

**RICHMOND CITY COUNCIL**

**JUNE 19, 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, June 19, 2012. The meeting began at 7:00 P.M., Mayor Michael Hall was in the Chair. The opening remarks were made by Jeff Young.

The following Council members were in attendance: Brad Jensen, Terrie Wierenga, C.J. Sorenson and Jeff Young. Paul Erickson was excused.

\*\*\*A motion to approve the May 15, 2012 City Council meeting minutes was made by Jeff, seconded by Terrie and the vote was unanimous.\*\*\*

**DEPUTY REPORT**

**DEPUTY HATCH:** I have received a couple of emails about dog issues and have passed those along to Animal Control. I am asking about any information you might have about your annual National Night Out/City celebration. I need to know what to ask the department for so we can ask in advance. Our secretary has left the office and we are trying to get everything arranged while a new person is brought up to date. The more time we can have to prepare the better.

**JEFF:** We need to get a date set before much else can be planned.

**DEPUTY HATCH:** Please consider and we can discuss again at the next Council meeting.

**MAYOR:** Did you get our message regarding issues at the cemetery?

**DEPUTY HATCH:** Yes. We have the midnight patrol shift monitoring it as well and the current dog issues are being monitored.

**MAYOR:** We will discuss the City Party which usually happens in September and review it with you next month.

**CACHE COUNTY BUILDING INSPECTOR ANNUAL REPORT**

**MAYOR:** Paul Berntson and Brian Abbott are here this evening from the Cache County Building Inspection Department to give us their annual report.

**PAUL BERNTSON:** I appreciate being able to take some of your time and letting us speak this evening. I have given each of you one full report for all of the areas we work with in the valley. It also shows what has happened in Richmond for the last three years. Last year was pretty much half of the previous year and that was pretty much the standard for the valley last year. There are a couple of items of note. We have had a reduction of force in our department and had to let one person go. We are slower in the department than we would like to be. Everyone in the department is fully certified in commercial and residential. We have got some energy certifications as well. We do an ISO report every few years for insurance purposes. I think we will do as well if not better than before. We got a score of three last time. That is a higher score than most achieve. The best scores are one, two and three. It should help with our pricing as our insurance costs should decrease if we have a good score. We won't know for sure for a few months. We had a little mix up in our accounting and have got that all rectified. We actually

gave Richmond a check for the mistake that was corrected. We will manually monitor this situation for the next few months as some adjustments have been made to our system. We have gone back to when we started this program and reviewed each and every permit from that point forward. We have done a couple of recent inspections free of charge for City related jobs. The inspection at the Fire Station would have cost \$350. We are doing inspections on the water tank as well but I don't have any cost numbers on it yet. That is about all I have to report this evening. What can we help with or change?

**MAYOR:** Your office and people are very good to work with. We appreciate the service that you, Brian and your office offer to the community.

**PAUL BERNTSON:** If there is anything that we need to change just let me know.

## **BUSINESS LICENSE**

### **KIM'S SALON**

**WADE BELL:** My wife works at a hair studio in Logan and will continue to do so but would also like to have a salon in our house that she can work from one or two days per week. It would mainly be for family and her clients that reside in the north end of the valley.

**TERRIE:** Cuts, perms and colors?

**WADE:** Just cuts and colors. No perms.

**MAYOR:** What about parking?

**WADE:** We have ample parking. There is parking areas on both sides of our driveway as well as in front of the house.

**TERRIE:** What about bulk storage of chemicals?

**WADE:** All of the chemicals are stored in cabinets. We brought the cabinets from our last house.

\*\*\*A motion to approve the business license request for Kim's Salon (Kim Bell) was made by Terrie, seconded by C.J. and the vote was unanimous.\*\*\*

### **ELLEN BEE FARMS, LLC**

**STACY LEE BRASHER:** We do hand crafted artisan soaps. We had a booth at Black & White Days and it is a home based business. It looks like we are going to do more than \$600 in sales this year and therefore will need a license. It is an all natural vegetable soap with natural mineral colors. There are some herbs added as well. It is real soap, not chemically processed.

**TERRIE:** Will anything be going down the drains?

**STACY:** No.

**MAYOR:** So it sounds like you are going to sell at farmer's market type events and over the Internet? Anyone coming to your home?

**STACY:** Nothing will be sold directly from our home. It will be market and Internet based sales. We have over fifty varieties of soaps right now and more coming. I have brought samples this evening as well for you to see and smell so you can see what we are talking about that we produce.

