

**RICHMOND CITY COUNCIL**

**May 15, 2012**

The regular meeting of the Richmond City Council was held at the Richmond City Office Building located at 6 West Main, Richmond, Utah on Tuesday, May 15, 2012. 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, Terrie Wierenga, C.J. Sorenson, Paul Erickson, and Jeff Young.

\*\*\*A motion to approve the April 17, 2012 City Council meeting minutes was made by Terrie, seconded by Paul and the vote was unanimous.\*\*\*

**DEPUTY REPORT**

**MAYOR:** The Deputy could not attend this evening. We did have a request by the Cemetery Board to have the deputies go through the cemetery on a regular basis after dark to make sure their presence is known and to hopefully help to avoid vandalism. Chris has passed this information along and we will continue to monitor it to see if there is a problem.

**BUSINESS LICENSE**

**ZUMBA WITH REBECCA**

**MAYOR:** Rebecca (Gathercoal) came in last month as we are aware and inquired about being able to use the Community Building for a Zumba class she wants to teach. Her request was approved but we also informed her that she would need a business license so she is here this evening for that request.

**REBECCA GATHERCOAL:** I plan on teaching a Zumba dance class which is a form of Latin dance. I think it will be a service to the community to offer it.

\*\*\*A motion to approve the business license request for Zumba with Rebecca/Rebecca Gathercoal was made by Terrie, seconded by Brad and the vote was unanimous.\*\*\*

**FINANCIAL REPORT**

**JUSTIN:** The Black & White Days sponsorship fees are coming in now and it is great to have them coming in now rather than later in the year like in years past. Good job Jeff. The new sod cutter from IPACO has been delivered and a demonstration given to the Maintenance Department on how it works. It will be a good tool for the Cemetery and the Parks Department to utilize. The proposed new budget has been provided for you to review for the new year. It must be approved no later than June 22<sup>nd</sup>. The new budget does include the proposed \$12.00 per month increase to the water utility fund service fee. One page 1, you will see line item 3688 in

the amount of \$213,750 these are the grant funds we received for the new fire tender. Brad can provide more information in regard to the new equipment. On page 6, you will see that the Cub River Sports Complex is running a negative cash balance. I will be sending a letter to Lewiston City to request that they pay their 50% match to get this account back to the positive side. On Page 7, there was \$3,362 in interest earned on the CIB bond proceeds. This monthly interest will start decreasing now that draws are being made on the CIB loan funds as the water project moves forward. The yearly Cemetery audit has been completed and I need to get a signature from the chairman and then the report can be submitted to the State of Utah. I will discuss the proposed budget adjustments when we get to the public hearing portion of the meeting.

**TERRIE:** How are things going with the transparency website?

**JUSTIN:** It is still a learning curve. There were some reports that I submitted but had one number wrong and they were rejected. They were not rejected until they had been posted for quite a while. Darrell Swenson is the State of Utah representative that oversees the transparency website, [www.transparent.utah.gov](http://www.transparent.utah.gov) I believe. He is great to work with and I still work with him on a continuous basis. It is just something that we must comply with but the state has been great to work with in helping us to comply and making some templates and spreadsheets that have helped make it much much easier that it would have been. I have thirty days following the end of a quarter to get the previous quarter's info uploaded to the website.

## **COUNCIL MEMBER REPORTS**

**PAUL:** We did a quick fix on the Fire Station roof. The first stage in fixing some drain issues on the east side of the Community Building has been completed. The next phase will include putting in a drain box on the east side of the road across from the Community Building. I am still waiting for Cache County to give us a date they will be doing some chip sealing work here in the City. It will be about \$50,000 worth of B&C Road funds that will be spent on that project. The Christensen and Sadler subdivisions will be included in the chip sealing as well as the road on the south side of North Cache. It is about 1/20<sup>th</sup> the cost of chip sealing versus replacing a road. If there are any remaining funds we will repave the area in front of the CVTD bus stop as well. This will be a project that is worked on throughout the summer. We are also in the process of doing our annual pothole campaign. B&C Road funds were used to fix the drainage issues on the east side of the building. The water did not have anywhere to go previously and now it will flow to the south onto Main Street. We have a new curb and gutter as well as road surface that will provide some good additional parking as well. In the winter the area was not great for parking as it was very steep and slick and cars could get easily stuck plus the water would collect with nowhere to go. We did some nice landscaping and put in a few new trees as well. I think it turned out great.

**TERRIE:** The North Cache Library Consortium card catalog is on-line and working. Things are working very well with it and the four librarians that are involved with it are happy. There was over 500 volunteer hours that went into making that project a reality. It is a great service to the community. This project would provide just a small sample of what would be involved in getting a countywide library system up and running. It is and would be a huge challenge. There were a lot of things that came to light on just our little four library grouping. A couple of more EMT's have finished their training. Jim and Nancy LaMunyon will be the contacts in town for

the CERT group for this year. We are approaching the 50<sup>th</sup> anniversary of the big earthquake which occurred on August 30<sup>th</sup> and I have had a few inquiries if we were going to do anything to commemorate it.

