

**RICHMOND CITY COUNCIL**

**AUGUST 20, 2013**

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, August 20, 2013. The meeting began at 7:00 P.M., Mayor Michael Hall was in the chair. The opening remarks were made by Brad Jensen.

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

\*\*\*A motion to approve the July 30, 2013 City Council meeting minutes was made by Paul, seconded by Terrie and the vote was unanimous.\*\*\*

**DEPUTY REPORT**

**DEPUTY YOUNGBERG:** I don't have anything of significance to report. What assignments would you like us to make for the City Party?

**JEFF:** The dinner will start at 6:00 P.M. and the air rides will operate from 5:00 P.M. to 8:00 P.M. The best time to have you bring the items that the Sheriff's office wants to bring is probably best right before five. Normally, in the past, the stuff has started to arrive around 4:00 p.m. I will leave that to your discretion and the discretion of the department.

**DEPUTY YOUNGBERG:** We will do the same as in the past.

**MAYOR:** You and all of the deputies are welcome to attend and have dinner as well.

**DIXIE ANDERSON:** Has anything been discovered about the vandalism at the Library?

**DEPUTY YOUNGBERG:** I am not aware of that issue.

**DIXIE:** I was told it happened when the Library was closed for a week for cleaning.

**PAUL:** Main Street is really active for kid's longboarding in traffic. I would like to see some patrolling in the early to late afternoon. It is a safety hazard and we just want everyone from the kid's longboarding to the vehicles being safe.

**DEPUTY YOUNGBERG:** Yes, we can monitor and deal with that.

**IMPACT FEE STUDY DISCUSSION**

**MAYOR:** Emily Sim is here this evening to discuss the impact fee analysis she has been working on for the City. We will review the new set of proposed fees and go over the analysis with Emily.

**EMILY SIM:** The analyses you have are just a draft copy. The numbers are lower than the past based on some assumptions. We can change some of those assumptions as needed. I would like to review the analysis and review the major assumptions. We can then adjust as needed or agreed too. Why do we do this study? We do it because the State of Utah requires it if you are going to charge an impact fee. In order to charge an impact fee a specific analysis has to be done and it has to be in a certain format with certain items contained within it. If you don't do the analysis,

you can charge a fee but it would be illegal. You have to be able to justify the amount of the impact fee. Let's go to Page 5, the Water Impact Fee Analysis. There are two assumptions that have been made and they can make a really big difference to the fee. The one number is the number of water Equivalent Residential Connections (ERC) and that number in the analysis is 1,440. I got that number from J-U-B Engineers.

**BRAD:** Darek, where did J-U-B get that number?

**DAREK:** I will need to ask Chris in our office. Last time, I had it listed as 1,439 but we know several new ones have been added to the system.

**EMILY:** I need to change that number to an accurate number.

**BRAD:** Will that include our upsizing for industrial usage?

**DAREK:** Yes.

**EMILY:** The growth rate that has been used is 3.5%.

**TERRIE:** That is way too high.

**EMILY:** The higher the growth rate, the lower the fee. You want to make sure you can defend your fee.

**BRAD:** I have six years of past actual data for you.

**EMILY:** That is a great way to do it and to justify it.

**BRAD:** There have been 6.2 new connections per year for the last 6 years on average.

**MAYOR:** That makes the growth rate about .005%.

**BRAD:** We have very little growth.

**EMILY:** We need to take that data and put it into context.

**BRAD:** That number includes the last subdivision that was approved and completed as well as phase 2 of a 6 phase project. I will give you this information for your review. There has been a recent trend in town to get by the fee by buying an old home, and replacing it with a new home. They don't have to pay the fee because there is an existing connection.

**EMILY:** Don't they have to get a building permit?

**BRAD:** Yes, but an impact fee is not required since there is an existing connection.

**MAYOR:** The 6.2 number is for new structures.

**BRAD:** We have issued more building permits than fees have been collected.

**MAYOR:** The 3.5% that Emily used is from the State of Utah website of anticipated growth.

**DAREK:** That number was used in the J-U-B study as well.

**EMILY:** Did you change that number in your General Plan update?

**TERRIE:** Yes, we put in the 2% area.

**PAUL:** That was consistent with the census.

**BRAD:** They are not the same.

**DAREK:** Those numbers are long term and this is a short term analysis.

**EMILY:** This is a six year analysis and we need to make sure the numbers used are defensible.

**TERRIE:** I am more comfortable with 1.5%.

**BRAD:** But we are well under 1% over the last six years.

**EMILY:** I can tell you that a significant drop from 3.5% will change the numbers drastically.

**DAREK:** Do we need to determine the difference between residential and commercial users?

**BRAD:** The maximum amount determined in the report does not have to be charged, we can charge less than that.

**DAREK:** We just need to make sure to not artificially skew the growth rate.

**EMILY:** Darek and I can and will discuss this. New development can be charged for projects with a life span of over 20 years. Building and infrastructure like piping can be included but maintenance items and items like trucks cannot be included. The first three items in Table 1 were from the 1993 study. Are these upgrades still usable? They should have at least six to ten years of life left.

