

RICHMOND CITY COUNCIL

JUNE 8, 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 Wednesday, June 8, 2011. The meeting began at 7:00 P.M., Mayor Michael Hall was in the chair. The opening remarks were made by Justin Lewis.

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

A motion to approve the May 17, 2011 City Council meeting minutes was made by Terrie, seconded by Paul and the vote was unanimous.

BUSINESS LICENSE

JKC TRANSPORT, LLC

JARED CHRISTENSEN: I am starting a transport business with a flatbed semi-truck. I would haul anything that would fit on a trailer. I will haul close or nationwide if needed.

TERRIE: Just one vehicle right now?

JARED: I just have a regular pickup truck for now. I am hauling things for auction companies like boats, travel trailers, etc.

MAYOR: Would you store any at your residence?

JARED: The business is based out of my house and all I would have for now is a pickup truck and possibly a small trailer.

PAUL: In the future as the business grows you need to be sensitive to big trucks coming and going and being parked in the City right of way. I expect if you start parking large equipment at your house you will come back before the Council to discuss.

JARED: I should not be bringing anything back to my house just delivering where it needs to go.

TERRIE: Any hazardous waste transported or stored?

JARED: No. Just things behind my pickup truck like a car hauler. I can park large equipment at my dad's residence if needed.

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

FINANCIAL REPORT

JUSTIN: So far we have collected \$2,180 in Black & White Days sponsorship fees. Glad to see them coming in this soon, normally we get them over a few months. We have received the \$20,000 for the Library cataloging grant. We will be overseeing the disbursement part of this grant and the paperwork that goes with it as we are the contact point for the grant.

Congratulations to Juliene, her staff and everyone else that helped to get this grant. We collected \$1,873.45 from activities at Black & White Days excluding the breakfast. We collected \$1,229 from the breakfast, so like normal we are around a break even scenario. So far we have received \$79,916 in Class C Road Funds and will be receiving one more disbursement for the current budget year so I feel confident in telling Paul that he has approximately \$18,000 that must be spent by month end on the roads. As we all know the housing market is slow so our collection of building permit fees is down significantly but that is to be expected and not a surprise. Brad, you will need to get with Lyle and make sure that the \$14,560 Fire Department grant is all spent and properly accounted for by the end of the month.

LYLE BAIR: It will be taken care of. We are looking at getting some equipment and a new computer to finish up the grant.

JUSTIN: Even with the attorney fees on the land swap at Cub River we are still not going to be too upside down on the funds for Cub River. We will probably be around a break even or small loss for the year.

PAUL: Next year we will be collecting some modest use fees that should help out.

MAYOR: The fees will be collected on the competitive teams but as per our original agreement we will not be collecting on the recreation teams.

JUSTIN: On the balance sheet you will see new account 1121 which is the new Cache Valley Bank account that we put \$250,000 in an eighteen month CD. Hard to believe we are about ready to start a new budget year. With our limited funds we have done a great job keeping in budget again this year. I would also like to authorize the transfer of \$5,602.50 from the Water Impact Fee Cash Allocation to the Capital Projects Fund as a payment of \$3,300 in principal and \$2,302.50 which is the interest on the loan for January through June.

A motion to approve the transfer of \$5,602.50 from the Water Restricted Fund Allocation to the Capital Projects Fund was made by Terrie, seconded by Paul and the vote was unanimous.

BUSINESS LICENSE

COTTON CANDY VENDOR

NANCY ROBISON: I have purchased a cotton candy machine and would like to attend family reunions and birthday parties. I plan on putting out some flyers as well to advertise.

MAYOR: Do you have your food handler's permit?

NANCY: Yes and all of the other State of Utah licenses as well.

MAYOR: Be careful about where you put the flyers, we get a lot of complaints when they are attached to light poles.

NANCY: I will only put them in properly designated areas.

A motion to approve the business license request for Cotton Candy Vendor was made by Brad, seconded by Terrie and the vote was unanimous.

COUNCIL MEMBER REPORTS

BRAD: I am going to let Lyle give an update on the remodel at the Fire Station.

LYLE BAIR: The furnace is in place and now some other things are being worked on. The gas line needs to be addressed as well. I would like to schedule the next building inspection for a week from tomorrow, we can cancel or delay the inspection if we are not ready.

BRAD: I want to look at everything first and go over it with you.