**MAYOR:** That is interesting you mention the earthquake. That is something I am going to touch on in the Mayor's report.

**BRAD:** The new fire tender has arrived and will replace the old one. It was a truck that was already built and used as a display truck so there are some fancy things on it that they used for marketing purposes that we were able to get that we normally would have not included on it. Chief Bair and another member of the Fire Department flew back to pick it up and drove it back here. It will be displayed in the parade for everyone to see. It is a great asset to the community. Basically a \$225,000 City asset that cost us around \$13,000 because of the grant funds received. The old tender is owned by the County and this tender is owned by the City. It does fit in the building which is a relief.

**MAYOR:** Kudos to the Fire Department in finding that grant and getting awarded the funding. We would have never been able to purchase something like that without the grant funding.

**JEFF:** I am excited for the Black & White Days festival this week. Flyers have been sent out. We are not doing any advertising in *The Herald Journal* as it is very expensive. The flyers were sent to everyone in Richmond and Lewiston since they are the communities that attend the events the most. The flyers give full details on what we are doing for the celebration. We will see how the flyers go this year and can evaluate in the future if that is what we want to continue to do so. We are still sponsored on the radio here and there. We are doing mid-week advertising as most of our events are on the weekend and not during the week. Movie night in the park will be on Friday night. A few local bands will start performing around 7:00 P.M. and there will be lots of food. We advertised that the movie will be "Cars 2" but Disney won't release the rights to the movie until about a week after Black & White Days so we will be showing another family film called "The Adventures of Tintin". I hope it is an okay replacement seeing that it is family night. Tell people to bring blankets and chairs and they will have a lot of fun. Saturday is pretty much the regular stuff. The chuck wagon breakfast will start at 7:00 A.M. and the race will start shortly afterward. The horse show will be on going in the morning like normal. There will be a 3-on-3 basketball tournament in the Stake Center parking lot. There will be many different family activities all day long at the ball diamond area. Something new this year will be trout fishing for the kids. The parade will start at 5:00 P.M. and the horse pulls at 7:00 P.M. All of the details have been taken care of. I want to thank all the volunteers and City workers who do all the behind the scenes work that make this festival happen.

**MARLOWE:** I have not noticed, is the website information on the billboards? If not, I would suggest including it next year. There is a lot of great information on the website.

**JEFF:** The billboards are very unique this year. They are the Library contest winners from last year. The current contest goes now through June. Pictures will be selected by a committee to determine the winners to be displayed next year. The winning picture is displayed on the south billboard and the runner-up billboard is displayed on the north billboard. The winners of the contest were about twenty years apart in age. I think putting the website information on the billboards is a great idea and Terrie is great with the website. Amy West and Abbey Owen were the winners. I am sorry the billboards got put up a little bit late this year. In the future, they will

go up in January and stay for the rest of the year. The winter is very hard on the signs and we don't want them ruined before the celebration. I had a few citizens contact me about the City horse arena. I believe it was originally constructed as a 4H project.

**MARLOWE:** It was done about twenty to twenty-five years ago.

**JEFF:** It has been over ten years since the City has spent any funds in that area. I have been contacted by about seven or eight people that wanted to clean it up and make it nice again. They asked if we would supply a couple of loads of sand if they did all the labor. We did get a couple of loads of sand delivered and the volunteers will continue to maintain the area. I will be discussing possibly having an Eagle Scout project to paint all the railing. I don't really expect to spend any more money on the area for another ten years plus. What happened to the reservation boards at the park?

**BRAD:** They were taken down when the park pavilion remodel was done. We need to get some new nice ones but in the interim we should put some clipboards down there. We will come up with something in the interim and long term.

**JEFF:** I can take care of it through the Parks Department and will get with you about it.

## **BUDGET PUBLIC HEARING**

**MAYOR:** This is a scheduled and advertised public hearing to discuss the current budget and possibly make adjustments to the budget.

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

**MAYOR:** This is to discuss changes to the current budget.

**JUSTIN:** It is that time of year to make adjustments to the budget as the budget year draws to a close. I have proposed adjustments to the General Fund in the amount of \$264,696 which is mainly for the addition of the fire tender grant and a few other small adjustments. I have proposed Water Enterprise Fund revenue increases in the amount of \$202,410 which is mainly from the permanent transfer of funds from the Capital Projects Fund in the amount of \$170,000 and a decrease in expenses in the amount of \$76,800. A reason for the decrease is that I had originally included the engineering fees for the water system upgrade in the expense of the year but they need to be included in the project costs and accounted for that way. I have proposed an increase in Sewer Enterprise Fund expenses in the amount of \$34,583 for miscellaneous expenses.