**JUSTIN:** Nothing has been abandoned or changed in the system. All projects are still in use.

**EMILY:** Including the 1993 projects as well as the new tank and piping project I come up with a Total Present Value of Existing Facilities to be \$11,930,893 divided by the number of connections, 3,069 and that leaves a cost per ERC of \$3,887. This is for water only. The total number of ERC's of 3,069 is the estimated number in the year 2033. Based on the change in percentage of growth that number will change dramatically.

**BRAD:** When we finalize all of the expenses for the tank project, what if the \$5.415 million for that project goes down? Is there an easy fix to bring that in line? This is not a set fee for six years?

**EMILY:** You want the numbers to be as accurate as possible now. Better to undershoot that number to protect yourself legally.

**DAREK:** I think the \$5.4 million for that project is a little high as that number included quite a high amount for deficiencies.

**BRAD:** Only 60% of that project is for new growth. A large part of that project is for fire flow issues.

**EMILY:** Deficiencies are not included in the report. All ERC's are included as well, not just new ones. I thought this entire project was already done?

**BRAD:** We are at least six months before we have final numbers on this project.

**EMILY:** Let's go to Table 2, on Page 7. I don't show any new planned improvements to the water system in the near future. This is where the portion of the tank project that is not completed needs to be.

**BRAD:** With the new well still to be completed this project will take 12 to 18 months to finish up.

**DAREK:** In the previous study we included all projects that were going on at that time even if they were not completed.

**EMILY:** I would suggest moving the tank project upgrades from Table 1 to Table 2.

**DAREK:** I will sit down with Emily and show her what projects are completed and which ones will be completed in the future so some of the items will be left in Table 1 and some moved to Table 2.

**EMILY:** What happens to the unspent bond proceeds?

**MAYOR:** They are returned to the State and applied to the principal amount of the loan.

**EMILY:** I would suggest we leave the tank portion in Table 1 and move the well portion of the project to Table 2. The growth rate will really impact this study. Page 6 of the report talks about the current services that the City is offering. How many users as well. The first paragraph also talks about why a fee can be charged. If you want to maintain the same level of service then you have purposely oversized some items. Table 2 is included for that reason. The cost of the impact fee analysis and engineering are included in Table 2 as well.

**BRAD:** How far out should we include future projects?

**EMILY:** Not more than six years.

**BRAD:** If we pay off the 1993 bonds with the remaining balance from the tank project bonds how will this affect the analysis?

**MAYOR:** We are not planning on doing that. We will not be paying them off early as they payoff within the next five years.

**EMILY:** Page 9 of the analysis is a table of the Water Debt Service. Every year you are paying on these bonds. Every month funds are collected for the bond payments. We have to credit new users for paying into the system. This is an approximation. The numbers change as the number of ERC's change. The entire column of ERC's will change. The debt service credit will be much higher than currently listed. This table will change.

**DAREK:** The number of ERC's will change dramatically based on the low growth rate.

**EMILY:** Something to look at is the improvements in Table 1 and the current improvements. How much are for new development?

**DAREK:** That is quite different for each project. The tank is 60% for new growth and the infrastructure is 90% or so for new growth.

**EMILY:** We will want to account for that differently then.

**DAREK:** We can look at the entire project.

**BRAD:** Based on the percentage of each project we can put a number to the entire project.

**EMILY:** All of Table 3 will change which is not unusual on a draft copy. Table 4 is where we add up the numbers and make a recommended fee. The next section to discuss is wastewater. I know what you are charging but don't know for sure why you are charging that fee. I don't have anything to compare it too.

**BRAD:** We are not really comfortable with the fee either.

**TERRIE:** The State of Utah is the one that provided us that information as part of the MBR plant project.

**MAYOR:** The state used the MAGI (medium adjusted gross income) to determine the rate.

**EMILY:** I have no comparables. The growth rate will change in this analysis as well. Did you do a sewer connection study?

**BRAD:** It will mimic the water connection info I have for you. We don't have any new water connections that don't include a new sewer connection as well.

**EMILY:** I show a lot less sewer users?

**MAYOR:** That is due to the commercial users where they don't dump all of their waste into the system and some is used to water grass.

**DAREK:** I need to make sure and capture Pepperidge Farm in the new study. We don't provide them water but we do provide sewer service.

**BRAD:** We have flow meter data for this study, last time we did not have it.

**EMILY:** The cost of the MBR plant is listed at present day value. It is divided by the total number of ERC's but that will change drastically as well. We don't include the cost of the grant in the MBR plant, just the cost of the bonds. Are any other parts of the existing system going to be charged to new development?

**BRAD:** Transmission lines. I do have a question for you in that regard. For example, if we have a new subdivision of 40-50 homes coming in and based on the information in the water model it now shows a deficiency in a certain area due to the new growth. Can we charge the developer for the deficiency rather than an impact fee?

