

September 25, 2012

RICHMOND CITY COUNCIL

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, September 25, 2012. The meeting began at 7:00 P.M., Mayor Michael Hall was in the Chair. The opening remarks were made by Paul Erickson.

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

*****A motion to approve the August 21, 2012 City Council meeting minutes was made by Paul, seconded by Tucker and the vote was unanimous.*****

DARYL BLACK PLAQUE PRESENTATION

MAYOR: We would like to recognize Daryl Black this evening for his service on the Planning & Zoning Commission from August 1, 2006 through May 15, 2012.

*****Mayor Hall presented Daryl Black with a plaque of appreciation.*****

PAUL: Thank you for your service.

MAYOR: Thanks for the time served, as we all know that is time away from your family. Thank you.

BUSINESS LICENSE

CAMMIE'S SALON

MAYOR: We have a business license request this evening from Cammie Ridge for Cammie's Salon.

CAMMIE RIDGE: We are going to be building a new home in Cherry Creek Heights. I have wanted to have an in-home salon forever so we are looking at an extended garage with a full service salon. It would be just one chair. There is a big driveway that would allow for three cars wide. A lot of my clientele is from Logan. I am hoping to get some local people, once I get to know them.

TERRIE: What is the volume of supplies you will have on hand? Perms? Solutions?

CAMMIE: If I get enough requests I would order a full card which is 120 colors which is about three gallons of supplies. I would also have some ammonia and bleach. Nails would require acrylic. The ammonia for the perms would be in a well ventilated area.

TERRIE: Anything that goes down the drains is an issue. We have an MBR plant that is very sensitive to some types of compounds.

SCOTT: Three to four gallons of product won't be a problem.

TERRIE: I just want to be aware of it.

CAMMIE: The salon would be for just me. I won't be working full-time as I have four children. It will be more like three to four days per week at the most.

BRAD: I would like to see the floor plan of your house if you have a copy.

CAMMIE: I have a rough draft with me.

PAUL: You are already building or getting ready to build?

CAMMIE: The plans are ready and we hope to start this week. There will be two entrances as you can see. The house won't be complete until January but we wanted to get all of this stuff completed to make sure we could do it.

BRAD: Have you submitted your building permit application yet?

MARLOWE: I have not seen anything yet. You will need a building permit before anything can be started on your home.

BRAD: Are there any special H.O.A. requirements?

CAMMIE: There was possibly a parking concern but where there will only be one client at a time they said it was not an issue.

BRAD: How do we issue a business license for a building that does not exist?

MARLOWE: This is just a license to do the work in town.

BRAD: Just to note for the minutes this is a business that is part of a proposed home that if it does not get completed will mean we have a business without a home.

CAMMIE: We purchased the lot back in April.

TERRIE: What protocol do we have for updating addresses on business licenses?

JUSTIN: We really don't have one.

BRAD: I think the approval should be based upon the issuance of an occupancy permit.

A motion to approve the business license request for Cammie's Salon/Cammie Ridge upon the issuance of the occupancy permit for her new residence in Richmond was made by Terrie, seconded by Jeff and the vote was unanimous.

CHRIS ANDERSON PLAQUE PRESENTATION

MAYOR: The Council and myself would like to thank Chris Anderson for the time he has served on the Planning & Zoning Commission from March 20, 2007 through August 21, 2012. He served as Chairman during a portion of that time as well. He requested to be released from this position so he could do some other things and we thank him for his service. I appreciate you coming in this evening.

****Mayor Hall presented Chris Anderson with a plaque of appreciation.****

TIMELINE REQUEST BY ABC CONSTRUCTION ON THE CULINARY WATER TANK PROJECT

MAYOR: The progress on the tank project has been great. ABC (Associated Brigham Contractors) has done very well and I have had nothing but good comments. Darek is going to introduce the request from ABC to extend the completion deadline for the culinary water system upgrade project.

DAREK: I have provided a letter addressed to the Mayor from Corey Schultz of ABC. Substantial completion is done on both projects but they are asking for a timeline extension on both projects as the second project cannot be completed until it is tied into the tank project or project 1. The reason for the request is that on April 13th the hillside to the south of the tank started to slip and slide into the tank area. It took us about five weeks or so to get that resolved and it cost the contractor (ABC) at least five to six weeks of work. They are asking for a timeline extension until December 31st, weather permitting. They have worked on this project very studiously. I recommend the extension be granted on both contracts. There are two contracts but they are both tied together. We are still on budget. It will be okay if the fencing and cleanup is done in the spring as well. The entire project could be finished in April or May if needed. I recommend to the Council to grant the extension.

COREY SCHULTZ: This is the worst case scenario. We (ABC) have every intention of completing this project this year, weather permitting. Unless Mother Nature disagrees, we will be done this year.