\*\*\*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.\*\*\*

\*\*\* A motion to approve the following budget adjustments to the budget for the period of July 1, 2011 through June 30, 2012 was made by Jeff, seconded by Terrie and the vote was unanimous.\*\*\*

**GENERAL FUND**

|         |         |
|---------|---------|
|         | \$      |
| REVENUE | 264,696 |

**EXPENSES**

|                |                  |
|----------------|------------------|
| ADMINISTRATION | \$12,793         |
| BUILDING       | \$5,879          |
| PUBLIC SAFETY  | \$3,359          |
| STREETS        | \$8,472          |
| PARKS          | \$2,842          |
| FIRE DEPT      | \$229,516        |
| EMT            | \$707            |
| LIBRARY        | \$1,128          |
|                | <b>\$264,696</b> |

**WATER ENTERPRISE FUND**

|         |            |
|---------|------------|
| REVENUE | \$202,410  |
| EXPENSE | (\$76,800) |

**SEWER ENTERPRISE FUND**

|         |          |
|---------|----------|
| EXPENSE | \$34,583 |
|---------|----------|

**CAPITAL PROJECT FUND**

|                        |           |
|------------------------|-----------|
| TRANSFER TO WATER FUND | \$170,000 |
|------------------------|-----------|

**TREE REMOVAL CONCERN BY A CITIZEN**

**MAYOR:** There is a concern regarding a tree that was removed. The inquiry has been made by Brent Webb as he resides in the area. The tree was not removed by the City but by a private citizen. It was a safety issue. It is in the City property area but was not removed by the City. A private citizen came to us and volunteered to cut it down and haul it away. We did give permission for that service project. Brent has a question about it and Jeff Young has been following up on it.

**JEFF:** Brad Deffinger and I went up there and looked it over. Brad is a tree pruning specialist. He has been removing some trees at the City park due to bug issues. A lot of the trees down there are dying and one of the trees that was just cut down was 89 years old. We are in the process of getting some new ones as well. The tree in question is old and huge. The remaining

stump is about eighteen inches tall. It has some continuous growth around it and if left alone will grow about two to five feet per year. Brad will remove the stump to a regular level which is ground level or root system level. Then we will Round-Up or spray an equivalent around the base twice per year to keep the suckers from growing. This is a maintenance issue that will be planned for and taken care of. It is a very large stump to remove.

**BRENT WEBB:** The citizen that removed the tree got a traffic violation ticket up in that area. The City fathers okayed him to take the tree out. You thought it is on your property and it is not. It is on my property. Nobody ever came and talked to me. When the tree was removed the guy came to me. It was not a group of citizens. It is one person and that is how they paid their ticket. I want it right. There are lots of things going on in this community that should not be going on. It was a citizen that took it down.

**JEFF:** What is the right of way?

**BRENT:** It has recently been surveyed.

**MAYOR:** What is the easement?

**BRENT:** Thirty-three feet on each side of the road from the center.

**PAUL:** I would like to see a copy of his survey.

**JEFF:** The intent was not to go on private property. It is so close to the road.

**BRENT:** I will admit it did not look good. It is not on City property and I want that clarified.

**MAYOR:** I would like a copy of the survey for here in the City office and need to review the easement issue.

**BRENT:** I think if you (the Council and Mayor) would talk to the citizens it would make things easier.

**MAYOR:** Please get us a copy of the survey and we will review the easement issue.

**BRENT:** When will it be cleaned up?

**JEFF:** Either tomorrow or later this week.

**BRAD:** Do we have your permission to go on your property and clean it up as discussed?

**BRENT:** Yes. I want it cleaned up. I could go a step further and say you should put a tree back in that area at the City expense.

**TERRIE:** Brent does bring up a good point, we cannot make these easement assumptions in the future. The Maintenance Department and Council need to know about these issues for the future.

## **REZONE REQUEST AT APPROXIMATELY 550 WEST 200 SOUTH**

**MAYOR:** There will be a rezone request this evening for property located at approximately 550 West 200 South. This is property located just west of the City Maintenance Shop. It is currently zoned LMI and A-10. The request is being made for the property to go to RLD. Just for clarification, the original presentation will be made this evening. You have the approved minutes from the April 3, 2012 Planning & Zoning Commission meeting and it was approved and been sent to the Land Use Authority, which is the Council. This is just the initial discussion. There could be a public hearing in June and then a decision the following month at the soonest. Jack Nixon is here this evening to present his request.

**JACK NIXON:** I would like to make a request for subdivision zoning which would be RLD. Do you have a copy of this proposed plat that I have? This is what I am proposing. We could do more with the zoning but I want to make them all (one) acre lots or larger. There would be eight total lots.