\*\*\*A motion to approve the business license request for Ellen Bee Farms, LLC (Rebecca & Stacy Lee Brasher) was made by Terrie, seconded by C.J. and the vote was unanimous.\*\*\*

## **2012/2013 BUDGET DISCUSSION**

**JUSTIN:** We discussed the proposed budget for the new year last month and there is only one change that I have made. That was increasing the property tax amount from \$99,700 to \$102,271, Tamra Stones provided this updated information. I have not had any input or requests for other changes so I have left all the rest alone as previously stated. The only significant changes to the new budget from last year is allocating \$20,000 for sidewalk improvements as opposed to \$10,000 last year. The intent is to use \$10,000 for repairs of existing sidewalks and \$10,000 for new sidewalks. This budget also factors in the \$1.00 per month increase to the monthly sewer utility fee and the \$12.00 per month increase to the water utility fee. The large increase in the water fee is to cover the future bond payments that will be due in regards to the new water tank and piping project that is currently going on.

## **FINANCIAL REPORT**

**JUSTIN:** Just a few things to report from last month. There were \$18,084 in Class C Road Funds collected in May for the previous two months bringing a grand total for the year to \$81,904. We are going to be right close to the \$100,000 projection we had hoped for. Notice line Items 3677 (Black & White Days Activities) and 3682 (Black & White Days Breakfast) as these amounts are \$5,298 and \$881 respectively and are the revenues collected from the Black & White Days Activities. Also, see line item 3837 which is the amount of sponsorship funds received for Black & White Days in the amount of \$3,200.

**JEFF:** A few years ago our goal was to reach \$3,000 in sponsorship fees and I am glad to see we have reached that goal and exceeded it.

**JUSTIN:** On Page 4, you will see Black & White Days expenses in the amount of \$4,700 for the horse show and horse pulls and \$7,816 for all other expenses. The drain box repair is included in the \$7,816 as well. We did very well in regards to revenues and expenses this year. Good job Jeff. It was a great celebration like always. Hard to believe this budget year is winding down and the new year begins in just a couple of weeks. On Page 7, you will see we collected \$3,294 in interest earned on the bond proceeds from last month. Also, notice the last item on the page, Item 5196 (Water - Meters). This was for the approved purchase of 100 new water meters and the software to read them. I have seen the information that can be printed from this software and it is very impressive.

**BRAD:** Forty of the 100 new meters have been installed. We will be purchasing 100 more in the next budget year as well.

**JUSTIN:** A letter has been sent to Lewiston City asking them to pay their 50% portion of some bills that exceeded the \$15,000 allotment for the year at the Cub River Sports Complex.

**MAYOR:** Lewiston did contact me and they will be making that payment in July.

**JUSTIN:** On the balance sheet you will see line item 1506 (Water Fund - Construction in Progress). This line item is the culinary water tank project that is being worked on. All of the

expenditures will go into this category until the project is completed and then they will be sorted out and put in the appropriate line item and category when the project is completed.

### **RAPZ TAX FUNDING APPLICATION UPDATE**

**JUSTIN:** The Mayor did receive word from the Cache County Council that we had been approved for \$35,000 for our RAPZ tax application for the proposed nature park on approximately 350 South 300 East. The joint application with Lewiston City for a project at the Cub River Sports Complex was not approved. Lewiston City did receive funding for a new projector system for their theatre. There were many more projects applied for than funds available and I feel fortunate we were awarded some funding again this year. Without this program several projects in the City would not have been completed. A few of them are the hamburger stand at the ball diamond. The park pavilion remodel, entertainment pavilion, sidewalks, parking lot and playground just at the City park alone.

**MAYOR:** We also received \$3,697 in our annual population based assessment of RAPZ tax funding and I am sure it will be used at the nature park as well. The Lion's Club and City will work together on that project.

### **BUDGET PUBLIC HEARING**

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

**JUSTIN:** We covered a few things earlier but I would like to mention that our total general fund budget for next year is \$875,765. Logan City has a budget of over 130 million. We get a lot done with few resources. The water enterprise fund budgeted revenue amount is \$473,200 and the sewer enterprise fund budgeted revenue amount is \$444,554. We did include a small cost of living wage increase for the City employees. The only other significant change was increasing the sidewalk allocation from \$10,000 to \$20,000.