TERRIE: If we are not able to backfill until spring how will this effect filling the tank and testing it?

DAREK: It would be filled to test it and then drained if necessary.

COREY: We think we can get it back filled this year.

DAREK: The leak test occurs while the tank is uncovered and the tank is designed to hold the weight even without the help of the backfill.

PAUL: Have you (ABC) been compensated for the time and materials involved in the landslide?

BRAD: Yes, from contingency funds.

DAREK: This is a no cost timeline extension request.

COREY: The only damage done was to the timeline.

DAREK: If you make a motion to approve the timeline extension, I request you make it for both projects.

A motion to approve the timeline extension on the Richmond City culinary water system project upgrade for both (two) projects until December 31, 2012 was made by Terrie, seconded by Brad and the vote was unanimous.

****The letter from Corey Schultz of ABC is included at the end of these minutes.****

TERRIE: It is a very impressive project.

MAYOR: I appreciate what you and ABC are doing.

ORDINANCE 2012-3

MAYOR: This proposed Ordinance has been discussed at several Council meetings this year. It was not voted on last month because it was listed on the agenda only as a discussion item. Everyone has been sent a copy of the updated text.

TERRIE: My questions are about the Resolution. Do we need to specifically mention the building rental form? I have no problems with the Ordinance and think that everything has been clarified.

A motion to adopt Ordinance 2012-3, An Ordinance Establishing the Rights and Protocol to Be Observed in the Rental, Lease, and Utilization of City Owned Properties, was made by Brad, seconded by Terrie and the vote was unanimous.

RESOLUTION 2012-1

MAYOR: I have read the Resolution and hope that each of you had an opportunity to review it as well. Let's discuss and review.

TERRIE: I do have one question, I cannot find where we address the City employees.

MARLOWE: The Mayor stated that himself, the City Manager, and the Treasurer will discuss how to handle it and take care of it in-house.

MAYOR: Has it been completely removed?

MARLOWE: Yes.

TERRIE: My concern is that we don't have anything definitive. What about an employee that works an hour here and there such as some of the Fire fighters and Library workers, how will they be treated on this request? That is my concern with the Resolution. What is the down side to adding something like 20 hours per week must be worked to qualify? What about an employee that lives outside of the City limits?

MARLOWE: This information was in the original Ordinance.

TERRIE: This is just a concern of mine but if everyone else is happy with it then let's move forward.

BRAD: I think as small as our employee base is that this won't be an issue.

TERRIE: It was in the original Resolution.

MARLOWE: Originally it was part of 8 (A). I eliminated it and that section is now religious organizations.

TERRIE: I thought employees were going to be treated as residents and not exempt?

MARLOWE: I went from the information provided in my notes and the minutes.

TERRIE: I think that employees should be treated like residents and not exempt.

MARLOWE: So do you want me to eliminate the perk?

TERRIE: Yes.

JEFF: I think it should be a benefit.

BRAD: I think it should be a benefit. The employees know the expectations of keeping the building clean when done.

TERRIE: We expect our residents to pay a cleaning deposit and I think that should apply to everyone.

MARLOWE: So do you want me to rewrite the Resolution?

TERRIE: No.

PAUL: I respect Terrie's opinion but don't think that employees should have to pay.

A motion to adopt Resolution 2012-1, A Resolution Establishing Rental Rates for the Temporary Rental of Certain Properties and the Reservation Fee for Certain Areas Within the City Park, was made by Terrie, seconded by Paul and the vote was unanimous.

COUNCIL MEMBER REPORTS

PAUL: I have a few things to talk about, the road improvements on 600 South, the restroom at the Nature Park and a couple of fumbles on the General Plan planning. I am going to send a draft copy of the General Plan to all the committee members to review in the next month and then we will discuss at the October meeting.

MARLOWE: I have addressed some of the items with Cindy (Gooch).

PAUL: The road on 600 South is substantially complete. We received \$146,000 of allocated tax funds for this project. Our match was 7% and the total for the project is \$160,000 to \$165,000. We installed some drainage and widened the road for safety reasons. Now traffic can pass when the buses are loading. It looks wonderful and I would like to thank Darek and J-U-B for helping to get the money.

TERRIE: It turned out very nice.

PAUL: Please see Item 12 in your packet. This is a copy of the restroom bid from Western Construction for the bathroom at the nature park. We requested two bids and the second contractor declined to bid the project because of the relatively small size of the project. We have used this local builder before and have confidence in the builder. The total bid as presented is \$21,381 which is for block walls, a steel roof and one bathroom space/stall. There are a couple of options we can go with, a split block face which adds some appeal but if we go with a straight block face it would save \$1,029. If we use standard plumbing fixtures rather than stainless steel fixtures it would save \$2,200 but the standard fixtures can easily break in a commercial use area.