**PAUL:** Is your intent as designed to use the small subdivision ordinance?

**JACK:** Yes, as I recall under ten lots would qualify.

**PAUL:** I know that dedication of land and a road issue are part of that approval process.

**MAYOR:** For the Council, the plat is good information but we are just looking at the rezone request only.

**TERRIE:** Currently, it is zoned for one residence per ten acres.

**MAYOR:** What is the total acreage down there?

**JACK:** Nine plus acres or so. It is in two pieces. There is 2.35 acres plus the recent annexation portion.

**PAUL:** It looks like 8.4 acres according to your proposed plat.

**MARLOWE:** It is 8.56 acres according to the information that I have.

**PAUL:** So the next step would be the public hearing?

**MAYOR:** Yes.

**BRAD:** If rezoned to the zoning you are requesting it would allow how many homes for total build out?

**JACK:** It would allow for 14 lots or so. I have noticed about 57 buildable lots in town and none of them are an acre or bigger. There would not be any interior roads in my proposal.

**BRAD:** Your rezone request would allow for up to twenty homes on that property.

**JACK:** Yes, if I really wanted to cram them in there. I have a sketch that includes 14 lots in it but I am not interested in doing that.

**BRAD:** The property in question is bordered by Cache County unincorporated property on three sides.

**JACK:** If I wanted to get maximum return over time I would cram them all in there but I would rather do it the right way. I promised a lady on Planning & Zoning that I would do what I say I do.

**BRAD:** This is a land use decision, not a plat decision. It does not matter who comes before us to look at a zoning request for one home or twenty homes. We have to look at it with no names attached. We have to evaluate how this will affect the City.

**JACK:** Yes, my kids could look at putting 20 homes down there.

**MAYOR:** At this point we will plan for a public hearing next month which would be on June 19<sup>th</sup>. The earliest a decision could be made is at the July 17<sup>th</sup> City Council meeting.

**JACK:** Let me check my calendar about the June meeting date.

**MAYOR:** We will tentatively plan on the public hearing in June unless we hear differently from you.

**BRAD:** I would like to make mention that this property is a detached portion of the City that is away from our normal growth areas.

**JACK:** Yes.

### **CITIZEN REQUEST TO HAVE THE DOG LEASH ORDINANCE MODIFIED**

**MAYOR:** We have a citizen requesting a change to our leash ordinance but he has not shown up yet this evening to make his presentation. Our current ordinance states that dogs running at large are prohibited. If they are on a leash then they are okay and if they are under the verbal command of the owner then they are okay. They cannot go onto private property either way. We have all had a chance to review the ordinance. It clearly explains what is unlawful. My take at

this point since the citizen is not here is that we have one particular problem that is driving this request. Animal control can deal with it. They can enforce the ordinance if they are aware of the problem. I think both parties need to be made aware of the ordinance. A ticket or warning can be issued if needed.

**TERRIE:** My experience is that if I see repeat offenders, I talk to them face to face. After I talked to some people I have not had problems after that. I think that is the best way to handle it. I think it should be as simple as possible before getting the Sheriff's office involved. Bottom line is part of it is that we need to make people aware of the problem and ask them to be courteous and keep their animal under control.

**MARLOWE:** Jon (Jensen) has talked to me about this issue three or four times over the last few years.

**CHRIS:** He has mentioned it to me a few times as well over the last couple of years.

**MARLOWE:** I am not sure if the dog is going far into his property or just along the edge. Sometimes it sounds like the dog is just running down the road and other days it sounds like quite far into his property. I have not been there and have never seen the incident when it occurs.

**MAYOR:** I don't know of any other complaints from his neighbors either.

**MARLOWE:** I don't know if it is the same dog or different dogs.

**MAYOR:** Let's get back to him with a copy of the ordinance and let him know that his option is to refer it to local animal control if he chooses to do so. Let's send him a letter with this information. We should also ask him first to talk to the offending party as well.

**PAUL:** I am a friend of Jon's and will speak with him privately about the specifics and we can address again if needed.

## **ORDINANCE 2012-1 DISCUSSION**

**MAYOR:** This proposed ordinance is in regards to the monthly City utility billing that was passed previously. A formal decision would be made next month. Just an introduction this month. The monthly fee would increase from \$44 per month base fee to \$45 per month base fee. This is a planned increase that we do each year for inflation purposes.

**MARLOWE:** This is the fourth year of a five year plan.

**MAYOR:** It will be nice to have the water and sewer on the same time line.

**PAUL:** How are collections on the City utility accounts?

**CHRIS:** Overall it is the same people that are struggling.

**PAUL:** How many accounts are having problems?

**MAYOR:** I review on at least a quarterly basis and we issue shut-off notices as needed.

**PAUL:** Shut-off's are rare it appears?

**CHRIS:** I send reminders on a monthly basis.

**MAYOR:** In this economy we are doing quite well compared to other communities.

**MARLOWE:** I would like to thank Chris for working with people and helping them out as best she can.

**MAYOR:** We have had to make some long term payment arrangement agreements with people and occasionally remind them what they committed to do. Typically when we send a notice they must cut their existing bill in half in order for the service not to be cut off. We don't let anyone get more than three months behind.

