

RICHMOND CITY COUNCIL

OCTOBER 18, 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, October 18, 2011. The meeting began at 7:00 P.M., Mayor Michael Hall was in the chair. The opening remarks were made by Mayor Hall.

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

A motion to approve the September 20, 2011 City Council meeting minutes was made by Terrie, seconded by Paul and the vote was unanimous.

DEPUTY REPORT

MAYOR: We have our new S.T.A.R. deputy with us this evening and she is local Richmond citizen, Deputy Candice Hatch.

DEPUTY HATCH: I was born and raised in Richmond. The last month has been pretty quiet. There were three domestic calls, two juvenile calls and several animal nuisance related calls. Patrol coverage will be stepped up from 8:00 P.M. to 1:00 A.M. on Halloween weekend. We want to keep kids safe and people drinking alcohol off of the road.

MAYOR: Marlowe and I talked with Sheriff Nelson and were wondering if there were more call out hours this year?

DEPUTY HATCH: I actually looked up the hours for last year and we are about 100 less than last year so it will be pretty close as patrolling hours happen over the next two and a half months to the total hours of last year.

JUSTICE COURT REPORT

JUDGE FUNK: We are going into the slower time of year in the court. Fall and winter are the slower times of the year. I have noticed a decrease in traffic citations the last while. There has been an increase in domestic violence and assaults recently. They are up for some reason and I am not sure why. I will advise the Council if this trend continues. TPSI, the probation services company we use, recommends mediation in these types of cases. I am going to check into this and gather some information from Brigham City and Logan City as they are both currently doing this on these types of cases. We will review what they do and then make a recommendation if we think it is appropriate.

MAYOR: So they are using a mediator to resolve the issues?

JUDGE FUNK: Yes, they are using volunteer mediators. The mediators are trained for this specific purpose. There is a face to face meeting with all involved parties.

PAUL: What is the typical penalty on a domestic violence case?

JUDGE FUNK: There was one case the first year I was on the bench. Currently, we are working on three cases right now. One of them was a name calling incident that turned into a

slapping incident. Another one has seven charges and is currently incarcerated. There could be some real ramifications in that case as there are some immigration issues as well.

PAUL: So are they typically felonies?

JUDGE FUNK: That is hard to say. They usually start as a misdemeanor. We had one that had a misdemeanor and went to counseling and completed what was required of him and then two weeks ago he was hit with a felony for the same problem so now it is onto District Court. They can be hard to handle as there is usually two classes of how to deal with it and you don't know which way will help the offender unless you can have some intensive counseling and that is not available in the valley at this time. There are two courses of action, strict and harsh or not as harsh. Sometimes the strict and harsh can have the opposite effect of what was intended and actually make the offender worse off and more violent.

MAYOR: We appreciate your service to the community.

FIRE DEPARTMENT REPORT

FIRE CHIEF LYLE BAIR: I will give you a quick update on the station. The last quarter there were fifty calls for service. That is an inflated number due to the microburst wind storm. Of those calls nineteen of them were for EMS service. If you take out the windstorm calls then it would be about 50/50 between fire and EMS. There are three people going through the EMT training program and will complete the training in mid December. They are Chantal Bair, Lance Jenkins and Colby Ellis. Two fire members recently went through an ADO class which is training to operate the engine more efficiently. As for the building remodel, the sheetrock is up in the training room and the first tape coat should be done. It is being worked on currently. I have had three new applications to join the department. Kyle Bullock is from Paradise and was part of their department down there. He is currently working with the department after I discussed his qualifications with Councilman Jensen. He is certified in fire and EMS. He has been helping us out for almost a month. Dennis Wood has also applied and comes to us with about fifteen years of experience. He does not have any current certifications but will train to get them. He has past experience with Smithfield City and a city down in Davis County. He is very experienced. Justin Gilbert has applied as well. He was on the department previously but was removed from the department for some circumstances due to his actions. Those issues have been resolved. He would be a great asset and is currently fire certified.

BRAD: Are any of them available during the day?

CHIEF BAIR: Kyle will be available periodically as he has two jobs and one of them is at North Cache. If an emergency, he can leave there and come and assist. He would only be used as a last resort during the day due to his work schedule. Dennis is available on evenings and occasionally on days. Justin is a City worker and in the town during the day so he is always available.

A motion to approve Kyle Bullock as a new member of the fire department was made by Brad, seconded by Terrie and the vote was unanimous.

A motion to approve Dennis Wood as a new member of the fire department was made by Brad, seconded by Terrie and the vote was unanimous.

JEFF: Is there any type of interviewing process that is required for these new members?

BRAD: They all come to us as recommendations from the Fire Chief.

CHIEF BAIR: Our rules do not require an interview but I have interviewed Kyle and Dennis. I have not interviewed Justin but have had a previous interview with Justin when he was a member of the department previously.