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

**TERRIE:** The Library has been recertified and we will be able to get more grant funding.

**MAYOR:** The Fire Department was invited to attend the Hyrum City parade for emergency response vehicles. There were vehicles from all over Utah and Idaho not just Cache Valley. Our two trucks won the "Best of Show".

\*\*\*A motion to approve the budget for the period of July 1, 2012 through June 30, 2013 was made by Brad, seconded by C.J. and the vote was unanimous.\*\*\*

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

## **REZONE REQUEST PUBLIC HEARING**

**MAYOR:** This public hearing is in regards to the rezone request at approximately 550 West 200 South. The current zoning is LMI (Light Manufacturing/Industrial) and A-10 (one residence per ten acres). The request is to be rezoned to RLD (Residential Low Density with one residence per 14,000 square feet). Jack Nixon made his presentation last month at the regular Council meeting. There will not be a decision this evening that would need to occur at a future meeting.

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

**BETH SKIDMORE:** I have a letter that I would like to read so that I don't become emotional. I would ask that the letter be included with the official minutes from this meeting. I wanted to cover all the issues and concerns that we have. I suspect that it is too late to discuss and we were not even aware it was being discussed until we read about it in the paper.

*\*\*\*Beth Skidmore read a letter from the Claine Skidmore family. The letter is included at the end of these minutes.\*\*\**

**MAYOR:** We appreciate your comments and this is the time to let them be heard.

**KIP PANTER:** I am here this evening to represent the Richmond City Irrigation Company and would ask that the letter I am going to read be included in the official minutes as well.

*\*\*\*Kip Panter read a letter from the Richmond City Irrigation Company. The letter is included at the end of these minutes.\*\*\**

**KIP:** I would also like to make one more comment. I would encourage the Council to review the General Plan, specifically pages 35 and 55, where it talks about agricultural land use.

**MAYOR:** We appreciate your comments.

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

**MAYOR:** This completes the public hearing portion of this request. This will be a discussion item with a possible vote at the regular July Council meeting. The next regular Council meeting will be on July 17th.

## **CONDITIONAL-USE PERMIT REQUEST BY DR. SALAM AWADA**

**MAYOR:** Dr. Awada purchased the old Theurer's store building and has come before the Council a few times. The store building was renovated with the help of the County Building Inspection Department. Dr. Awada has purchased some property at approximately 290 South 400 West. You have before you the approved Planning & Zoning Commission meeting minutes from April 3, 2012 in regards to his conditional-use permit request. Dr. Awada came before the Council in March for a rezone request and we did not want to change the zoning on that parcel of

property and asked him to consider a conditional use permit instead. Planning & Zoning approved with some conditions. The conditions are as follows:

1. There will be a sealed, pumpable human waste containment tank.
2. The sealed containment tank will be located the maximum practical distance, considering the need for access by a pumper truck, from the Zone 2 boundary of the WDCI well protection Zone 2 boundary.
3. Adequate turn around space be provided at the building area to enable semi-trailer trucks to safely turn around.
4. The drive between 400 West and the building turn around point be of a properly textured material to handle the weight of such vehicles.

**C.J.:** That pretty much sums up what was discussed with the Planning & Zoning Commission.  
**MAYOR:** We can approve with these conditions or different conditions where the Council is the Land Use Authority for the City.

**BRAD:** On conditions three and four, help me out on this and let me know what the discussion was with the Commission. What exactly was required and why is it being required?

**C.J.:** It does not have to be a hard pavement like asphalt.

**TERRIE:** It just states a properly textured material.

**C.J.:** Gravel would work and be allowed.

**BRAD:** Why was this condition included?

**C.J.:** So that there would be a hard surface to prevent large trucks from overturning and spilling.

**MAYOR:** It would also give proper access for the sewer tank pump truck as well.

**BRAD:** We need to keep in mind we are talking about a business with agricultural zoning that has a Conditional Use Permit.

**MAYOR:** I think they (Planning & Zoning Commission) just had a simple driveway in mind.

**BRAD:** We could modify number three or just leave as is?

**MAYOR:** The pumping truck would be included and allowed as well.

**BRAD:** Does our ordinance state something about material coming to the road way?

**TERRIE:** Yes. It is not specific to a business but in generic terms it cannot create a safety hazard. I know for construction sites it is referring to not tracking mud on the paved road.

**BRAD:** We also need to make sure the shoulder of the road is not degraded from truck use. The paved road is about three to four feet above his property. The road cannot be affected where it will deteriorate and I think we should put in a condition that it needs to be properly maintained.