**BRAD:** Does anything other than BOD and TSS need to be included? Darek, your thoughts?

**DAREK:** Yes, there are new things out there but I would need to review.

**MARLOWE:** That stuff needs to be in the update to the pretreatment plan.

**BRAD:** So this is for the rate increase only?

**MARLOWE:** Yes, the other stuff in the ordinance can be reviewed and updated at a later time if needed.

**BRAD:** We are not committing to everything in this ordinance for another five years?

**MARLOWE:** Correct. It automatically dies every five years. We need both the water and sewer ordinances to be uniform.

**TERRIE:** Why go back later and make changes? Why not incorporate or change everything now? Less is better.

**DAREK:** Can we incorporate the changes Terrie is referring to by reference?

**TERRIE:** Simple is better. Why change this one now and then change it again soon?

**MARLOWE:** How then would you handle those that violate that are not under the current pretreatment ordinance?

**BRAD:** That is a good point. A resident could have TSS and BOD that exceed the level that is approved.

**TERRIE:** Don't we already have a section about introducing hazard things into the system? I thought we already dealt with this issue on another matter. I agree it has to be in there somewhere.

**JEFF:** I like the reference idea if possible so it is not so redundant.

**BRAD:** Let's give it some thought. The pretreatment ordinance is going to take some time.

**MAYOR:** We won't do a new pretreatment ordinance until the new permit is received.

**MARLOWE:** There will be a separate ordinance that deals with pretreatment. Technically we could use this ordinance if a travel trailer was dumping into the system. Just a thought.

**BRAD:** The fee is based on a flow surcharge. A travel trailer passing through would not have a monthly flow.

**MARLOWE:** Anything dumped into the system that is not approved is a violation. Just tell me how you want to proceed.

**BRAD:** I don't think the average citizen will have more than the BOD and TSS levels we are speaking of.

**DAREK:** If we find a user that is putting more or something into the system we can address it.

**BRAD:** I just want to make sure everything is covered.

**DAREK:** This is just an initial discussion and gives us all time to think about it.

**TERRIE:** I just want it to be as simple as possible.

**MAYOR:** It will be a decision item at the next Council meeting.

## **ORDINANCE 2012-2 DISCUSSION**

**MAYOR:** The ordinance is in regards to the culinary water side of our utility billing. This goes back to the public hearings last year before the start of the water system project. It is proposed that we go to \$52 per month starting July 1<sup>st</sup> for the base fee. We agreed, with permission of the CIB Board, to increase our water fee in increments over three years. This is year number two. Next year we will have to really evaluate where the rate needs to be since the project should be done and the costs all accounted for.

**DAREK:** The new well should be on-line by this time next year and you will know exactly where you are at.

**MAYOR:** We will have the bottom line cost of this project and some of the old debts should be paying off. We will put pencil to paper and come up with a bottom dollar monthly fee. We will most likely have a work session at that point to determine exactly how much the third increase needs to be. That is a year away though.

**MARLOWE:** I know that J-U-B figured in a double digit contingency in the project application.

**DAREK:** Some of the other projects that are complete have been coming in under budget.

**MAYOR:** Things appear to be lining up that the third increase hopefully won't be as much as expected.

**BRAD:** Do we need to remind the community of the water increase again and why?

**MARLOWE:** It is going to be published in the next newsletter.

**MAYOR:** There are some old articles we might want to reference as well. This will be a decision item next month.

#### **CONTINUED DISCUSSION OF A CITIZEN REQUEST TO HAVE THE DOG LEASH ORDINANCE MODIFIED**

*\*\*\*Jon Jensen arrived at the Council meeting and Mayor Hall allowed his request to provide additional information regarding his issue.\*\*\**

**MAYOR:** Jon you have come in late and we waited for you but had the discussion since you were not here. Have you seen a copy of our current ordinance?

**JON JENSEN:** I know that it reads something along the lines if an animal is under control it does not need a leash, in essence.

**MAYOR:** We will get you a copy of the ordinance and it is posted on the website as well. We have reviewed the ordinance with the entire Council before you arrived. Dogs cannot run at large on private property at anytime. They are considered under control if on a leash or have verbal restraint.

**JON:** I have had issues with three different people in the last week. The dogs run and get my chickens. Each time the person that owns the dog says it is my fault for having the chickens.

**MAYOR:** This is a totally different discussion than we had earlier. Damage to personal property is totally different than dogs just running free. We have a contract with Cache County Sheriff's Office to do our animal control and if something like this happens then you need to contact them when it occurs. The dog that has done the damage will then be impounded. Certain species are specifically listed in our ordinance. The dog is impounded then the owner must go before Judge Funk to resolve. We did not know you were having that problem.