JEFF: Where I am constantly dealing with the parks, I suggest we spend the money now on the better fixtures rather than later to have to repair them.

PAUL: This is a small project with a respected builder. Darek has reviewed the numbers as well. I recommend that we award the contract with the split block face and stainless fixtures. The total RAPZ tax allocation is just short of \$40,000 and this project will take 60% of the available funds. The Lion's Club will help to install the fencing if we can get the materials. I am not sure how much we can get done this year. The discussion regarding the fencing went towards an ivory colored vinyl which is maintenance free, wood is not maintenance free.

TERRIE: What about using Timber Tech?

JUSTIN: You can use a Trex type material but it is very expensive and usually twice the cost of vinyl.

PAUL: The purpose of the fencing is to keep the people in the park and the road separated.

MARLOWE: Vinyl is brittle when it is cold.

BRAD: I am not sure that we need a fence.

JEFF: Do we have the ability to adjust the proposal?

PAUL: I think for the character of what we are after we need the fence.

BRAD: There is not a playground.

MAYOR: The entire area is a big playground.

MARLOWE: Keep in mind that we are going to need about \$250 for the brass plaque as well.

PAUL: There is an area of land on the north east side of the horse arena that we could reclaim as well.

BRAD: We don't have to make any decisions tonight, this is just a discussion.

MAYOR: We don't have to put in the fence.

BRAD: Keep in mind that we don't have any funds from the general fund available for this project.

TUCKER: Will there be heated water in the bathroom?

DAREK: Just cold water as this area is a summer use only area.

TUCKER: I was just curious.

DAREK: We did price some prefab restroom facilities and they were \$30,000 or so on the low end.

PAUL: The back side (West) of the property is fenced with barb wire. We have had some discussion with the adjoining property owner about utilizing more space in the future and if so we might need a bridge.

A motion to accept the restroom facility bid from Western Construction for \$21,381 including the split block face and stainless steel plumbing fixtures for the nature park was made by Paul, seconded by Terrie and the vote was unanimous.

TERRIE: We had the earthquake commemoration and there were about 130 people in attendance. The night went well. I am in the process of burning some DVD's of the commemoration before I leave on my trip. I am leaving on Sunday. I appreciate everyone's help on this project as it went very well. The Library is doing well and received an achievement award from the State of Utah. The Library exceeded the State of Utah requirements in about eight out of ten areas. It is quite an achievement and not many libraries received it. Juliene appreciates the support of the Council. The EMT's are doing well and I am constantly in contact with Katie (Wallentine). Jim and Nancy LaMunyon have taken over the CERT program and will be meeting with county CERT. I am working on the website and breaking down all of the Planning & Zoning Ordinances. I try to update the pictures on the water tank project as it progresses as well.

SCOTT: I have many pictures if you need some.

TERRIE: I could do an on-line album. In the WD drive I uploaded the State of Utah alcohol policy. After attending the meetings I changed my mind about Utah's liquor laws. I understand better now why it is a controlled State. The presenters were very concerned about underage drinking. The excise tax has not changed since 1991 but Utah still has one of the higher excise taxes. The rate is 20 times higher than Wyoming's. They did have some proposed changes and one is direct to consumer sales. The meeting was very informative. There were a lot of current legislators and those running for office in attendance. One thing that did come out of the panel discussion was that we (Richmond City) did the right thing when discussing Sunday beer sales by contacting the local Sheriff's office with questions. We were the first to do that and got kudos for it. The Harvest Market is still going strong and October 20th will be the last date for this year. The Wood Fired Oven pizzas will be there and there will be a live band as well.

MAYOR: I appreciate you attending the alcohol meeting.

JEFF: The City Party went great and I appreciate everyone's help. It was done with the combined effort of many. I don't have an exact number of those that attended but know that we had 820 plates and they were all gone. I have received a lot of comments about the party and that is it appreciated. Several mentioned that it was nice to come out and meet other members of

the community. The party is a very good thing and we will keep doing it. The Highland Games went over really well and they liked having them here in the City. They are planning on having them here again next year and someone from the group will be attending the November Council meeting to give a report and discuss next year. The Fire Department ran the American Legion hamburger stand during the games.

MAYOR'S REPORT

MAYOR: Lewiston City has approached Richmond City with an inquiry. Lewiston has been approached to annex Gilt Edge Flour Mill and Casper's Ice Cream into the City and Lewiston has asked our thoughts about annexing the Cub River Sports Complex in as well. One big issue that I see is that the property was donated by a Richmond citizen. I have told Mayor Field we would be discussing this topic tonight at Council.

