks like there are a couple of milestones we are going to achieve. One of the biggest feedback points on this project is needing input from the citizens. We are about half way through the survey period. It is available on-line, and a copy form that was mailed and is available at the City office as well as by PDF. We have had a reasonably good response so far. I am going to try and get more filled out during Black & White Days as well. We want to gather as much useable information as possible. We are planning on accepting the surveys through the end of this month but can extend the timeline if needed. I have an initial scope of work and cost estimate. One good benefit is that they have an electronic copy of the 1999 plan and this will be a significant money savings. The initial scope shows this project will be under \$50,000 with the possibility of a 50% matching grant from the CIB board. In April, the Mayor led the committee on a tour of the MBR plant as well as the new water tank site. Norton Thurgood gave a discussion on roads as well and talked about issues, concerns, drainage and other road updates. One discussion item will be updated maps and stats. One area that has not been included in detail is parks and trails. How much do we want to include parks and trails? I look at this project more as a capital planning project.

MARLOWE: Our current ordinance does have a section regarding trails and parks.

DAREK: The survey does ask a lot of those questions. I don't know what response we have had to the website survey yet.

TERRIE: All of the comments I have received have asked about trails and parks and what we can do in this regard.

PAUL: Reesa Sparrow wants to see parks and trails developed as well as recreation areas. I think we all want places for our kids to be able to go. We will include this in the plan since everyone is in support of it. It is still very early in the proposal. Once we have the scope of the project then we will look at funding options.

JUSTIN: The CIB board is definitely a possibility for funding.

DAREK: Yes, the CIB would possibly approve a 50% matching grant. We would approach the CIB board for help on the new general plan as well as the new sewer master plan. The planning grant applications are due by June 1st and we are compiling the information we need and getting them completed.

PAUL: J-U-B has been a great help on this project.

DAREK: I would also like to say that Alex Buxton from Zions Bank has been very beneficial as well.

SEWER MASTER PLAN/MODEL DISCUSSION

BRAD: I think we need to make a commitment to have a sewer master plan. I cannot stress enough the importance of this plan. We have already seen the benefits of the water model. We can use some of the data from the water model to help with this plan as well. I think it is a necessity, especially due to future growth and planning issues. We need to have this information available when a developer comes in and asks questions. We cannot afford to have blind building of projects.

PAUL: I think it is very clear the infrastructure needs to be updated and this model is the next step in that process.

DAREK: The project would be a sewer collection master plan. This would include the size of all piping, areas of deficiencies, and future planning. Right after the new highway was built we did some modeling and found out that the piping down there is at maximum capacity at some times and causing backing up in the man holes. We missed an opportunity to replace that line while the highway was under construction. This plan would tell us where we need to upsize as well as were things need to be repaired. We know we are getting high flows into the system right now. We can use portable flow meters to check this but with the new model it will tell us the approximate flows and we will know exactly where to go and check. It will provide a list of deficiencies. It will also tell us how to plan for growth. We can then prioritize what needs to be done moving forward. It will be just like the recently completed water master plan.

BRAD: What is the cost?

DAREK: I have an estimate. There would be eight different tasks as part of the project. In the proposal I have us using our surveyor but I would recommend using Tim Christensen to cut down on travel costs. We would rent some meters and do some flow metering. There would be mapping and modeling and a facilities plan as well as a list of future projects. Impact fees would be reviewed as well but that would be a separate fee that usually costs around \$6,000. In this project I also included the fee to prepare the documentation that will be presented to the CIB board in regards to getting a grant for a portion of these costs on this project. The total cost would be \$50,500 and we would be asking the CIB board for a 50% matching grant.

BRAD: Keep in mind that a single repair to the system costs around \$5,000 - \$7,000.

PAUL: This would definitely help to reduce the frequency of those types of repairs.

DAREK: It will also help to tell developers what they need to do and are required to do to make the infrastructure adequate.

PAUL: This has never been previously done for the community. In theory, some areas might not be able to be developed because of sewer issues?

DAREK: Lines could be upsized if needed.

MAYOR: As long as the land has a use we are okay and it would not be considered taking it.

MARLOWE: Since the option of upsizing exists we would be fine.

BRAD: Pumping would be an option as well.

MARLOWE: This scenario it totally different than taking the property.

DAREK: There are some big changes in LUDMA in regards to what developers are now responsible for. This plan is a great guidance document. Boards like the CIB want to see estimates and a plan and have the ability to review it and right now we don't have a plan.

PAUL: How many variables are in that cost or is it a fixed cost?

DAREK: The scope of the project would not exceed \$50,500 and could cost less.