**JON:** Nine out of ten (chickens) are killed within a couple of feet of the road.

**PAUL:** Do you know these people?

**JON:** Of course I know them, 75% of them are in my ward.

**MAYOR:** Section 13-258 states that dogs attacking persons or animals are subject to prosecution.

**PAUL:** Jon, what are you wanting us to do?

**JON:** I want all dogs on a leash. What dog can restrain itself when not on a leash from attacking my chickens? None that I know of.

**BRAD:** That is the responsibility of the dog owner to deal with those issues if they arise.

**JON:** Is it worth that to me to go through all of this because I own chickens rather than a dog? I don't want to create problems with my neighbors.

**JEFF:** Have you talked to any of the offenders?

**JON:** A couple and they feel bad but do nothing. One particular lady's dog got one of the chickens and left a pile of feathers but did not get the bird and the same woman and dog returned the next night and the exact same thing happened.

**MAYOR:** So is it happening when people are out walking their dogs?

**JON:** Yes, people are walking their dogs when this happens. My chickens are tame and you can walk right up and pick them up. They don't know they are in trouble until it is too late.

**JEFF:** I have not seen very many people walking their dogs without them being on a leash.

**JON:** There are some in particular that are always walking them without a leash.

**JEFF:** The four people I see most out with their dogs always have them on a leash.

**JON:** I would say 50% or so that are walking their dogs have them on a leash.

**MAYOR:** So is it always the same dogs?

**JON:** Always the same people, sometimes different dogs.

**MAYOR:** This falls into the responsibility of the dog owner. It is tough to legislate common sense or being courteous.

**TERRIE:** Bottom line if the dog is not under voice control it is a legal issue. If you don't contact animal control to let them know it is an issue they don't know to watch for it. If they know about the issue they can easily contact the offender.

**JEFF:** I can think of two of these cases that have been specifically dealt with and they got verbal warnings and resolved their issues. I think you need to do some homework on your end and contact animal control when there is an issue. It would go a long ways if people are made aware of the issue. Maybe give them one warning and then the dog is gone.

**JON:** I just wanted to voice a concern. It is nothing new.

**MAYOR:** At this point let's have you contact Animal Control when there is an issue. I hate to rewrite an ordinance for one or two careless people. We don't get a lot of these complaints. Animal Control is really good to work with and a big plus in our contract with the Cache County Sheriff's Office.

**JON:** The problem I see is that people get smart and know when Animal Control is coming.

**JEFF:** You need to call if you see something is happening. If they know there is an issue they will address it. They won't address what they don't know about.

**MAYOR:** A regular officer can respond to the call but the Animal Control officer would haul the dog away if needed. We can convey this information to the Sheriff's office as well. We can all monitor this situation as well now it is has been brought to our attention. The Sheriff's office phone number is on the website and Marlowe will provide it to you as well.

**BRAD:** Take some video or pictures if you can. Good to show this is the dog and this is the time of the offense. Video and pictures are good witness information if needed. I know of other chicken complaints in town as well.

**JON:** Fifty percent of the reason I have them is they kill the bugs in my garden and I can tell a huge difference when I have chickens and don't have chickens.

**MAYOR:** Let's go as discussed at this point.

## **UNIFORM FEE DISCUSSION FOR COMMERCIAL USE OF THE COMMUNITY BUILDING**

**MAYOR:** We are seeing more commercial use requests for this building and need to come up with a better set of uniform fees. We have talked about it over the last couple of years but chose not to address it until we had some requests for use of the building. Let's talk about a fee schedule, what we want to accomplish and how we want to do it.

**BRAD:** Are we discussing just commercial users or all users?

**MAYOR:** All need to be discussed. We have requested uses from non-profit organizations, karate classes, now a dance class and have had craft fair requests in the past. There are many different hobbies and groups that are making requests.

**BRAD:** I think non-profit requests are pretty easy and don't think a fee schedule is needed or appropriate.

**JEFF:** I thought that was already in place? If there is a local representative with a non-profit that makes a request there is not a fee.

**MAYOR:** Anything sponsored by the City like the Library Board, Lion's Club, etc. are free.

**BRAD:** We need to discuss commercial and private. Private would be non-income earning like weddings.

**PAUL:** Do we need to get something from the person making the request to make sure they are really non-profit and are being truthful? Is there a form or something we should have them fill out?

**JEFF:** I don't think that has been an issue before as Chris and Marlowe have been the gatekeepers in that regard.

**MARLOWE:** We don't charge for charity or church groups either.

**C.J.:** Is there a way up front to certify they are non-profit?

**TERRIE:** They should have some proof from the IRS.

**JEFF:** In my personal opinion this has not been an issue in the past and I don't want to add more work that needs to be done if we can keep it simple at this point.