LYLE: We have had thirty-one calls so far this year and they have been mostly medical related concerns. That is a little less than last year so that is a good thing. We have acquired the title to the old green engine from Cache County. It is now Richmond's and we just need to register it. I am doing some testing for the new EMS Chief. I am working with three of them to select the right one. I hope to have that done by the middle to end of next week. I have been swamped with some things and had to postpone getting it done sooner. We did not do as good at the Black & White Days fundraiser as last year. I think we only made around \$100 this year. We have taken over control of the Coke machine and we will stock it rather than have Coke stock it and we get to keep all of the income from it. We are holding onto the product we had from Black & White Days to stock the machine in the future.

MAYOR: I appreciate the work that has been done on the remodel. For those of you that don't know, we are doing some remodeling in the fire station for a training room and some other things. Almost all of the labor has been done by Brad (Jensen) or members of the Fire Department and saved the City significant labor funds. It looks fantastic.

BRAD: We will continue on with the remodel but I think it will take most of the summer. There are no new maintenance or nuisance issues.

ORDINANCE 2011-4

MAYOR: This is the proposed water rate subject that we discussed at the last Council meeting and had the public hearing on. This is regarding the necessary monthly water rate increase for the upcoming water system project. We have had a month to think about it and receive more input on it. I am glad we had a good turnout for the public hearing and some good points were made and taken. This has given us a month to consider.

BRAD: I want to make one clarification. This is not the final increase in the monthly rate but the first in an installment rate increase.

MAYOR: For those of you not at the May Council meeting I will bring you up to speed on the project. We took our proposed new water project before the CIB board in May and got tentative approval for a 5.145 million dollar loan. They will finalize the approval tomorrow at a meeting in central Utah. We have a representative of the City that will be in attendance at the meeting in our behalf. Darek (Kimball), Marlowe (Adkins), Justin (Lewis), Alex Buxton and myself went before the CIB board with our proposal and were given tentative approval by a motion of the CIB board. The formal approval will happen tomorrow. The loan would be at an interest rate of 3.75% for thirty years. I feel really good about the financial terms they offered us. Most of the other financing options we looked at were for only twenty years and were in the 5-6% interest rate and it would adjust in five years. The CIB loan is a fixed interest rate. The CIB does not require us to have a payment schedule in place until one year after the project is completed. We are required to have 125% debt service coverage. We worked backwards to reach the number

that we will need to charge the citizens per month. We (Council) have allotted to make this increase over three years. We have a couple of loans that will pay off in the next few years as well. We do have a loan on the MBR plant and it is at zero percent interest. There are also three existing water loans from years ago. One of them should be paid off before the first payment is due to the CIB. The last of the three will be paid off in 2019. As those loans get paid off the rates can and will be reviewed. Sixty-three dollars per month per household base rate is a huge commitment and we might not need it all. We have to take into account all of the factors as we move forward. This gives us a chance to review on a yearly basis especially over the next two years as this project is worked on.

DON COTTLE: As more homes and businesses come in and pay impact fees will this cause the rate to go down?

MAYOR: Part of our analysis is analyzing the impact fees. It is a shot in the dark to guess how much in those funds we will collect in a year. J-U-B helps us to determine the amount to be charged. We use some statistics from the State of Utah as well. They are hard to budget for when they are just unknown how many new homes will be built. If we budget for twelve and only get two or three like we currently are then we have a real problem. You are correct, those funds will be used to help with this project. Impact Fees must go to only specified projects.

BRAD: They are usually only on a percentage basis of the project as well. Impact Fees cannot be used for deficiency purposes and must be used for new growth issues.

MAYOR: One point that must be made is whether or not one more new home is every built in Richmond this tank must be built. This is due to the new fire flow requirements that have been implemented by the State of Utah. I am sure you have noticed there are many new tanks that are being built or have been built in the valley. All of those communities are getting up to code just like we have to do. We need more water storage immediately. The hard part of the project is getting the correct land. We are building a two million gallon tank as it is just as easy to build a two million gallon tank as it is a one million gallon tank.

NANCY ROBISON: How much of an increase per month are we talking? Is the base water usage amount still the same?

MAYOR: The incremental rate will stay the same charge per gallon. The first increase would be to increase the base monthly rate from \$28 to \$40 per month. Eventually it could go as high as \$63 per month if we use all of the 5.1 million dollar loan.