BRAD: These recommendations by Chief Bair come to the Council already approved by Chief Bair and his assistant chiefs.

PAUL: So they only come to the Council after being approved by the chief and his assistants?

BRAD: Yes.

JEFF: When coming back to the department after leaving because of a disciplinary action are there specific guidelines the applicant knows they must follow as a part of being allowed back into the department?

BRAD: They start off in a probationary period just like any other new member.

CHIEF BAIR: There is not a specific timeline on the probationary period it is more in how proficient they are in the department.

PAUL: So no specific date?

CHIEF BAIR: No. It is more of a skill based assessment.

JEFF: So if approved, Justin Gilbert would be starting over?

TERRIE: Yes.

A motion to approve Justin Gilbert as a new member of the fire department was made by Brad, seconded by Paul and the vote was unanimous.

EMT REPORT

KATIE WALLENTINE: I think everything for the EMS department was covered by Chief Bair.

MAYOR: This is Katie Wallentine, our new Chief over EMS Operations.

KATIE: I have lived in Richmond all of my life and been on the department for fifteen years.

BUSINESS OWNER REQUEST FOR UTILITY RELIEF ON MONTHLY SEWER UTILITY BILLING

MAYOR: Ryan Rogers would like to make a presentation this evening seeking temporary relief on the City monthly utility billing.

RYAN ROGERS: I am a Richmond City resident and own some apartments in town. Since the monthly utility bill has increased I have seen a huge increase in vacancies in my apartments. I would like to show you some comparable sewer fees from other local communities. Richmond charges a flat fee of \$44 per month per apartment for sewer fees where North Logan charges about \$12 per month and Hyde Park charges approximately \$18 per month. People are moving out of the City to go to other communities where the fees are lower. This is causing a big vacancy problem in the City. Charging the same amount for a 5,000 square foot home as a one bedroom apartment does not make sense. It is really hard for a low budget young couple to pay the Richmond monthly utility fee. It is about triple what the North Logan fee is. As an owner it

is hard to run a business. I am asking you to lower the monthly fee based on square footage or something. Maybe a 50% reduction to be more in line with other cities.

TERRIE: So there is only one meter per 4-plex?

RYAN: Yes.

TERRIE: So it is not possible to determine the usage per unit?

RYAN: Correct.

TERRIE: I know in Logan it is all separate, each unit has its own meter.

RYAN: The monthly water charge is not a problem. The average tenant is being charged \$70 in town and they are being charged \$35-\$40 elsewhere. That is the principle of this.

BRAD: The comparables are both from a sewer lagoon system. Not for a large upgraded system like we are currently on. I am sure you are aware of the MBR plant and the millions of dollars we had to spend to get in compliance. The comparables are what they are. Council member Terrie Wierenga is a single user on the system and has to pay the same fee. The \$70 per month is about \$33 less per month than a homeowner is currently paying. If we had 200-300 more hookups then we could charge a lower cost. North Logan is considerably larger than Richmond and therefore has significantly more hookups to distribute the cost over. Regardless of what other communities are doing we have to meet our bond debt obligations.

RYAN: One home has one sewer hookup and my apartments have one hookup but you are charging me for four hookups. That is my issue. There are four hookups on one meter. It is hard to run a business with these costs.

BRAD: What you are asking for is for the City to supplement the local rental industry. Our payments still have to be made.

RYAN: A house versus an apartment is a separate thing.

TERRIE: I don't agree. I pay a full fee and I am the only person in my home. It is a tough situation for everyone involved. We are obligated to the State of Utah by our debt obligations to pay that debt. Yes, other communities are charging a lower fee and running on a much older system. They will be increasing over the next four to five years as they have to come into compliance as well and at that point we will be in the middle or lower portion. I understand that you are a business owner running a business. This is the cost of a hookup and what we are required to pay.

RYAN: So one hookup or not you still are requiring me to pay "X" amount?

TERRIE: Yes. The amount going down my single system is the amount going down an apartment single person system.

JEFF: Having to place individual meters on each unit would be a big financial burden. We are required by the State of Utah to meet certain requirements in return for them giving us grant funding as well as a zero percent loan. There are some disadvantages in that process as they control some of the fees involved. We seriously considered the best route to go when making these decisions a couple of years back. Overall we felt this was the best option for the City. It is good for some and not as good for others.

RYAN: I know some of the other cities bill the tenants directly. The tenants think we are ripping them off. I talked to that Mayor about that idea. I think it would be fair so we are not the ones getting yelled at.

CHRIS PURSER: One problem is that if they don't pay we have no way to turn off the water like we do with homeowners.

RYAN: The tenants think we are taking advantage of them.

CHRIS: If they want proof of what the fees are per month have them call the City Office.