**MAYOR:** We can also write it that documentation is to be provided upon request and if needed.

**JEFF:** Perfect.

**PAUL:** A very simple solution for sure.

**BRAD:** How do we currently handle family parties?

**CHRIS:** It is a \$100 deposit and if the user cleans up they will be refunded \$50 after the use.

**BRAD:** That is good. I think that only leaves commercial that needs to be addressed and the number of commercial requests is small. Maybe a per head fee for the dance and karate? The more people that use the building the more that is paid.

**CHRIS:** We can monitor by the number of people that show up for karate but dance is just based on whoever shows up. Do you want to bill monthly or when?

**BRAD:** I think monthly is fine and that an honor system will work as well.

**JEFF:** Where do we want to start with the fee?

**PAUL:** Do we need to factor in if the request is for just one-use or multi-use?

**MARLOWE:** We need to consider the impact on the facility and the restrooms.

**TERRIE:** Jeff and I did some research a long time ago and most communities have two fee schedules. A flat fee is very issue to deal with if single use and used for a certain number of

hours or if a recurring use then it can be “X” amount is paid for “X” amount of hours of use. Whether dealing with something individually or making something uniform, proof of insurance will be required.

**PAUL:** Charging per head could be hard. An hourly fee is much easier to keep track of.

**TERRIE:** If a person is paying to attend then it would for sure be considered commercial.

**MARLOWE:** Where would craft fairs be included?

**TERRIE:** It is a commercial event.

**JEFF:** The booth fees at events like that are based on the fees to rent the facility. We have only had two ever and it was a test to see how things would go in the future. It was to give us an idea if anyone would attend. We postponed any fees until further requests to use the building were made.

**TERRIE:** I like something per hour, like \$5 or \$10. We just need to cover the heating, cooling and cleaning costs. Some events will be dirtier than others and we will still require a \$50 deposit.

**BRAD:** Also, if something more costly than \$50 is destroyed they are liable to replace it.

**JEFF:** Do we need to establish a set time during the day the building can be used by the renter?

**MARLOWE:** We need to be careful and keep commercial and family events separate. Family usage has been for the day reserved and they must vacate by 11:00 P.M. that evening. The language for each needs to be totally different.

**PAUL:** A flat fee for family use and an hourly fee for commercial use.

**TERRIE:** Commercial use will require insurance and family use does not.

**MARLOWE:** I am thinking about the current karate group. Much of a fee could put her out of business in a hurry.

**BRAD:** That is her decision to make if the business is viable or if this building is viable.

**MARLOWE:** I am hearing two things here, let’s use the building but control the building as well.

**TERRIE:** I think \$5.00 per hour is fine.

**MARLOWE:** We charged Leslie (Judd) a \$25 deposit until this could be worked out.

**MAYOR:** I show we are charging Leslie \$100 per month for use of the building eight times. Rebecca’s agreement was different than that. Fifty dollars of the \$100 paid by Leslie is a refundable deposit.

**C.J.:** That would be \$7.00 per hour or \$112 per month.

**MARLOWE:** We need to be careful what we commit to in November and December as that is the time of year most used by citizens for parties.

**JEFF:** If this building becomes a business type facility it takes away from the City.

**TERRIE:** Do you guys want me to make up a draft after having this discussion?

**PAUL:** Yes.

**JEFF:** Then can you email it to all of us to review and we can discuss?

**TERRIE:** Yes.

**MAYOR:** This has been a good starting discussion.

**MAYOR'S REPORT**

**MAYOR:** C.J. has a matter of business he needs to discuss.

**C.J.:** I talked to Sue McCormick about taking Daryl Black's place on the Planning & Zoning Commission and she has accepted pending our approval. She would replace Daryl Black as mentioned. Her first month would be in June.

\*\*\*A motion to approve Sue McCormick as a Commissioner on the Richmond City Planning & Zoning Commission was made by Terrie, seconded by Paul and the vote was unanimous.\*\*\*

**MAYOR:** Hopefully the RAPZ tax allocations will be announced by the next Council meeting. I know that the Willow Park Zoo and the upcoming ballot measure are clouding that issue. Hopefully we will have an answer if we were approved or not to let the public know. Maybe for the commemoration of the fifty year anniversary of the earthquake we could have Mayor Bagley or someone give a short speech at the City party.

**JEFF:** With all the kids activities going on there it is going to be hard to keep people's attention.

**CHRIS:** What about a discussion at the Library?

**MAYOR:** Good idea, I like that. Maybe either the Lion's Club or Library Board could put that together.

**TERRIE:** Are a combination of them both.

**MAYOR:** Maybe we have two or three of the older residents speak about it. I have had a couple of proposed Eagle Scout projects mentioned to me and a couple of those have been mentioned this evening. The three signs on the entrance to town could use another coat of stain. I believe we were going to do some minor landscaping at the sign north of town but it was never completed. It did not get done after the request was made as the Scout decided to do something else. June 19<sup>th</sup> will be our next Council meeting and we will have a short ten minute meeting on Thursday, June 28<sup>th</sup> to pay final bills for the budget year at 7:00 A.M. since it will be hard to have a quorum that evening.