BRAD: The monthly base fee will go from \$28 to \$40 in July if the ordinance passes. The future rate will be based on the hard costs of the tank and the twelve other water system projects we are discussing.

CHRIS PURSER: We are talking a \$12 per month increase immediately.

MAYOR: Part of the process is to go to BRAG and get their comments on whether or not the increase is in or out of line with the community and surprisingly enough they said it is in line. They compare to other rates in the valley as well as in the entire state.

PAUL ERICKSON: There is an aging infrastructure issue.

MARLOWE: Centerville is increasing their rate for three straight years just for maintenance costs, no new projects. Salem, if I recall correctly, down in Utah County is doing the same thing as Centerville. At least we are getting something new for our increase.

MAYOR: The aging infrastructure in this entire country is getting old and going to have to be dealt with. We are dealing with this on a case by case basis.

TERRIE: We as a Council are very aware what a big hit this will do to people's pocket books. We are going to stay as low as possible. As the experts say, we must plan for the worst case scenario. Hopefully we can keep the rates lower and paying off these other loans will certainly help.

NANCY: Will it be big enough to last for thirty years?

MAYOR: It is being built with that in mind. Normally these projects are built for a minimum of twenty to thirty year plan. When the original sewer lagoons were built that was a twenty year plan and we got over thirty years of use out of them. The MBR plant was built on a twenty year plan. The water tank project has a mandatory twenty year lookout. Growth is like a weather forecast it is hard to predict. We could be like Nibley and have huge growth or like we are currently doing and have little growth. I don't think we will see much growth due to the current economy.

PAUL ERICKSON: What is the expected life of the tank?

DAREK: Our estimates are based on thirty year growth estimates. The tank itself will last for at least forty to fifty years before it will start to deteriorate.

BRAD: The growth issues will be taken care of by impact fees.

PAUL: In 1999, the forecast was for Richmond to currently have around 3,000 residents and right now we have about 2,450 based on the current census. The growth might and might not happen, it is just a prediction.

PAUL CHAFFEE: At the last meeting a number of citizens were concerned about what this will do to fixed income people. I want to clarify that it won't hurt my life style but I feel a serious concern for those living on minimum Social Security. I have a thought from a totally different perspective. Why not just increase the tiered usage rate? Those that use the water pay for it. Retired people won't even use 5,000 gallons per month. Charge \$3.00 per thousand gallons for those that use a lot. Keep increasing each tiered level. The more inhabitants in a house the more you pay to use the system. Electricity, natural gas and food are all based that way. The more you use the more you pay.

MAYOR: We have to commit enough in the monthly base rate to cover the loan payment. We do charge for usage. Zero gallons to 10,000 gallons is in the base rate and then we charge for usage over that on a tiered level. We have to have the base rate at a certain level to make sure we have the necessary funds for the loan payment. If our proposal was based on usage we would not get any funding. We must guarantee we can collect the fees to make the payment.

BRAD: We have also talked about hard costs. There is a certain cost just to get the water to each home whether they use one gallon or thousands of gallons.

PAUL CHAFFEE: You need to look at an old couple of two versus a family of six with four kids. There is actually a decrease per gallon from 10,000 to 75,000 gallons.

MARLOWE: 10,000 to 75,000 gallons is one rate then the next tier starts at 75,001 plus. We have to have reasonable surcharges so we don't bankrupt anyone.

MAYOR: You are correct, the first 10,000 gallons is the most expensive part but the hard costs to deliver the water are the same. There is piping, meters, maintenance, testing, etc. that all must happen on the system. This is one of the hardest issues we have ever tackled. We will all pay the same, all of you, myself, the Council. I agree it will be hard.

SAM SCHROPP: Justin mentioned earlier there is \$18,000 that must be spent by the end of this month. Why not save it and set up an account to help those that cannot pay their bills. We

are talking about a monthly increase from the current \$90 to around \$150 per month. That is a bunch of money. Are there other budget places we can cut to help out?

JUSTIN: Sam, let me clarify a couple of things. We have three separate funds where the funds cannot be comingled. We have the General Fund, Water Enterprise Fund and the Sewer Enterprise Fund. They are all separate and money from one cannot be used in another. For example, General Fund money cannot be used in the Water Fund. The \$18,000 I was mentioning earlier is a general fund item with a specific purpose. It has to be used for road improvements only. As it is from the State of Utah and due to budget deadlines, etc. it has to be used by the end of the budget year June 30th. It cannot be used in any other place.