JEFF: I think it would be wise to give a tenant sheet to each person that shows a breakdown of what they are paying for and give it to each renter. It can show the City fees up front and that the landlord did not have control over this portion of the fee. That is a lot better than us trying to figure out how to bill it individually. Very few tenants will pay their bill in an apartment before vacating. We cannot absorb those types of losses.

MARLOWE: By ordinance you could only consider this if there were four separate hookups and four separate services. Just to say we are only going to bill "X" amount per month does not work per ordinance or by practicality.

MAYOR: I have previously mentioned that we bill per meter.

RYAN: It is hard to run a business when everyone else is cheaper.

MAYOR: Ryan and I have chatted many times. We sympathize with you. As other communities have to meet new standards their fees will increase as well. Unit square footage is not something that we consider. We look at each hookup. Four people in an apartment put more into the system than one single homeowner does. We are obligated by the loan documents and don't have much control over that. We do appreciate what you are going through.

TERRIE: We are the leader of the pack locally when it comes to recertification. The fees for us increased before others but they will be coming along to our level.

JEFF: I commend you for coming in before us and expressing your concerns in a civil way. I appreciate that you would ask questions and give input. I appreciate that from anyone that is willing to do that.

SEWER MASTER PLAN UPDATE

MAYOR: Chris Slater from J-U-B Engineering is here this evening to give us an update on the new sewer model as he is the one overseeing this project.

CHRIS SLATER: Thank you for allowing us to work on this project. We are preparing a sewer master plan to help determine sewer system collection capabilities. The plan focuses on the piping not how the sewage is treated. The first step was to make a map of the existing system. This required extensive surveying. One Figure 1, the black line is the boundary of the City. The other colored lines are the pipes themselves and the size is designated by color. The small black lines are 8" sewer lines that don't collect much and we are not worried about them. We put out flow meters at various places in the City to verify flows in the town. We collected the data from the meters for a month or so and then that information was put into this computer model. We then run the model and it kicks out the flows. The data we used was from the metered sites. DOD means depth of pipe over the diameter of the pipe. The green lines on the next map are pipes that are less than half full. The yellow and red lines are sewer lines that are getting full. The existing system is good. This shows how full the pipes are at peak times for example when people are getting ready for work, when it rains, when business activity is at the highest. The system is working quite well to the east of the highway. There are a few flat pipes that show areas that are full. Overall the system is operating pretty well. This model will also help us project into the future as development happens. Figure 11 shows the City broken down into land use based on current zoning. We used flows from each of those areas. How will the City look in five years? We have reviewed where we think the City might have development and plugged in those growth numbers. The red hash areas are the areas we used to show growth

but growth might not occur there either. The problem areas we have today are only going to get worse over time. We also included an adjustment for an increase in business activity in five years as well.

DAREK: The area to the west of the highway is getting more critical and down by the maintenance shop is an issue for the future. That section of pipe is a flat pipe.

CHRIS SLATER: We have come up with a list of improvements to consider for down the road. The red sections on the map are pipes that need to be upsized.

JEFF: So the main problem area is on highway 91?

MAYOR: Yes.

CHRIS SLATER: The area down by the tracks and the plant are potential issues. Highway 91 is the top priority. This is a projected five year plan. We have estimated costs of these projects as if they were done today. Project 1 would be to replace the existing 8" line to a 15" line from 200 South to 400 South on the highway. Estimated cost is \$327,096. Project 2 is to replace the existing 8" line to a 12" line on about 150 North. Estimated cost is about \$194,180. Project 3 is to go from a 12" to 18" line on Main Street from 800 West to the treatment plant at an estimated cost of \$334,320. The pipe that would be installed would be for a 50-75 year growth model. We estimated the growth at 3.0-3.5% so it would take 50 years or so for the system to reach capacity. East of the highway the system is good. The highway and west of the highway is bad or almost full currently. Some pipes in different areas of the City will need to be 12", 15" or 18" based on future growth. At today's dollars to finish the build out of the entire system would be \$3,100,000. Keep in mind that is based on today's costs not many many years down the road when these projects will most likely occur.

DAREK: Don't think you will be able to use these numbers twenty years down the road and expect the same costs of today.

CHRIS SLATER: This is just a planning tool for the future and a way to help with how to handle the system in the future. Ideally a gravity flow system is best. Lift stations are expensive. Based on future growth on the edges of the existing City there will need to be a future trunk line on the north of town and the south of town and it can eventually make grade and avoid lift stations. There would be a need for a lift station in only one area. If the system were to go as planned almost all of the City could be on a gravity flow system. The new main lines would be north and south of the existing City limits.

JEFF: Can you tell me the number of residents these projections were based off of?

CHRIS SLATER: I think about 12,500 which was a growth rate of 3.5%. Currently there are around 2,600 residents if I am correct.

DAREK: The model is built based on build out of the system as currently zoned and for maximum build out.