**MAYOR:** We could add an entry/exit condition as condition number five.

**BRAD:** We just need to make sure the City is not going to be making road repairs at this entry/exit point or area.

**SCOTT BALL:** The natural flow of water through the swell needs to be addressed as well.

**MAYOR:** We can mention that they need a culvert.

**BRAD:** If I remember correctly there are no City utilities on that side of the street. The water line is on the east side and there is not any sewer in that area.

**TERRIE:** So we have a list of conditions, are we going to add more?

**MAYOR:** We need to add number 5 which would be that the entrance/exit/road shoulder of the property needs to be maintained. Item 6 would be at the entry/exit point of the property a culvert/pipe would need to be placed to allow for the free flow of water.

**BRAD:** We just want to maintain the natural flow of the water. Our existing construction standards would apply and there should not be a problem with runoff water. They need to keep in mind there is a lateral that is going in front of that approach that feeds to the south.

**TERRIE:** My main concern is the proximity of the waste to the City well but the sealed vault solves that problem. Runoff won't be an issue as this is an agricultural business.

**BRAD:** I want to keep clear that we are not changing the zoning for this parcel of property.

\*\*\*A motion to approve the conditional-use permit request for Dr. Salam Awada for his agricultural fertilizer business to be located at approximately 290 South 400 West with the following conditions:

1. There will be a sealed, pump able human waste containment tank.
2. The sealed containment tank will be located the maximum practical distance, considering the need for access by a pumper truck, from the Zone 2 boundary of the WDCI well protection Zone 2 boundary.
3. Adequate turn around space be provided at the building area to enable semi-trailer trucks to safely turn around.
4. The drive between 400 West and the building turn around point be of a properly textured material to handle the weight of such vehicles.
5. The entrance/exit/ shoulder of the road is to be properly maintained by the landowner.
6. The entry/exit point of the property is to still continue to allow for the free flow of water.

the motion was made by Terrie, seconded by Brad and the vote was unanimous.\*\*\*

### **CITIZEN REQUEST FOR A SIDEWALK WAIVER ON NEW CONSTRUCTION PROJECT**

**SUE MCCORMICK:** The last time we came in I feel we were ill prepared and I apologize for taking your time. We invited Paul (Erickson), Terrie (Wierenga), and Darek Kimball to view our property and review the slope and obstacles we are up against in putting in a new sidewalk. We need some direction of how it needs to be designed. I have brought in some photos for you to review and this is of a photo looking to the south. The sidewalk would go directly into a chain link fence. Here is a picture of where the canal and creek cross the road. Here is a picture Marlowe took looking north. Here is a picture from our neighbors property on the south with the view looking north. This is a picture of their sewer cleanout that would be in the way as well as our secondary water riser that is there as well. Here is a picture showing the slope of how the sidewalk will be in relation to the road. This picture shows right where the sidewalk would run into our neighbors rock wall and our secondary water source valve. I think this gives you a little better perspective of what we are up against. We have had a landscape plan drawn up for your review. If you go from the center point of the road, the sidewalk would come right through the middle of the property as the standards are currently stated.

**BRAD:** We can allow for the sidewalk to be one foot inside the boundary all the way up to the road. This is not the first time we have had this issue. We can move the sidewalk location. If the sidewalk is relocated this does not mean that this becomes your property on the inside of the

sidewalk it is still a City easement. Some of the easements are very wide and it is possible that sidewalks can lead to dead ends.

**TERRIE:** There would be four different property lines based on existing fences.

**BRAD:** The sidewalk can be located from within six inches of the road to ten feet from the road.

**SUE:** This is our first proposal and what we would like to see. We think safe routes to school and repairing existing sidewalk is more important than this sidewalk. We would be willing to swap out the 170 feet of sidewalk we need to put in for another area in town that would be more beneficial to the City. We and our contractor are willing to do this.

**BRAD:** It does not make sense to put the sidewalk where the standard states and we are aware of that.

**LARRY MCCORMICK:** Even if the sidewalk is moved closer to the road it still leads to nowhere. We are in an older part of town where there is not any sidewalk. Those are our concerns.