MAYOR: We have a yearly audit process that we go through as well to make sure all of these funds are in compliance and accurately accounted for.

SAM: A base rate of \$40 to \$63. Anne and myself have done a lot at our house to decrease our water use. Other families are doing five loads of laundry a day. What is the incentive to save/conserve? I understand you have to guarantee to have the funds for the loan payment. You need to increase substantially the incremental fee.

PAUL ERICKSON: The increase is not \$63 per month but is the highest the monthly fee would increase to from the current \$28 per month fee if we use all of the loan funds.

TERRIE: I use at the most 2,000 gallons per month at my house. I understand what everyone is saying. I have personally seen a low base rate and then a big tiered rate in other places I have lived. We have attended workshops and crunched the numbers. The difference between a base rate of 5,000 gallons per month and 10,000 gallons per month is not much of a difference. Around \$2.00 if I recall correctly. We have costs of meters, maintenance, testing, piping and tank cleaning just to mention a few items. The rest of the community is benefiting from the 8,000 gallons per month that I don't use.

PAUL CHAFFEE: I don't understand that. Change the base level to 5,000 gallons and make people pay. On the second tier, bump them up. On the third tier, bump them up even more. Don't decrease the tier rate, increase it. Reduce the base monthly rate to help the fixed income people.

TERRIE: This will affect single income families as well.

DAN MILLER: What if you increased the surcharge amount and took some of that money to pay for those that cannot afford to pay the monthly fee?

MAYOR: If we have extra money we will be paying down the loan principal amount or reducing the monthly fee.

PAUL ERICKSON: So you are suggesting we do an abatement program for older individuals?

MAYOR: If we had excess money we could do that but we don't any excess currently.

SAM: If the water fund is looking at increasing revenues, the rates after the monthly minimum must be increased dramatically. Increase each tier level a bunch. Not \$0.85 per 1,000 gallons but like \$6.00 per thousand gallons.

MAYOR: The base rate must still be the same.

SAM: Increasing the tier fee would generate a lot of additional funds.

BRAD: We don't want to jeopardize the agricultural users and put them out of business. We don't want local businesses to relocate.

SAM: So you want me to subsidize them?

MAYOR: There is a business and commercial use fee separate from the residential fee.

SAM: Local farmers have not changed how they are doing things in the last hundred years. They would conserve if they were forced too. It is simple. It is not politically simple but is simple.

DON COTTLE: I like what you are saying but conserving water would decrease the revenue funds to the City.

BRAD: As far as this ordinance is stated it will help to secure the CIB money. We will review this again over the next two years as this project moves forward.

PAUL ERICKSON: We will be reviewing the commercial rate as well.

A motion to adopt Ordinance 2011-4, AN ORDINANCE ESTABLISHING A MONTHLY BILLING AND RATE SCHEDULE FOR CULINARY WATER FROM THE RICHMOND CITY CULINARY WATER SYSTEM WITH THE ADDITIONAL CHARGES AUTHORIZED BY TITLE 14-000, CHAPTER 14-500 OF THE CODE OF REVISED ORDINANCES OF RICHMOND (1975, ADOPTED 1976) was made by Brad, seconded by Terrie and the vote was unanimous.

TERRIE: These are all great things to consider.

MAYOR: We will review the rate at least for the next three years on a yearly basis. Some good points have been made and things will need to be reviewed.

CIB WATER AND SEWER MASTER PLAN GRANT PROPOSAL PUBLIC HEARING

MAYOR: We are looking at some grant funding from the same entity that approved the water tank funding. They have some grant funding available for planning purposes. We are in the process of updating our general plan and sewer master plan. Paul is overseeing the general plan update and committee. We have updated our water plan previously. We are applying for some grant funding from the CIB and they could possibly offer up to a 50% match on the funds needed for the plans. We are required to have a public hearing in this regard.

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

JUSTIN: Just to be clear, the grant funds we are applying for would be free money to assist in these plans. No repayment required.

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

BUDGET PUBLIC HEARING

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

SAM SCHROPP: So are all of the sidewalk funds in this budget year spent?