CHRIS SLATER: The estimated cost of the new trunk lines at today's costs would be \$6,522,000 but those projects would not happen for many many years.

DAREK: As development occurs this model can be adjusted. This model will also tell the developer what size of line will need to be installed.

TERRIE: Our plant wanted to put in a chain link fence out south of town and hit some rock layers and out cropping. Is any of that considered in this model?

CHRIS SLATER: That has not been considered but each proposed line has a meander factor which means we added an additional 25% of pipe length into each line in case we needed to go around certain areas.

DAREK: At this level of planning we would have no way to know that. We do know that down by the old milk factory there is a rock outcropping on Main Street. This current model just gives us an idea of the size of lines that will be required.

CHRIS SLATER: We have also made a list of conclusions and suggestions. On highway 91 at 200 South is the only current problem at peak times. Ground water getting into the system is a big issue as well. The collection system on the east side of the highway has enough capacity to serve through build out in approximately 2059. About 50% of the current inflow into the system is from ground water. That is not uncommon but is higher than some of the other communities we work with.

BRAD: Also keep in mind that this data was collected on one of the wettest years in many many years.

DAREK: It was a good year to collect as we can project based on worst case flows. We picked up significant flows from the micro burst on each meter so ground water is a big problem. If the sewer plant had not been built to handle these peaks there would be some big issues.

CHRIS SLATER: The west side of the highway is the area to watch for the future. Many of the highway 91 pipes are too small. The two new trunk lines will be needed in the future but that is many years down the road. I would suggest you start considering the five year improvement plan, mainly the highway 91 problem. I would also update the sewer model whenever new developments are proposed.

MAYOR: Some of the problems were fixed this spring when some of the manholes were repaired.

CHRIS SLATER: I would suggest continuing to monitor the trunk lines west of town and on the highway. I would also update this plan as new developments are approved. Some communities have not done this and I don't think that is wise.

MAYOR: I think this is wise money that has been spent on this plan. If we had previously had this model it would have helped us to know that we needed to replace the highway 91 line when the highway was widened. It is a good planning tool for the future. It will be a big help to the Planning & Zoning Commission and the Council. This will also help to make sure that developers pay their fair share and to take care of the existing citizens.

PAUL: It was a very good presentation.

JEFF: Can you please e-mail me this information so I can save it for future reference.

BRAD: So everyone is aware half of this survey was paid for with grant funding that J-U-B helped us to obtain. A single problem that is prevented in the City will pay for this plan.

MAYOR: It is nice to now have a water and sewer model.

JEFF: From an engineering perspective how often should we rework this model?

CHRIS SLATER: Every five to six years would be good, information from this model will be needed as you adjust impact fees as well.

DAREK: The major part of this project has been done and only adjustments will be needed in the future. It can easily be tweaked in the future. The foundation has been laid for the future.

MAYOR: This plan has been a work in progress over a long period of time. J-U-B has done a great job. It will pay for itself time and time over.

BUSINESS LICENSE

AUTO PERFORMANCE DETAILING & AUTOMOTIVE

CHAD LAUGHLIN: I will tell you what I want to do. I want to put an automotive garage in the back of my mom's house. I have been doing this type of work for nine or ten years. I want to start working on exhausts and things like that. I know I cannot do it without your approval.

MAYOR: So you are going to build a new building first?

CHAD: No, probably later on down the road.

PAUL: Is this the garage behind the blue home? Does your mom own the home?

CHAD: A good friend of ours owns it. I don't reside there, I reside across the road to the west. I do have permission from the homeowner to use the garage for this purpose.

MAYOR: For now you just want to do detailing and small engine repair with major stuff down the road?

CHAD: Yes. Smaller stuff for now and then look towards bigger stuff down the road when I can move to Logan when it gets bigger.

MAYOR: What about the current building you want to operate in?

CHRIS: Structurally it is alright. I am putting a new roof on it right now. It is a three car garage that has my tools in it. My big Snap-On tool boxes.

PAUL: So it has power, what about water?

CHAD: No water right now.

PAUL: Is it insulated?

CHAD: Not right now.

PAUL: What about oil and antifreeze disposal?

CHAD: I would have a collection system and then take it to Logan for disposal.

PAUL: I have a concern that this is a commercial use in a residential area. I believe that means that you need a conditional use permit and would go to our Planning & Zoning Commission first. That is how I read the ordinance and what it requires. Home based businesses typically operate out of a house not a separate building. Any idea the number of vehicles that would be there at one time?

CHAD: I have two full-time jobs elsewhere right now so not too many.

PAUL: All of the work would occur in the shop, nothing outside?

CHAD: Correct.

PAUL: I think you should go to Planning & Zoning first. Allen?

ALLEN: I think you should start there as well.

MARLOWE: November 1st is the next scheduled meeting.