TERRIE: I think it is critical to plan for development and to keep the City safe and healthy.

MAYOR: The CIB grant possibility is a great opportunity.

DAREK: Keep in mind there is not a guarantee we will get funding from the CIB board.

A motion to approve J-U-B Engineers, Inc. to make a sewer master plan/model not to exceed \$50,500 in cost was made by Brad, seconded by Paul and the vote was unanimous.

BLACK & WHITE DAYS UPDATE

****Jeff Young called in and communicated with the Council via conference call.****

MAYOR: Jeff in case you were not aware Pete Schropp and Shane Spackman came in and gave us the news regarding the horse related activities at Black & White Days. There will be a release put into the Herald Journal as well. I have told Shane and Pete that you will work with them on a possible future date for the horse pulls if it makes sense financially. You will be the contact person in this regard if something can be done in the next couple of months.

JEFF: I have talked with Pete. There is a fair chance we might be able to do it in June. The local media has also agreed to really advertise the cancellation for us as well. The main days will be Friday and Saturday like normal. The Youth Council has organized and is overseeing the movie at the park on Friday night. Some of the Council will be attending to help as well. Trevor Jackson has agreed to help with speakers again this year and will actually be bringing more than last year. We have decided to have the local bands start at 6:00 P.M. rather than at 7:00 P.M. to give them more opportunity to play. We will be selling hamburgers and hot dogs as well. Paul and the Mayor have agreed to help man the grills. The food handler's permit is being taken care of. There will be a couple of food handler's on site and they will help with the popcorn, soda pop and cooking grills. We will use the same food as at the City wide clean up. I am debating on how many to plan for. When we had good weather there were about 500 that attended, when bad weather around 250-275 attended. The weather is very questionable this year as of right now it is calling for rolling thunderstorms. The City work crew has been working hard to prepare and get things ready. They have been working on the cemetery this week. I do need some help on Saturday at the hamburger stand as the people that normally help there cannot help this year. The Youth Council will be helping as well. The horse pull situation changes everything though. Almost 60% of the food is sold during the horse pulls on that day.

PAUL: The lack of Saturday crowd will affect everything.

JEFF: I am working to get some other form of entertainment on Saturday to replace the horse pulls. This has not happened since 1912 that the horse pulls have not happened.

ALLEN: I won't be able to attend the breakfast.

JEFF: So far there is not a color guard for the parade yet. I am having a hard time finding the harnesses for the flags but still working on it.

CITY MANAGER REPORT

MARLOWE: Thank you for allowing me to attend the week long pretreatment conference. The next unfunded mandate is a new rule that the government wants to go into effect in the Fall of 2012. This will apply to any community that has one or more dentists. Each office will be required to have an amalgam separator. This will also require a very expensive mercury test to be performed at least once each month. All of the communities in attendance at the conference were against it. Logan City is already doing this and complies but they are a marked exception. For example with Wellsville City they would be required to install a pretreatment program and testing plan if they have even one dentist. When it comes time for public comment, I would highly recommend that each of you send a letter to the EPA requesting that they be realistic in what they are asking for as this is not very realistic in my opinion for small communities.

BRAD: Are dentists aware of this new proposed rule?

MARLOWE: Somewhat. There has all of a sudden, over the past two or three years, businesses appearing doing a huge business installing these separators. They have to be inspected on a weekly basis to make sure they are working which is a real personnel problem for a city of any size.

BRAD: What is the possibility of this happening and being implemented?

MARLOWE: The EPA wants it to go into effect the Fall of next year. We are part of the Region 8 pretreatment group and we oppose this new rule.

MAYOR: Marlowe, please get a sample letter that we can modify and submit regarding this subject.

MARLOWE: I have a big package of LUDMA information for you to review as I was able to work on it extensively while at the conference. I did not put it onto the agenda this evening as I knew it would be late and I will include the workshop with the June Council meeting.

COUNCIL MEMBER REPORT'S

PAUL: I would like to thank everyone for their help on the City-wide clean up. We fed roughly 125 people at the luncheon after the clean up was completed. I will get the final count of volunteer hours after Jonathan (Dayton) has completed his report. I have already given an update on the Master Plan and the progress there. A pot hole filling campaign is underway right now and if you see any that have been missed please let me know. Several sidewalks are being reviewed right now.

DAREK: Chris is chasing down the info on the Safe Routes to School.

PAUL: What is this? I want any information on this and do we get this information from the local schools?

BRAD: It is a State of Utah program not a UDOT program.

DAREK: I found out it does not have to be on a highway to qualify.

PAUL: Where do I get literature regarding this program?