PAUL: Yes. There are a lot of areas with no sidewalks and lots of areas with broken sidewalks and our yearly budget is only \$10,000. We are currently working with the State of Utah on a Safe Route's to School funding possibility that might get us some funds for new sidewalks. I am glad that in the past we have been able to supply the materials and the residents have done the labor and we have got a lot more accomplished with the small amount of money that we have since the labor was for free rather than paying a contractor.

JUSTIN: The safety sidewalk from Maverik to the Marvin Traveller residence was part of the Safe Routes to School program and cost approximately \$27,000.

PAUL: About 60% of that cost is just the raw materials. We did hire some contractors to help on that project but did a lot of the labor ourselves with the help of the City employees.

MAYOR: We get about a 200% return on our investment when the labor is done for free. I know Sam (Schropp) has helped on a couple of projects like this in the past and it turned out really good in those areas.

PAUL: We are doing what we can with the limited funding we have.

JUSTIN: Just to also comment on new construction. The contractor or homeowner is responsible for the cost to put the sidewalk in at those new homes not the City. For example, the Schill subdivision on 300 South and 100 East had three homes and all will have new sidewalks in front of them and they were all paid for by the contractor or homeowner. Nothing from the City.

BRAD: Our subdivision standards require sidewalks in front of new homes.

JUSTIN: A few comments on the budget. I just want to point out how much money we actually have to work with in the course of a year. The proposed general fund budget is \$806,553 of which \$70,000 is Class C Road Funds, \$150,500 is garbage collection, \$18,000 is central dispatch or 911 service and \$27,252 is for recycling. These are all funds that 100% have to go to that specified area. They cannot be collected and used for other items. When you back out these types of items we only have a few hundred thousand dollars to do everything else in the City. Our budget for property tax is \$97,935. This rate has not been increased since approximately 1978. We have a very limited amount of funds. I think it is a credit to the Council that we get things done with very limited resources.

MARLOWE: Our property taxes are in the bottom 1/3 to 1/4 of the rest of the county and a lot of local communities by ordinance automatically increase their property taxes a certain percentage every year. We might pay more for water or sewer but we also pay significantly less for property tax.

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

BUDGET DISCUSSION

PAUL: Just some information to pass along. We had a recent discussion about sales tax. The City receives 1% of the 6.60% that is collected. So 15.15% of the amount collected is passed back to the City.

A motion to adopt the July 1, 2011 through June 30, 2012 budget was made by Terrie, seconded by Paul and the vote was unanimous.

A motion to approve the proposed changes to the July 1, 2010 through June 30, 2011 budget was made by Terrie, seconded by Paul and the vote was unanimous.

ORDINANCE 2011-5

****Mayor Hall read proposed Ordinance 2011-5.****

MAYOR: This ordinance has come to pass because of a discussion with the Deputy about people loitering in the City park after midnight. They needed something in place to keep people from loitering or camping in the City park. We are just updating an existing ordinance.

TERRIE: I think we need to add something excluding the Cub River Sports Complex.

MAYOR: We can easily do that.

TERRIE: We need something that specifically excludes the Cub River Sports Complex as it is a joint effort between Richmond City and Lewiston City.

PAUL: On the fire section we need to change the damage to public property. Section 8-407 needs to include any damage done by a citizen they will pay to fix it. The cost to either repair, replace or restore is on the person causing the issue/problem.

MAYOR: I like that.

TERRIE: Why not just add fires in general. Make a new section.

MARLOWE: We could have a section on vandalism and damage.

MAYOR: We can table this ordinance until all the necessary changes are made and we have all had a chance to review.

A motion to table Ordinance 2011-5, and discuss again at the July 19th, 2011 regular City Council meeting was made by Terrie, seconded by Paul and the vote was unanimous.

ORDINANCE 2011-6

MAYOR: This issue has taken a life of its own in the last few weeks. There was a presentation on KSL and a couple of write ups in *The Herald Journal*. I will give some background on this issue for those that are unaware. I think *The Herald Journal* editorial article was poorly written and very misleading and the background behind this ordinance needs to be heard. *The Herald Journal* was good to work with on my response article. This is not something that we have actively looked at doing. It all started about a year and a half ago when we started to receive complaints about the youth at the bus stop by the LDS Stake Center on 100 West. The kids were hanging onto cars as they went by, skateboarding in and out of moving vehicles. This is what started that issue and it has become a real issue. This is one of our number one issues that we have to deal with as a Council and Mayor. They (skateboarders) don't obey stop signs and we almost had one skateboarder get hit at dusk a couple of weeks ago. A year or so ago we put an article in the City newsletter about this issue asking for parents help. We then asked the