PAUL: You need to get with Marlowe and get on the agenda. What you have provided tonight is excellent. Planning & Zoning will review your request and then make a decision and forward to the Council for review.

BRAD: I think you need to be prepared for that meeting. I would have a letter from the landowner stating it is allowed. I would have some expansion plans to show as well, where you are at currently and where you hope to be in the future. You need to tell them the maximum amount of work you will have there before you think it is time to leave and go to a bigger building. They also need a list of chemicals that will be stored and used there as well. You also

need to tell them how that building is built. Tell them there is not water, the building is “X” size, etc.

MAYOR: The building will need to meet current code requirements.

BRAD: If you are just detailing cars not all of these hoops would be required but when doing commercial repair work that is different.

JEFF: Part of what I envision is that it is small right now and you hope it to be larger down the road.

BRAD: If you get a conditional use permit you can come back in each year as the business grows and explain the situation.

A motion to table the business license request for Auto Performance Detailing & Automotive by Chad Laughlin and send to the Richmond City Planning & Zoning Commission for review was made by Paul, seconded by Terrie and the vote was unanimous.

ORDINANCE 2011-6

MAYOR: This proposed ordinance stems back to a discussion we had at least a year ago. Joel Pederson and Dan Miller came in and discussed some source protection areas and the need for them to be reviewed. Since then the Utah Geological Service did a study on our source protection areas.

****Mayor Hall read proposed Ordinance 2011-6.****

MAYOR: It is a big ordinance that we have previously reviewed. A presentation was made when the plan was developed. The Utah Geological Service developed the plan. This also falls in-line with our sewer modeling as well. This has been a big effort to get the water model, sewer model and source protections areas all established for the future. This is a great document for this Council and future Councils to refer back to as needed. It will also be on file with the State of Utah and the Division of Drinking Water. Joel, did you have a chance to review this ordinance?

TERRIE: I really appreciate Dan and Joel bringing this issue before us. We have met several times on it over the last year. I think it is good that all the water sources are now in one document.

MAYOR: The timing was perfect as the Utah Geological Service was already in the area working on other projects.

BRADY CHRISTENSEN: Do the areas encompass more area than currently agreed upon with the landowners?

MAYOR: This just takes into consideration where the water comes from. Has nothing to do with the deal with any landowners. It specifies the boundaries of where the water is coming from to hit the aquifer. Most of the City water sources are outside of the City right now. The County can also review our plan as well and help them to make their decisions.

JOEL PEDERSON: What you are passing, does it include the new well?

MAYOR: Yes.

TERRIE: Yes, it does.

MAYOR: It takes into account future growth as well. Almost all of the information in the ordinance was taken from the study and incorporated into ordinance form.

A motion to adopt Ordinance 2011-6, AN ORDINANCE ESTABLISHING THE DRINKING WATER SOURCE PROTECTION PLAN TO ENSURE THE PROVISION OF SAFE AND SANITARY CULINARY WATER SUPPLY FOR RICHMOND CITY BY ESTABLISHMENT OF WATER SOURCE PROTECTION ZONES SURROUNDING THE NATURAL SPRINGS, DEVELOPED SPRINGS, AND WELLHEADS FOR ALL CULINARY WATER SOURCES WITHIN THE RICHMOND CITY CULINARY WATER SYSTEM, was made by Brad, seconded by Terrie and the vote was unanimous.

MAYOR: This ordinance is quite long and will be available for anyone to review as soon as it is official.

TERRIE: Once it is formal it will be posted on the website.

BRADY: Does this affect or not affect future development outside of the City?

MAYOR: Yes, it can. The County is aware of our concerns regarding our protections zones.

FINANCIAL REPORT

JUSTIN: The audit will start next Monday and be presented at the December Council meeting. We were notified by the State of Utah that there was a mistake in the disbursement of the last amount of Class C Road Funds and they are trying to figure out how to fix their mistake. I have submitted the final draw to the Cache County Council for the pavilion upgrade project.

MAYOR: We will need to start thinking of upcoming projects for the next budget year in November and December and have the RAPZ Tax application submitted around February. Please get with me with your ideas.

JUSTIN: Lewiston City paid their \$7,500 portion of the Cub River Sports Complex for this budget year. I would like to transfer our portion from the general fund to the Cub River account.

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

JUSTIN: I would like to transfer \$4,426.50 from the Water Enterprise Restricted Cash Account to the loan from the Capital Projects Fund to the water fund. It would consist of \$1,126.50 which is the interest for July through September and \$3,300 in principal.

A motion to approve the transfer of \$4,426.50 from the Water Enterprise Fund Restricted Cash Account to the Capital Projects Fund Cash Account was made by Jeff, seconded by Paul and the vote was unanimous.