DAREK: Johnny on our staff does this all the time, I will see what I can find out.

MAYOR: The Park School community council helped us put this together for the safety sidewalk that runs from Maverik to Marvin Traveller's residence on 400 West.

MARLOWE: White Pine and Park Elementary did those plans for us in the past.

DAREK: I am sure they need to be updated to reach out to the new subdivisions.

MARLOWE: I hope this is correct that they don't have to be on UDOT highways to qualify. I was told they did last time I worked on this.

DAREK: I thought that as well but found out there are two different funding sources for this program.

PAUL: This is a great item to explore so any information you have please pass onto me.

TERRIE: The Library just received a \$28,000 grant for relabeling the Library items. This will be a joint effort with some other local communities and have a countywide server and be updated for us to see what they have and they can see what we have. This will be the first step into bringing everyone into harmony in the state. This will save us a tremendous cost of not having to relabel at our own expense. CERT will be having their last meeting for a couple of months in June and then resume again this fall. The EMT's are doing good and are going through a bunch of training. The Harvest Market will open on June 4th. Richmond City will be the point of contact on the new grant and we will oversee the disbursements to the other communities and the funds coming in.

MAYOR'S REPORT

MAYOR: The official approval from the CIB board would come at their June 9th meeting at Brian Head Resort. Alex Buxton of Zions Bank will be attending in our behalf. The proposal is for up to \$5,145,000, paid over 30 years at an interest rate of 3.75%. A local baseball team has asked to use the ball diamond behind LD's after the horse pulls are completed. They will come in and prepare the field and take care of it. They are asking for nothing on our part other than to use the field. They will play their league games here. I have given them the okay since they are going to take care of it. Scott Jackson and Rich Boman will be in charge of it. They know they cannot proceed until after the horse pulls. We need to come up with some names as a replacement for Lee Anderson on the Planning & Zoning Commission. We have talked about Reesa Sparrow as a possibility.

ALLEN: Paul, since you know her quite well do you mind contacting her?

PAUL: Tuesday nights might be an issue for her but I will contact her about it.

MAYOR: They only meet the first Tuesday of each month at 7:00 P.M. here in this building.

ALLEN: On average, there is about nine of the twelve months that have business and require a meeting to be held. They are also relatively short meetings.

MAYOR: If you have any other names to consider please forward to Allen and myself for review. Our next Council meeting will be on Wednesday, June 8th and we will have a short year end meeting on June 30th at 7:00 P.M. to pay year end bills. That meeting will only be ten minutes or so.

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

Aflac	488.36
Altius	1650.24
Bear River Health	40.00
Beazer Lock & Key	18.70
Beeline Digital	543.80
Brent Webb Excavating	329.77
Cache Service Area	15503.40
Cache Valley Insurance	2808.00
Century	400.32
CNH Capital	35.94
Coca	146.71
Cox Data Systems	70.00
Denny's	96.61
Ferguson	257.80
Fleet Services	154.70
Hall's	72.93
Hobbs Turf Farm	76.50
Industrial Tool	87.40
Intermountain Farmers	149.99
IPACO	660.56
Itty Bitty	17.00
JG Builders	4170.00
Jr. Library Guild	301.32
JUB	6162.71
KVA Electric	3931.45
Larsen Asphalt	1958.25
Lee's	337.68
Leisa Wallace	48.33
Lewiston City	941
Logan Memorials	705.00
Marlowe Adkins	182.00
Maverik	1082.86
Nextel	778.05
Oldcastle	111.25
Olson & Hoggan	1218.00
PEHP	160.68
Perry, Malmberg & Perry	150.00
Petals & Promises	96.00
Phillips	63.15
Pitcher Propane	3093.44
Preston Watts	591.00

Questar	1447.03
Qwest	449.36
Randy's	818.60
Rocky Mountain Power	8925.54
Safety Supply & Sign	119.07
Sign This	120.00
Smithfield Auto	364.36
Smithfield Imp	78.46
Standard Plumbing	275.00
Staples	26.99
Symbiotics	1180.00
Tamara Hardy	66.00
Thatcher	1990.73
The Herald Journal	62.04
The Logo Shop	238.60
UEN	173.11
Ut State Division of Finance	127000.00
Utah Communications	130.00
Utah Dairy Commission	200.00
Utah Local Governments Trust	87.22
Visa	440.22
Wasatch Document Solutions	199.99
Watkins	227.50
Wendy Poyner	131.87
Xerox	193.64

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

Adjournment at 9:45 P.M.

Michael E. Hall, Mayor

Justin B. Lewis, Recorder