Deputies on patrol to stop and discuss this issue with those that refused to comply. They could warn them to stop doing what they were doing but did not have anything that they could cite them with. The Deputies just asked them to be more cautious of what they were doing and to respect the vehicles on the road. We even went so far as to contact some parents. We have one parent that does not live inside the City limits that called and told us until there is an ordinance in place to leave him and his son alone. So we have been discussing this issue with Judge Funk, City Attorney Kelly Smith and the Cache County Sheriff's office. We have looked at the ordinances of other communities to see how they are enforcing this issue. We have looked into this issue for over a year. The issue was raised by *The Herald Journal*, why not bicycles and people walking to church. We have not had one complaint on any item but skateboarders. We are looking to solve damage issues to private and City property. The brand new park playground was being abused by skateboarders trying to ride on it. They are trying to ride on park benches and other areas of the park. We even have some chipped sidewalk issues from it as well. There are private property damage issues as well. I realize this will only effect about 10-20 people. Unfortunately we need something that the Deputies, Judge and City attorney can use to help enforce this issue and that is what has led to this discussion.

SAM SCHROPP: I live at 143 South State. I see ladies that are out walking that are stopping traffic as well. You represented the City well on KSL.

****Sam Schropp read a letter to the Council and Mayor regarding this issue.****

SAM: I had a letter to the editor published in *The Herald Journal*. The Mayor contacted me regarding my concerns and I appreciate that. I have not heard or seen anything to change my thoughts for what was written in the letter. I think you need something that applies to everyone or nobody. Tractors, bicycles, horses, ATV's, people out walking, skateboarders, and people pushing strollers all take up most or almost all of the space on the road. This should apply to everyone and not single out anyone. I don't think what you are considering is broad enough and should be reviewed again. Just keep to the far right as possible and comply with all traffic laws. There are certain State of Utah statutes that the City can enact. I am 54 years old and not a skateboarder. I remember when I was 8 years old and living in the south and my dad explained to me why I was drinking from one drinking fountain and others were drinking from a different drinking fountain. In reading the ordinance the ordinance is too skateboard specific. It needs to apply to all citizens not just the six or eight you are focusing on. Thank you for your time.

DAN MILLER: I live at 293 East Main. About a year ago right after the road out here had been paved I was driving down the road at about 28 miles per hour and a car was coming at me and I barely missed two young girls that I did not see walking down the road. This does not address that issue. I am thinking of safety. Removing snow on the sidewalks in the winter is another issue that needs to be addressed as well.

JUDGE FUNK: I don't have an opinion one way or the other as the Judge. This is a legislative issue. The proposed sanctions are appropriate and flexible to deal with the situations and to allow for a good outcome. I don't have any other comments on it.

MAYOR: On the penalty section it would be a Class C misdemeanor as written by Judge Funk and City Attorney Kelly Smith.

TERRIE: I would like to address some of Sam's comments. When we wrote the current ATV ordinance we addressed some of these issues there. Part of this is just the way the ordinance is written. It is more skateboard and toy vehicle specific. That is why it is specific. I agree with you, our sidewalks are in disrepair and unless we increase property taxes to generate more income that is not going to change. In the ordinance it states to use the sidewalk but I want it to say only if the sidewalk is in good repair. I am recovering from knee surgery and a poor sidewalk won't work for me. I have concerns on some of the other wording as well especially where it says no riding within a business district. That just does not make sense to me. I think we need to change that. Bottom line we are driven by citizen complaints and concerns. We have tried and continue to try to work with these people and get no response. They won't respond to us or the Deputies or anyone. Sometimes it takes a hit to the pocket book to wake people up.

NANCY ROBISON: I like what Sam had to say. Who is going to call in the stroller brigade? Nobody. People won't call in ladies out walking but they will call in skateboarders.

PAUL: The ladies don't damage the property either. The ordinance is specifically for those breaking the rules.

SAM: There is a different perception of what the problem is. This morning, two women pushing strollers were headed north and two women were walking on the road going south, traffic had to stop to get around them. If safety is your concern then address it. Destruction of property is one issue and use of the streets is another issue. Kids walking from North Cache are just as much an issue. Women with their strollers won't be reported and they are in the way. We yield when riding horses. Let's set this up to cover all the use in the City.