JUSTIN: I think the veteran portrait framing job turned out very nicely. Al's Trophies was so impressed with the project and wanted to help out that they discounted the invoice \$220. A couple of items to note. Page 1, line item 3612 "Rent – Backhoe Water/Sewer" that is the

amount that the general fund charged to the water and sewer funds for their portion due on the new backhoe. The cost is split 1/3 each over the three departments, general, water and sewer. The expense associated with this is line item 4460 on Page 3 in the amount of \$19,310.00. Line item 4225 on Page 2 “Bldg – Repairs” in the amount of \$6,215.42 is mainly the repair to the exterior of the library that was completed by Sokun Dy. Page 3, line item 4471 “Streets Class C Road Funds” for the period ending September 30th we have spent \$35,102 in that account. Line item 4597 “Parks – RAPZ Pavilion Upgrade” on Page 4 in the amount of \$49,620 is for the RAPZ tax project at the City park. We used the \$40,000 in RAPZ tax funding and another \$4,000 or so we received from our population based assessment and the rest came from the general fund. A&D Landscaping got the twelve new trees planted at the park last week as well. I think the park looks very nice. Eric Hunter had some questions on the bond document closing paperwork and I supplied him the information that he needed yesterday.

MAYOR: In case anyone does not know, please explain the backhoe exchange program.

JUSTIN: We have an agreement with Century Equipment that they will take one of our backhoes on a trade-in basis each year and only charge us for the hours used in the last two years. This usually means that for \$20,000 or so per year we have two new backhoes at all times.

BRAD: They are also under warranty and we don’t have to pay for any repairs. We keep the buckets and accessories as well.

JUSTIN: From what I can gather and have been told by the maintenance department it is money well spent. I know that our used backhoes are in high demand when they hit the market.

COUNCIL MEMBER REPORTS

BRAD: Chief Bair already reported on the status of the fire department building remodel. I would like to see it done sooner than later. It is slowly proceeding. The cabinets have been ordered. Once the tape and mud has been completed then it is onto painting, flooring and cabinets. The computers and tables have already been purchased and just need to be put into place and set up. They will be installed on the north wall of the training room. It is wired for wireless service as well.

JEFF: Just let me know when you are ready to make that change. We are paying Qwest currently for the internet service at the fire station and we will cancel it as soon as we can. I know we have some speed issues with Qwest being slow right now. We might have to consider switching to Comcast due to speed issues if they persist. The speed will be more of an issue as we move forward and add more onto the system.

TERRIE: We might need a couple of additional routers. We are only guaranteed “X” amount of bandwidth.

SCOTT BALL: Qwest is extremely slow at the MBR plant as well.

JEFF: Late at night it is good but during the day it is slow.

BRAD: The remodel will be a great project to get finished. The City will receive approximately \$8,000 from our help at the Herriman fire. We are being paid the full amount and then have to pay the costs to the other associated parties and due to our interlocal agreement we get to keep half and the county gets to keep half.

MAYOR: For those of you that don’t know, we have an interlocal agreement in place that gets us some funding and the county some funding for fires that we respond too.

BRAD: As for maintenance there is nothing new. We are just trying to get ready for winter.

PAUL: Has the sand and salt been ordered?

SCOTT: Yes and it is in the shed.

BRAD: There are no new nuisance complaints. I am going to let Darek give us an update on the water and sewer projects.

MAYOR: Darek is going to now make his presentation on an update on the water system project.

DAREK: The Council picked the upgrades we wanted to complete as part of this project a couple of months ago. We have also now included the water line that runs down 500 North as part of the water tank project. There is an easement issue with a connection through the Cherry Creek Heights PUD that needs to be resolved and is being worked on. The pressure zone problem on 800 South will be fixed by the City maintenance crew. We are trying to finalize some of these projects so we can get them to the State of Utah for review and approval. There are some easement issues that we needed to work with and get resolved before we can send the projects to the State of Utah for review. There will be new pressure zones on Main Street. Tim Christensen is working on the surveying as fast as he can. I am hopeful we can have all of the projects to the State of Utah for review within the next week or so. The water tank and 500 North water line will be bid as one project. The new well will be bid as a separate project and all of the other projects will be bid as one project. The 400 West project is something that the City can take care of. There will be a loop from 400 West to Lower's Food as part of this project. That will help to complete the loop on the south end. We are going to delay the 450 South to 800 South connection at this time. That is a project that future development can pay for in the future.

MAYOR: Right now we have a water line that runs out to approximately Alpine Industries. Lower's is responsible to loop that line. They will pay to loop that line as part of future development. We will then vacate the existing line that runs under Lower's parking lot and they will take it over and be responsible for all of the costs associated with it in the future. That will complete our looping and metering issue in that area. That then makes the North Cache loop a moot point. The money from that project can then be moved to the 400 West project as it was next on the priority list.