**TERRIE:** As far as I know Paul (Erickson) has not heard back from our City attorney yet. I have uploaded for our review what Tampa City does in lieu of their sidewalk program. When this situation arises there is a calculated formula that they use. Marlowe mentioned impact fees last time and this is different. This is a process thing and something the Council can review. I have uploaded this information to our server file and it is the bottom two files. I think this is something to consider as well. I find it silly and stupid to have one sidewalk in the middle of the block. I like Paul's approach to start at the center of the City and work outward.

**BRAD:** I think we are addressing both concerns already. We have added an additional \$10,000 this year to our sidewalk budget to allow for more sidewalk repairs and new sidewalks. We have been down this road before with the Butterfield subdivision. That caused a huge uproar with the citizens. Your situation is different but can be resolved by moving the sidewalk into a more appropriate area. The school is only 2 1/2 blocks from your location. I would really like to see a sidewalk someday go south and then down to the school from your area.

**SUE:** I guess it will just be a nice skateboard ramp for the time being.

**BRAD:** I chose to extend the entire block by my residence for the benefit of the entire block. It now has lots of beneficial use.

**JEFF:** The DeGasser's had to put in a sidewalk recently and it is not connected to anything. We have to start somewhere, eventually they will all tie together. The schools are a big part of the bigger plan.

**BRAD:** The sidewalk standards are much different and better than years ago.

**SUE:** Do you have a sidewalk priority list?

**BRAD:** The new General Plan should address that.

**MAYOR:** The safe routes to school is the first priority.

**SUE:** I don't think our sidewalk is part of that.

**BRAD:** There is an option to change the ordinance but there is an option that can be done without changing the ordinance.

**JEFF:** I think the logical thing is to just move it.

**BRAD:** I realize it makes no sense to remove the rock wall.

**MAYOR:** At this point, I think we look at putting it in but moving it out closer to the road. We can address again if needed. Let's see what we can do but move it closer to the road.

**LARRY:** In about six weeks they will be ready to put it in.

**BRAD:** We can take a small field trip to the property to discuss where to locate it. I just want to make it clear that this is not an extension of your property. It is still the City easement we are just moving the location of the sidewalk.

**MAYOR:** When you are ready to get it installed get with a couple of us and we can have a field trip to your location.

### **ORDINANCE 2012-1**

**MAYOR:** This is the continuation from last month of setting the monthly sewer utility fee.

\*\*\*A motion to adopt Ordinance 2012-1, AN ORDINANCE ESTABLISHING A MONTHLY BILLING AND RATE SCHEDULE FOR THE RICHMOND CITY SANITARY SEWER SYSTEM AND TREATMENT AS AUTHORIZED BY TITLE 14-000, CHAPTER 14-500 OF THE *CODE OF REVISED ORDINANCES OF RICHMOND (1975, ADOPTED 1976)* was made by Terrie, seconded by C.J. and the vote was unanimous.\*\*\*

### **ORDINANCE 2012-2**

**MAYOR:** This is an ordinance to establish the monthly utility fee for the culinary water system.

\*\*\*A motion to adopt Ordinance 2012-2, AN ORDINANCE ESTABLISHING A MONTHLY BILLING AND RATE SCHEDULE FOR CULINARY WATER FROM THE RICHMOND CITY CULINARY WATER SYSTEM WITH ADDITIONAL CHARGES AUTHORIZED BY TITLE 14-000, CHAPTER 14- 500 OF THE *CODE OF REVISED ORDINANCES OF RICHMOND (1975, ADOPTED 1976)* was made by Brad, seconded by Jeff and the vote was unanimous.\*\*\*

### **COMMUNITY BUILDING USE RATE FEE DISCUSSION**

**MAYOR:** We did receive a letter from Leslie Judd and she did comment about a rate based on how much the building was utilized. She also said it would be hard to not have the classes in the winter. Leslie has done a good job while renting the building lately and we have not had any complaints. I don't see a problem with a tiered rate or changing our proposed after hours fee. I do have a concern about the holiday season and don't want to tie the building up too much when that time of year is used for many parties. I cannot imagine that would really be an issue though or a big deal.

**JEFF:** We have our set meetings and have a thirty day notice for all other groups. I don't want to give the impression that we don't have the say in the building because we have committed so much to those renting the building for their businesses.

**CHRIS PURSER:** Leslie is good to call and schedule around our schedule.

**BRAD:** We are talking in general terms not just about this one specific business. This building is not a rental space for for-profit businesses. We are encouraging use as it is a benefit to the community. Community type events need to come before the business rental use. I won't

commit full time use of this building to a for-profit business that is my fear of what is going to happen.