MAYOR: We perceive a problem when we get calls on it all the time. We get calls on skateboarders all the time. Strollers have never been mentioned one time. You and Nancy are the only ones that have ever mentioned it and that was just this evening. How we perceive a problem is acting on citizen complaints. Most laws are based on some faction not willing to live by the general law. You cannot legislate common sense.

SAM: You don't think kids are discourteous?

MAYOR: I think they are in this regard. For the most part our City youth are wonderful, but we have an issue here with a few that needs to be addressed. This is not our opinion, this is a concern of many citizens.

SAM: The perception of those calling in is that a stroller is okay but baggy pants and long hair are not. I believe that!

PAUL: I don't.

MAYOR: I don't either.

SAM: I tolerate some things but you are addressing a public safety issue and strollers are a public safety issue. Rather than just skateboarders you should broaden it to cover other issues.

MAYOR: I am sure that will happen as a process over time if it becomes an issue that needs to be addressed.

BRAD: First of all I want to tell you that I appreciate your opinion and willingness to put your name behind it. We have a responsibility to the citizens. How disappointing it was to work on the new park playground and then watch it get destroyed. I won't listen to comments from people that hide behind user names on a computer. This is addressing skateboarders and toy vehicles, they are not in control. I have been to the skate shop, my kid is a skateboarder. I see a lot of comments about people saying give them a place to skate. Logan has closed their park

many times for different issues. The park playground is less than a year old and getting destroyed.

SAM: That is a separate issue.

MAYOR: We are not stopping them from riding.

SAM: It is not your role to legislate.

BRAD: This is not a debate.

SAM: I get the feeling that your mind is already made up. I understand the need but you are too narrowly focused. I think you need to look at the other public safety issues I have brought up.

TERRIE: Part of the ordinance is public safety. This is just one section. There are sections for motorized vehicles, ATV's, this section is for non-motorized vehicles. I see another section for people use being added down the road. We may not need to address the pedestrian issue as the State of Utah already does. A person needs to obey the law, follow the rules and laws of the road or be held accountable.

MAYOR: We are trying to address one issue.

DON COTTLE: I like the ordinance as written. We can focus on the 5% that won't comply and give the police the tools they need to get it done.

BRAD: My hope, if this passes, is that it is never enacted. Parents need to inform their kids. I am not saying you cannot use a skateboard, I am saying you cannot destroy public property. Law enforcement cannot enforce currently. We have no law to enforce right now.

MAYOR: We get calls from private businesses and entities that have their areas property posted and they still have issues. We are not hearing that with people walking on the road, pushing strollers or jogging. We are just not hearing anything in that regard but we are continually hearing about skateboarders. We hear from businesses and the local churches all the time. They are properly posted and still have issues. This gives the deputy one more tool to use.

I think we need to remove the section about skateboarding in a business district. We never have wanted to ban them, we just want them regulated. We can change if needed.

TERRIE: I think we should rephrase to loitering or something like that. I don't want to see a ban in the business district.

MARLOWE: That was just a suggestion from a larger community when we reviewed their ordinance. I would say to remove Section 11-407.

MAYOR: Section 11-409 says that no person shall put or leave their personal property on public property. This is dealing with jumps, ramps and such things.

PAUL: Section 11-402 says control over the apparatus must be maintained at all times.

DAN MILLER: Control is open to interpretation.

MAYOR: We have some sidewalks that they can ride on and some they cannot. We are deferring to good common sense of the Judge and deputy to resolve. We just want to warn and educate.

TERRIE: We have sidewalk ordinances that discuss repair.

MAYOR: Section 11-401 (1) could come out. There are a couple of options for 11-412. 412 (A) (B) (C) would all be stricken. It would just go right to a Class C misdemeanor. I think it is good to have guidelines and flexibility at the same time.

MARLOWE: The \$100 fine is recommended but not mandatory.

A motion to table Ordinance 2011-6 and discuss again at the regular July Council meeting was made by Terrie, seconded by Paul and the vote was unanimous.

PAUL: We will be discussing this again at the July Council meeting not at the short June 30th meeting.