DAREK: We also want to make it so we don't cut off water to the 400 West residents like we had to over the weekend to complete the repair on the highway in front of North Cache. Is that what you want to do?

A motion to change the priority list on the culinary water system upgrade to now complete Projects U8 and U3 and not complete Project U2 at this time was made by Brad, seconded by Terrie and the vote was unanimous.

MAYOR: That will now allow us to do two projects for the cost of one.

BRAD: It is imperative for everyone to know that when the time comes for Project U10 to be completed that U2 will have to be completed at that time as well.

MAYOR: We are not going to do U10 as that is a cost a future developer can pay for down the road.

DAREK: We now need to discuss the new well. Ideally, we want to move the new well over by the new water tank. A Hydro Geologist has reviewed the area around the tank and there is a limestone formation at about a depth of 300-500 feet that based on estimates of drill logs from

the past should meet our production needs. We need to drill a test hole now to see if that is possible.

PAUL: How soon does the test hole need to be dug?

BRAD: Right away.

DAREK: As soon as we can get a driller there.

MAYOR: The cost to bring the water from the existing location by the Mary Palmer residence to the new tank is very high. The test well would worst case cost \$25,000 and could potentially save us hundreds of thousands.

DAREK: Where it is a test well it is pretty straight forward and no advertising is required. It would be a 6" test hole. The CIB is after us to get the loan closed. If we drill a test hole this fall then we will know how to proceed down the road with either a new well or to use the existing well. If it works we go that direction if it does not we go another direction. There is much more work and cost involved in the old well location.

JEFF: How fast can a well get dug?

DAREK: If the soil is clay they can drill about 300-500 feet per day. I think we should get three bids. I know that West Lake Drilling is familiar with this area and has dug up there before.

PAUL: Do you know the average depth of the existing wells in that area?

DAREK: I know they were all over 200 feet as there were some protests if they were dug above that level. A municipal well will require some testing. Residential wells do not. We are after 1,500 gallons of water per minute production from the new well.

BRAD: We need to approve the test hole and get going.

A motion to approve J-U-B Engineers to contract with a well drilling company to drill a 6" well test hole near the location of the new water tank was made by Brad, seconded by Jeff and the vote was unanimous.

MAYOR: We are trying to work with the CIB to get a dual loan closing, one for the projects that are ready now and one for the well project later on.

DAREK: One of the stipulations we have to have completed before the loan closing is to show clear ownership or easements with all parties on where all of the pipes will go.

BRAD: So far we have had very good responses from the residents we have contacted regarding easement issues and they want to help us to proceed on this project.

MAYOR: We have not dealt with the PRV locations yet.

DAREK: They will be placed in a vault under the road so there will not be any easement or property issues in that regard. Onto the sewer lagoon testing. As everyone is aware we have been going back and forth with the State of Utah about being able to put the sludge into pond number one. The State of Utah has now come back and wants some extensive testing done.

MAYOR: At first they told us we could put the sludge in the lagoon then they came back and said no.

DAREK: They have now asked us to dig four test holes around the lagoon to gather soil samples.

BRAD: This is new ground for the State of Utah and we are being basically used as the guinea pig.

MAYOR: We are the start as our permit comes due first. Originally they wanted some soil tests from under the lagoon liner and we questioned them about damaging the liner and they backed

off that request. A Geo Technical Engineer will be sending over the contract for the soil sampling. This will be paid for with the unused MBR funds that have yet to be settled. It is going to cost about \$7,500 for this testing. We need to meet a permeability test.

DAREK: We are pushing the designs on the water tank project as fast as we can so we can get them to the state for review.

JEFF: The parks department is good and the parks look very nice. The new trees are in and look very good. The park pavilion RAPZ tax project turned out amazing. There is some good progress being made on the cemetery mapping project. There have been some good meetings with Kip Panter in that regard. Lots of good progress on that project over the last two years. I have had lots of questions from citizens about the cemetery going digital. I have a letter that will appear in the November City newsletter in that regard.

****Jeff Young read the proposed document that will go in the November City newsletter regarding cemetery information being available on the internet.****

JEFF: This project is important to a lot of people in Richmond. Once completed I would like to have a community gathering to show what has been accomplished and to recognize the boy scouts that helped on this project.

ALLEN: There is a new residence going in on 200 East and 56 South.

BRAD: There will not be any new impact fees from that residence as it is replacing an existing building.

ALLEN: Correct. It is being built by Brian DeGasser. I needed to fill a vacancy on the Planning & Zoning Commission and have asked Tucker Thatcher if he would be willing and he said yes.

****A motion to appoint Tucker Thatcher to the Richmond City Planning & Zoning Commission was made by Allen, seconded by Paul and the vote was unanimous.****

PAUL: Is that a four year term?

MAYOR: Yes, with the option to be appointed to a second term. Tucker will be replacing Lee Anderson.