**JEFF:** Isn't Leslie done by 7:00 P.M.?

**CHRIS:** Yes.

**JEFF:** What size of space does she need for her class?

**MAYOR:** She has at least ten people her when I have observed.

**JUSTIN:** When I have seen she is using over half the floor space.

**JEFF:** My concern is not about her specifically but about the policy we are establishing. I am concerned this is becoming a business typesetting and not for general community use.

**TERRIE:** Brad had mentioned that running a business out of here is an issue. I see this rental agreement as a bridge that we can currently offer but not for years upon years. I understand her concerns but think she needs to work around the groups that use the building. We never said she cannot use the building; it is just available to the community first.

**CHRIS:** Normally we don't double book unless someone rents it during the day and someone else at night.

**JUSTIN:** I was talking to a friend in another community about this and he said that it needs to be evaluated without any emotion involved. It is not the job of the City to make a business viable. The City has to do what is best for the City first and set the rate and if the business can make that rate work then great but if not that is not a City issue.

**BRAD:** I agree and that is a good point. I am glad that Leslie did respond.

**MAYOR:** I am glad she responded as well but wish Rebecca would have responded.

**CHRIS:** Rebecca is not up and running yet, she is still using Park School.

**JEFF:** What about a not-for-profit group, would that still fall under this rate schedule?

**TERRIE:** It would still be a recurring rental agreement.

**BRAD:** That would be just like a community sponsored event.

**TERRIE:** I don't know if we want to split it out that far.

**BRAD:** I think we keep the community sponsored events as is.

**JEFF:** We just need to remember what the facility is for.

**TERRIE:** At the top of the agreement I think we put a mission statement and include that the City has the right to determine what is a community event and what is not.

**BRAD:** We really don't want something from outside of the City either.

**JEFF:** I think we should consider a non-resident fee.

**TERRIE:** In my research the non-resident fee was at least \$100 or double the resident fee.

**JUSTIN:** The Cemetery District has different fees for residents and non-residents.

**SCOTT BALL:** I would say it should be at least \$300 for non-residents. There have been times they have left it in shambles and it has not been reported to the Council.

**JEFF:** We need to know when that happens so that we don't return their deposit. We have to know if it is left unacceptable. I still think vinegar and water should be in the cleaning guidelines.

**MAYOR:** Terrie please summarize our discussion.

**TERRIE:** We will put our vision statement at the top and state that community events take priority. The Council will determine if the event is considered a community event or not. Not-for-profit businesses will be addressed later. Outside of the City (non-resident) requests will be charged double the resident fee.

**CHRIS:** So what about those groups that have already reserved the building in November and December? I guess people need to plan better?

**TERRIE:** It is reserved on a first come first serve basis.

**JEFF:** I am worried about having two businesses in here on a weekly basis. If they each rent it twice per week there is four days per week gone. Honestly, I don't plan more than a month in advance and the reality is that most people don't either.

**BRAD:** What is reasonable, five days?

**JEFF:** What if it is already booked for a full month?

**TERRIE:** I think giving ten days advance notice is even, five is not.

**JEFF:** I like the ten day notice.

**MAYOR:** I think ten days as well can be accommodated.

**JEFF:** Chris is good to know and gauge each situation. Ten days is very realistic.

**MAYOR:** I know that most Christmas parties are planned well in advance. Some companies schedule a year in advance.

**C.J.:** So are we going to keep the rate at \$7.50 per hour?

**BRAD:** I am fine with that for recurring events.

**TERRIE:** I don't think it is unreasonable as well.

**JEFF:** I don't think in reality that even covers our cost. In reality it is a good fee. We cannot go lower and begin to cover our costs.

**TERRIE:** Just wear and tear on the building is more than that. The IRS allows \$0.55 per mile and fuel does not cost that much but they allow for reasonable wear and tear and those must be figured in. The fee should probably be closer to \$25.00 per hour if we factored in all of the costs.