BRAD: I would recommend everyone here this evening talk to their neighbors and have them contact us with any questions or concerns. I have not had one call from a citizen on this topic and only seen complaints on the internet hidden by user names. We want to address this issue and move forward.

PAUL: I would like to thank Sam and the rest of you for your comments. I go running in the early morning when it is dark and hate to see others out and about that don't take the proper safety precautions. There are stroller issues but the skateboarding issue is our current problem. I am concerned that we need to get this addressed before someone gets hurt.

MAYOR'S REPORT

MAYOR: I am waiting to receive a letter from Walt Baker. A letter has been sent to the Division of Water Quality, they agree with some of our presentation points. On another issue, we will be sending a letter to Mike Gleed of the Cache County Office regarding four homes in the Richmond Meadows estates that we are not responsible for flooding of those four residences. This will keep us current in this regard and we will get it sent to the Cache County Recorder.

A motion to approve the mailing of a letter to Cache County Recorder Mike Gleed in regards to four homes with potential flooding issues in the Richmond Meadows Estates was made by Paul, seconded by Terrie and the vote was unanimous.

MAYOR: We will have a short ten minute meeting on June 30th at 7:00 P.M. to pay year end bills and the next regular Council meeting will be on July 19th.

CITIZEN CONCERN REGARDING STORM WATER

DON COTTLE: Across the street from here Qwest has a building where they keep pumping storm water out of an area and it runs across the road into my yard or into the ground and then flows to my residence. Is there a ditch or drain they can pump it into?

MARLOWE: We don't have a storm drain along that area.

DAREK: It could be pumped into a storm drain or into the gutter.

MAYOR: We can ask them to watch and help out if they are unaware.

DON: It is coming in subsurface.

BRAD: Have you contacted Qwest?

DON: No. They keep pumping or that area keeps getting flooded.

MARLOWE: I will have to check into the storm drain in front of the Stacey Christensen home. It does not make sense that it would flow that way. Scott (Ball) can investigate and see where it goes.

DON: Is there an ordinance in this regard?

BRAD: We don't have anything that addresses ground water issues. I would suggest sending a letter from the homeowner's that are being affected to Qwest addressing this issue.

DAREK: This really is a private property issue not a City issue.

MARLOWE: I agree. It is a civil matter and if we get involved we would be setting a precedent. There are people pumping out of their basements all the time.

MAYOR: After you contact Qwest please let us know what they have to say. Let's find out where the drains are and where they lead too.

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

A&D Landscaping	398.07
Advanced Heating	515.90
Aflac	244.18
Allred Jackson	1500.00
Al's Trophies	749.56
Altius	1650.24
Angela Fannesbeck Attorney	110.00
Badger Screen Printing	434.00
Bair Auto	707.33
Bear River Health	40.00
Beazer Lock & Key	95.00
Brad Deffinger	5300.00
Cache Chemical	108.47
Cache Service Area	16193.17
Castalite	1526.70
Century	22.50
Chris Purser	447.30
Clint Dirks	90.00
Coats	700.00
Coca Cola	1090.95
Dell	646.66
EDC Educational Services	213.87
Fat Boy Ice Cream	146.88
Ferguson	450.00
GXN Smithfield	123.03
Hach	1009.95
Hall's Store	299.82
Hobbs Turf Farm	48.00
IFA	253.98
Itty Bitty	2059.63
L.D.'s	182.42
Large Print Overstocks	157.27

Lee's	2094.34
Lewiston City	702.89
Lowe's	44.93
Magic Productions	50.00
Maverik	1432.88
Meadow Gold Dairies	112.98
Mike Hall	60.46
Mt. Peak Builders	150.00
National Geographic	15.95
Northstar's Ultimate Outdoors	273.65
Olson & Hoggan	1694.00
PEHP	160.68
Pitcher Propane	34.01
Questar	769.18
Qwest	368.92
Randy's	59.93
Rocky Mountain Power	1864.50
Smithfield Auto	89.99
Smithfield Imp	510.37
Standard Plumbing	570.59
Symbiotics	950.40
Tamara Hardy	7.64
The Book Table	89.06
The Herald Journal	95.65
Trevor Jackson	100.00
VISA	1300.16
Wade Parrish	104.00
Watkins Printing	782.40
Wilson Motor	49.95
Xerox	193.64

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

Adjournment at 9:25 P.M.

Michael E. Hall, Mayor

Justin B. Lewis, Recorder