TERRIE: In regards to the general plan update there has been some talk of a possible nature park being constructed up by the horse arena on 300 East and about 350 South. In the past the Lion's Club has maintained the Lion's Grove up High Creek and we have now been informed that we cannot make any changes nor do any maintenance in that area without their approval and they won't consider looking at it for years to come. With that being said the Lion's Club has an interest in leaving that area and going to this new proposed area and entering into a partnership agreement with the City if possible. It is something for the Council to think about and I know that there would need to be details worked out. I know in reviewing the old plan it calls for new parks in the future and this would be a nature park where it would be quiet and not as loud as parks with playground equipment. I know there are some grant opportunities available for a skate park as well. I thought I would run this by the Council and gather thoughts.

MAYOR: On the nature park issue, the City has only spent a few hundred dollars in tree trimming in that area. That is a good project for some grant funding possibilities and Paul (Erickson) is spearheading that effort. This is something we don't want to spend any City funds on and only do it with grants, donations and trades-in-kind as well as possibly some RAPZ tax funding. I think it would be great for the Lion's Club to help out. Let the Lion's Club know that we will support them on this project. We can write a formal agreement in the future if the park is moved forward to be completed.

ALLEN: I appreciate the fact that the Lion's Club is willing and wanting to help out on a project like this.

TERRIE: There has not been any upkeep or maintenance on the Lion's Grove for the last couple of years and it would not have cost the government any funds as it was all donated and they still told us no.

MAYOR'S REPORT

MAYOR: You have all had an opportunity to review the proposed verbiage for the next newsletter in regards to sidewalk and autos in the park strip issues.

MARLOWE: I need a fresh copy for the newsletter.

MAYOR: It is the copy that you currently have. There has been an issue that has been arising in other communities in the valley. Some cities have cancelled their elections as they only have the exact number of applicants for the exact number of Council seats. There is a state law that allows for the election to be cancelled and those people appointed. We have four applicants for four seats. We already had the ballots printed before we knew we were allowed to cancel. With that being said in the November newsletter we will not be posting the information on the candidates that are running but will post something down the road about the new Council member when he becomes official. We are not going to cancel the election as the funds have already been spent. This should be a good reminder to the community that volunteers are needed. We need to remind those that have issues that they were welcome to run for office and did not. I am thinking of putting a blurb in the newsletter in this regard. On the highway water leak repair that was completed by North Cache an old trench was located that is running under the highway. We tested the water and it is chlorinated. We will be doing some testing to determine if the LDS Church Seminary Building is leaking or if it is coming from Lower's Foods or if it is a City issue. We have to prove who is responsible for the leak. The repair took all day Saturday, basically from 7:00 A.M. to 10:00 P.M. to get the repair completed. This was a planned repair, not a blowout. We have been working with UDOT in order for them to grant us permission to dig up the road and make the repair. Scott, please tell the crew that we are all very appreciative of their service. There will be a general plan meeting this Thursday at 6:30 P.M. here in this building and Cindy Gooch of J-U-B will be leading the meeting. Our information has been turned into the county in regards to the proposed ski resort area. The county has our list of concerns. Marlowe will also be sending them a copy of Ordinance 2011-6 as it is now official. They were already aware that it was going to be coming if approved. There have been lots of citizen comments on the ski resort proposal and it is not our vote. It is a Cache County Council vote. I have a plaque we will be hanging up from a July 4th agreement between the Cache County Council and the nineteen Mayor's from the valley. It states we are willing to work hand in hand with those that are serving our country. Morty Jenkins is our local contact. The general

that oversees the State of Utah National Guard asked us to hang this plaque. They will probably do a presentation to the Council down the road. One of the easement issues is by the steel tank on the Dixie Anderson property. The line that is coming off the road goes under the pavement of their driveway. We don't want to have to replace the entire driveway. There is a field to the south of the driveway that we could go down along and then straight over to the tank and the chlorinator. There are two lines under the driveway, one is chlorinated and the other is not. There is no legal recording of that easement or the piping. We will need to formalize an easement proposal for the existing pipe as well as the proposed new piping. Darek and myself met with Dixie and her son and we will get an official document drafted. There will be two documents. One for the right of way and the easement and then a contract for obtaining access. There will be an executive session down the road to discuss that land acquisition. It was a very good meeting with the landowner.

DAREK: Tim Christensen will be doing the survey to locate her exact boundary lines.

MAYOR: There will need to be a formal easement document prepared with the Johnson's out north of town on State Street as well. I have a formal document that I would like everyone to review in regards to the potential new part-time employee we are going to hire. Our next Council meeting will be on November 15th, Terrie will not be able to attend that evening. December's Council meeting will be on the 20th and the audit results will be presented that evening.

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

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

Adjournment at 9:40 P.M.

Michael E. Hall, Mayor

Justin B. Lewis, Recorder