PAUL: I am not in favor of it, I don't see how it would help Richmond City.

TERRIE: It was originally done by a Richmond citizen and we need to keep our part ownership.

JEFF: I talked to Paul Merrill, owner of Casper's Ice Cream, and he was not even aware that Lewiston City was considering annexing Casper's into the City of Lewiston. He did ask how it was possible that they could be annexed without making the request first.

TERRIE: They would need to request it.

JEFF: I just told him that Lewiston is looking at some options. I know that Lewiston ran a culinary water line down there for their proposed new building and part of the agreement is when the new complex is built they will be annexed at that time. That agreement is at a standstill until they build the new building though. Paul's dad is the one that donated the land for the sports complex. It was to be a mutual benefit to both communities. They (Casper's) might move forward with a cold storage warehouse sooner than the proposed expansion. If the warehouse is built that would require a new road around the sports complex and they would work with Lewiston and Richmond on it. They are not against the annexation, they are just not ready to expand yet and that was the conversation that I had with Paul.

TUCKER: I wonder if Gilt Edge contacted Lewiston about the annexation and then Lewiston is looking at all other options as well.

MARLOWE: A community can do an annexation without a written request by the property owner. There is an official process to do it but it can be done.

TUCKER: I don't think they need to annex the sports complex.

BRAD: I am strongly opposed to it and we should not annex it either.

MAYOR: Mayor Field has some concerns as well but some of the Council members made the request and he brought the idea to me. I will let him know our thoughts and concerns and that we don't support the idea. I know that we need to set up a time in the future to discuss the American Legion stand and what we are going to do with it in the future and who is going to run it.

JEFF: I am going to arrange that meeting in October.

MAYOR: There are some easement issues on some property owned by Marvin Traveller and Bruce Jorgensen is reviewing the documents and addressing the problem.

BRAD: Marvin is not after any compensation he just wants things cleaned up from a legal standpoint.

MAYOR: The Morley Cox water share issue is being drafted by Bruce (Jorgensen) as well. He just did the same thing between Morley and Nibley City recently as well. The next Council meeting is on October 16th.

PAUL: I forgot one item that I would like to mention. At the Utah League meetings it was mentioned about the use of social media during emergency situations. Municipalities are looking at Face book and other places to get emergency information out in real time. I think this could be a significant benefit to the citizen's of any community. I thought that it was a noteworthy discussion.

TERRIE: I could see some Face book implications but maybe a Twitter feed would work for emergencies. I can see applications for its use.

PAUL: Most LDS wards have emergency preparedness people and we could involve the Lion's Club if necessary as well.

TERRIE: That is the way things are moving, not just email any longer.

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

A.A. Hudson	1808.50
Aflac	178.38
Allen Rock	439
AL's Trophies	132.72
Altius	1944.16
Bair Auto	45.65
Bear River Health	40.00
Beazer Lock	7.00
Bennetts Glass	15.21
Big J's	39.13
Brent Webb Excavating	540.00
Cache Chemical	174.40
Cache Service Area	32780.1
Cahce Chemical	273.05
Cantwell Brothers	148.28
Century Link	322.15
Chemtech Ford	705.00
Civil Air Patrol	245.00
Coats	108.35
Coca Cola	213.98
Cody Stokes Plumbing	95.00
Comcast	214.59
Curt Kidd	400.00
Dennys	77.98
Electrical Wholesale Supply	91.48
Four Seasons	5600.00

HACH	5813.00
Hach	441.95
Hall's	180.07
Hobbs Turf Farm	34.00
Industrial Tool	64.20
Intermountain Farmers	677.24
IPACO	89.76
Itty Bitty	7656.85
JG Builders	1614.50
JUB	10454.82
K&B Service	82.00
KVA Electric	717.61
Lee's	413.17
Lewiston City	753.45
Maverik	1729.74
Meterworks	4064.36
Midwest Fire	42.00
Nextel	305.12
Oldcastle	995.12
Olson & Hoggan	4736.00
Parson	4642.00
PEHP	135.48
Pitcher Sales	41.04
Questar	62.35
Rocky Mountain Power	15190.86
Ron Keller Tire	696.61
Rural Water	755.00
Smithfield Auto	112.76
Smithfield Imp	69.88
Sprinkler Supply	95.00
Staples	48.28
Symbiotics	427.80
Tamara Hardy	56.91
Thatcher	2697.75
The Herald Journal	34.70
USA Bluebook	207.7
Utah Local Governments Trust	364.59
Visa	644.42
Watkins	199.92
Weidner	1148.36
Wells Fargo	18.00
Wright Express	191.15
Xerox	193.64

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

Adjournment at 8:20 P.M.

Michael E. Hall, Mayor

Justin B. Lewis, Recorder