\*\*\* A motion to close the regular Council meeting and enter into an Executive Session was made by Terrie, seconded by Paul and the vote was unanimous.\*\*\*

\*\*\*A discussion was held regarding a financial matter in the Water Enterprise Fund.\*\*\*

\*\*\*A motion to close the Executive Session and reopen the regular Council meeting was made by Terrie, seconded by Paul and the vote was unanimous.\*\*\*

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

|                 |          |
|-----------------|----------|
| A&C Embroidery  | 249.00   |
| A&D Landscaping | 28878.13 |

|                               |           |
|-------------------------------|-----------|
| A. A. Hudson                  | 4178.00   |
| ABC Construction              | 303783.55 |
| Aflac                         | 178.38    |
| Allen Rock                    | 506.82    |
| Al's Sporting Goods           | 280.98    |
| Al's Trophies                 | 558.50    |
| Altius                        | 1819.67   |
| Angela Fannesbeck             | 65.00     |
| BATC                          | 50.00     |
| Beazer Lock                   | 410.18    |
| Brent Webb                    | 3120.08   |
| Cache Chemical                | 1558.52   |
| Cache Service Area            | 15390.45  |
| Century Link                  | 483.5     |
| Chris Purser                  | 90.78     |
| Coats                         | 108.35    |
| Coca Cola                     | 72.36     |
| Comcast                       | 149.32    |
| Cox Data                      | 277.50    |
| Denny's                       | 63.16     |
| Glenn's Electric              | 239.90    |
| Hall's Store                  | 150.60    |
| Hobbs Turf Farm               | 255.00    |
| IFA                           | 503.36    |
| Industrial Tool               | 25.64     |
| Intermountain Farmers         | 284.11    |
| Intermountain Sales of Denver | 3380.00   |
| Interstate all battery        | 39.96     |
| IPACO                         | 3151.96   |
| Itty Bitty                    | 1697.07   |
| JG Builders                   | 19210.00  |
| Johnson Welding               | 150.00    |
| JUB                           | 27668.71  |
| Kelcey Spackman               | 52.74     |
| Lee's                         | 194.3     |
| Lewiston City                 | 816.6     |
| Library Educational Services  | 167.66    |
| Logan Memorials               | 400.50    |
| Lowe's                        | 89.36     |
| Maverik                       | 1131.48   |
| Meterworks                    | 19820.00  |
| Nextel                        | 297.93    |
| North Cache Vet               | 80.00     |

|                           |         |
|---------------------------|---------|
| Oldcastle                 | 208.81  |
| Oldcastle                 | 6467.33 |
| Olson & Hoggan            | 2486.00 |
| Ovivo                     | 267.00  |
| Parsons                   | 7919.75 |
| PEHP                      | 160.68  |
| Pride Embroidery          | 314.75  |
| Questar                   | 958.95  |
| Randys                    | 709.62  |
| Reliable Business Systems | 447.78  |
| Rhonda Davis              | 300.00  |
| Richie Petersen           | 143.58  |
| Rocky Mountain Power      | 2715.09 |
| Shauna Smith              | 20.92   |
| Sign Pro                  | 136.00  |
| SKM                       | 127.50  |
| Smithfield Auto           | 34.15   |
| Smithfield Imp            | 390.45  |
| Staples                   | 308.44  |
| Symbiotics                | 427.8   |
| Terracon                  | 828.00  |
| The Book Table            | 327.47  |
| The Clean Spot            | 73.69   |
| The Herald Journal        | 49.24   |
| The Home Depot            | 23.64   |
| Theurer & Bair            | 2202.00 |
| Thomson Electric          | 44.00   |
| Tony's Grove              | 26.89   |
| Treewise Tree Care        | 6000.00 |
| UEN                       | 86.24   |
| Upstart                   | 97.60   |
| USA Bluebook              | 385.7   |
| Ut local gov trust        | 790.07  |
| UT State Div of Finance   | 130000  |
| UVU                       | 45.00   |
| Visa                      | 1017.27 |
| Watkins                   | 1189.85 |
| Weidner                   | 38.07   |
| Woodland Sports           | 140.00  |
| Workforce Services        | 17.85   |
| Wright Express            | 92.40   |

\*\*\*A motion to adjourn was made by Terrie, seconded by Paul, and the vote was unanimous.\*\*\*

Adjournment at 9:15 P.M.

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Michael E. Hall, Mayor

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Justin B. Lewis, Recorder