**MAYOR:** This item will be on the agenda again next month for review and possible passage.

## **COUNCIL MEMBER REPORTS**

**BRAD:** The Fire Department has been covered and the new assets we have are so nice and a great asset to the community. That new tender is a great asset to the City. They are plenty busy at the Department. Darek has been sending email updates on the water tank project, has everyone been receiving those? I would suggest that everyone go and see the tank site even if just from the road. It is quite a sight to see. They are setting the footings and going to pour 1/4 of the tank floor tomorrow. I would suggest you all go and see the progress. The water line has been run up there. Cost wise we are right on schedule. There was an additional cost on the movement of dirt when some of the tank walls collapsed. Darek has determined that there is not any reinforcement to the walls that will be required to hold the hill back. The weather has been good and they are getting back on schedule. The project on 400 West has been completed by the City employees. Scott (Ball) and the employees will start on the 800 South project the second week of July. That project will be a City completed project and is the only other one that our employees will complete on this upgrade project. I have a couple of inquiries about water hook-ups on the north end of town and this was a previous discussion item. There is a meter cover but not a meter installed. The work has been completed but the meters have not been installed. Once the impact fees have been collected and meters installed they will be good to go. There will be two of these out there. Just as a note, there does not have to be a building associated to have an impact fee assessed. There is cross-connection protection as well as each meter has a

backflow device. The project is going well. As for the sewer system the Mayor will discuss the upgrades that are going to occur at the MBR plant and there are not any other sewer issues at this time. Now that Twin "D" has been through this year, 75% of the sewer lines have been jetted and viewed with a camera. I am not aware of any new issues that they found.

**SCOTT:** There are some minor issues and I have the video tapes so I can go back and review them.

**MAYOR:** Is it tree root issues or other debris?

**SCOTT:** Mainly roots and stuff like that. Twin "D" was here last week and gave us a price to pump the grit in the MBR headwork's building.

**BRAD:** As always we are looking for a 10-wheeler for the maintenance department. A bobtail would work as well, a bobtail is an eight wheeler rather than a 10-wheeler. We are on borrowed time with our trucks.

**JEFF:** We are going to have to eventually replace the white truck for sure.

**BRAD:** I don't have any new nuisance complaints.

**JEFF:** I don't have much this evening but we need to discuss a date for the annual City party.

**MAYOR:** September 7th is not good.

**CHRIS:** The league meetings are on the 13th and 14th, I believe.

**TERRIE:** When are the Highland games?

**JUSTIN:** The City party should not interfere with the Highland Games at all where they are located at the ball diamond and the party is at the City park.

**MAYOR:** What about September 8th, that is a Saturday?

**JEFF:** I am not against having it on a Saturday, we have just had it on a Friday evening recently.

**MAYOR:** I know that it will be warmer on the 8th rather than two weeks later. We have had good turnouts on both Friday and Saturday. I think we plan for Saturday, September 8th.

**JEFF:** Yes, that sounds good. We will have the rides starting at 5:00 P.M. and the dinner at 6:00 P.M. The ride company will bring their own generators this year. We did sign a three year contract with Rebound Unlimited for the City party. By signing a three year contract they agreed to give us one extra ride per year for free.

**MAYOR:** I will have Marlowe email the deputies this information.

**C.J.:** Planning & Zoning has been quiet the last month and there was not a meeting this month due to the lack of business.

**BRAD:** Do you ever review current ordinances when there is a lack of business? That could be a good time to do that.

**C.J.:** There is going to be some training with Jay Baker for the next three months and there will be those training meetings the next few months even if there is not any official business.

## **MAYOR'S REPORT**

**MAYOR:** I have an update on some items for everyone. The Council can attend the Planning & Zoning Commission training as well. I know that myself and most of the rest of you attended last time as well. As far as an update on the sewer system. We have been approved by the State of Utah to do the following: replace the insulation in the roof of the MBR plant and add a new

blower. Add a recirculation pump to pond one as well as get a grit removal system at the plant. There will be a sludge screw modification as well, we have not been able to use it a lot up to this point. The current cost will be about \$114,000 and about \$43,000 of that is construction services by J-U-B. We can save about \$8,000 if we have our employees do some of the oversight for the work that is being done. We will be getting more information from Darek this coming Thursday.

**BRAD:** The improvements will help the process and the life of the filter cartridges.

**CHRIS SLATER:** We (J-U-B) plan to use the City crew as much as possible.

**MAYOR:** This will use the remaining available sewer bond funds.

**JUSTIN:** We either use the funds now or lose them as they agree to an extension on how long we had on this project.

**BRAD:** The City came up with what we thought was our list of needs and J-U-B came up with a punch list as well and they were the same. J-U-B really interacts well with the Council.

**MAYOR:** At the last Council meeting we had a citizen come in and voice a concern about a tree that was removed on 500 North 300 East. The citizen stated that the tree was on private property and voiced some concerns about some other things as well. We have reviewed the location of the tree with the City surveyor. He has determined that the tree is on both City and private property but all of it is within the City utility easement. We have checked state code and reviewed our rights and we have determined we were well within our rights on having that tree removed as it was a safety hazard. We will be sending him a letter with this information and he respond if he chooses to do so. The citizen thought it had been done hap hazard and had not been done correctly. That was not the case. The Council thought it was in the easement area and it is. The citizen mentioned that it was removed in lieu of paying for a parking ticket. I don't know if that was the case or not as that would be a decision that was made by the Court not by me or the Council. The citizens that removed the tree approached us about doing it as a service project. What Judge Funk did in the Court was at his discretion and I have not talked to him about it to see if that was the case or not. We told the citizen it was a Court issue in dealing with the ticket and any associated fee. The stump has been ground and we plan on not paying anymore costs in this regard.

**JEFF:** If the citizen chooses to have the stump ground further that will be at their expense, not at the expense of the City.

**MAYOR:** We got a complaint from another person that did not leave their name or number but mentioned there was an illegal car maintenance business located in the old cheese factory. Paul Berntson has got the name and phone number of the person running the business but has not been able to contact them yet. Paul has talked to Ray Winn the owner of the building about this issue.

**JEFF:** What is the process in stopping this? This is at least the third time something like this has in that building.

**MAYOR:** Paul (Berntson) is actually checking into that and he will find out our options and let us know. This issue just came to light last week and we got the information yesterday. We will have our final year end bill paying meeting on Thursday, June 28th at 7:00 A.M. for about ten minutes. This will just be a short meeting early that morning for bill paying purposes only. The next City Council meeting will be on July 17th.

**TERRIE:** Are we ever going to finish LUDMA?

**MAYOR:** Yes, I wanted to make sure we had the new legislature notices before we completed it and we do have them now. Marlowe is in Moab for a Rural Water meeting that was today and tomorrow.

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

A&D Landscaping	2403.81
Advanced Heating	165.00
Aflac	178.38
Allen Rock	1500.00
Al's Trophies	315.57
Altius	1819.67
Angela Fannesbeck	15.00
Badger Printing	398.00
Bair Auto	344.15
Bear River Health	120.00
Beeline Digital	45.00
Bennett's Paint	172.44
Blue Creek Communications	150.00
Bridgerland	170.60
C.V. Electric	472.37
Cache Chemical	669.09
Cache County Service Area	16140.06
Century Link	262.02
CMT Engineering Lab	359.56
Coats	908.35
Coca Cola	1474.35
Comcast	369.35
Cox Data Systems	1317.90
Denny's	77.98
Ferguson	78.20
Follett	30.46
Girls Discovery	29.95
Hall's Store	150.32
Highsmith	673.62
Hilton Trucking	144.00
IFA	693.08
Industrial Tool & Supply	48.46
Interstate all Battery	244.76
IPACO	130.96
JUB	15595.39
KVA Electric	380.36

L.D.'s	465.52
Larsen Asphalt	8836.77
Laser Precision	38.00
Lee's	2764.24
Lewiston City	934.14
Lowe's	118.80
Maverik	1604.17
Motorola	421.20
Nextel	298.14
Oldcastle	696.34
Olson & Hoggan	1830.00
Parsons	945.00
PEHP	160.68
Phillips	104.05
66	
Pitcher Propane	529.50
Pizza	78.33
Villa	
Randy's	24.00
Reader's Digest	17.98
Remote Control	500.00
Rocky Mountain Power	17157.68
Smithfield Auto	200.22
Smithfield Imp	208.9
Standard Plumbing	90.00
Symbiotics	427.80
Tamara Hardy	31.85
Taste of Home	10.00
Terracon	5207.00
The Book Table	281.25
The Herald Journal	109.12
The Home Depot	28.28
The Logo Shop	77.88
Treewise	785.00
Twin D	16507.76
U&I Kiwanian	195.00
UEN	172.49
ULGT	286.56
Ut Assoc of Public Treasurers	65.00
Utah Natural Resources	17081.98
VISA	2619.88
Water Environment Federation	57.00
Watkins	334.76

Weidner	2114.1
Western Construction	3577.04
Wright Express	113.15
Wrights Rainbows	375.00
Xerox	193.64

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

Adjournment at 9:10 P.M.

---

Michael E. Hall, Mayor

---

Justin B. Lewis, Recorder