**DAREK:** Impact fees cannot pay for deficiencies.

**EMILY:** If you require them to repair the deficiency then you have to give them credit for this somewhere else.

**PAUL:** Is there a limitation? Can they pay more than what would have been collected in impact fees for the entire project?

**EMILY:** Yes, you can charge up to it but not over it. If the developer pays for upsizing costs then we don't include that in the study. We can include the cost of the excess capacity in the system in the study.

**DAREK:** None of the items in Table 6 have been completed.

**DIXIE ANDERSON:** I attended a Planning & Zoning Meeting recently where there is a proposal for 64 new homes. There is only one way into the project and he presented nothing on water, sewer, roads or anything. He is coming back before you in a short time.

**BRAD:** All of that will be covered in detail as the project progresses.

**DIXIE:** Will you let him do it?

**BRAD:** If it is legal.

**DIXIE:** He can put in that many homes and we don't even have a police department. It impacts the entire town. Planning & Zoning told me that I need to dig a well if I want better water pressure.

**MAYOR:** These are two separate situations. Your water pressure has nothing to do with the proposed new development.

**DIXIE:** What about roads? There is not one place up there for kids to play. That is why I am here this evening is to talk about that subdivision.

**BRAD:** I am glad you are here and get to hear this discussion. We are planning on the developer paying for all of the impact on the community, not the citizens. That is one of the reasons we are doing this study is to make sure that happens.

**DIXIE:** It matters about all those new people in town. I told Jon White, I don't want any more subdivisions in this town. There are current subdivisions where there are vacant lots that are just full of weeds. How much will he be able to actually put in?

**MAYOR:** There is a process to follow for roads, water and sewer. Jon came in two years ago and we told him that he would have to wait for the new tank project to be completed as at that time we did not have the storage capacity needed. The new tank is built and water is flowing through the tank. Before he starts his project he will have to assess all the fees, have the roads taken care of and the water and sewer concerns resolved as well. The size of the lots are just like other areas in town. They will have adequate lot space.

**DIXIE:** I drove past a subdivision on my way here. I have no water pressure. I have to put in a well if I want more pressure. I don't like what is going on and that is why I am here. I will tell you that. I am really upset that nobody else is here. I will be a thorn in your side on this project.

**MAYOR:** We would rather discuss projects with several people as well.

**DIXIE:** I have never seen this town look crappier than this year. All the lawns are dead and homes are vacant.

**PAUL:** Empty homes is one issue and culinary water versus irrigation water is another issue.

**DIXIE:** I don't have enough water pressure to even water my strawberries.

**MAYOR:** Your house was built to previous code, not today's standards.

**DIXIE:** I have been there 37 years and I am not dropping in a new well.

**MAYOR:** That is a decision that is up to you.

**DIXIE:** Maybe I will just pump it out of your tank. I know when you meet, I read the paper.

**BRAD:** I would encourage you to attend the Irrigation Board meetings as well.

**MAYOR:** We have not issued any restrictions on culinary water use while other communities have. Our culinary water system is in good shape.

**DIXIE:** I appreciated that the fire hydrant by my home worked when that truck was on fire by Valley Vet Clinic.

**BRAD:** Will the sewer lines be included in the study?

**EMILY:** Yes, we will include the excess capacity.

**BRAD:** Will it include the transmission lines we have not had before?

**DAREK:** Only if they are built.

**BRAD:** I don't think anything to do with transmission lines was included in the past.

**EMILY:** Are any of the proposed projects going to be installed in the next five years?

**BRAD:** Not at this point.

**DAREK:** We have one line that the short section is at capacity and the longer section goes above capacity.

**BRAD:** Future growth will necessitate that project.

**DAREK:** You can charge fees based on geographic areas of the City but that is hard.

**EMILY:** You can divide the City into different zones and charge different fees.

**BRAD:** Water is quite obvious as it effects the entire system. The sewer is mainly two areas, changes in one area definitely won't benefit the other area.

**DAREK:** That would be a change of scope. I can give Emily the system values of the north and south sides of town. I am talking excess capacity only.

**BRAD:** All new growth will be to the north for the next six years. There is not any excess capacity in the south system. The railroad crossing project would be next but it won't happen within the next six years.

**EMILY:** What about the 150 North and Main Street projects?

**BRAD:** The 150 North project will have to happen. The new subdivision will force it to be done. We are at capacity with that new project.

**EMILY:** So there is more excess to the north and more repairs needed to the south.

**DAREK:** The new subdivision will take all the excess capacity.

**EMILY:** Will the developer have to pay for the system upgrades?

**BRAD:** I am not sure. We cannot fund it.

**DAREK:** We can pay for the project up front and collect the costs over time or it might be a condition of the new development.

**BRAD:** If the contractor pays for the project what portion do we back out as owed to him?

**EMILY:** Would the developer pay the full amount?

**JEFF:** They would only pay their share of the new growth.

**BRAD:** I need your help to determine what we can charge the developer.

**EMILY:** I can help you with that. Is the Main Street project valid?

**DAREK:** That is an entire City project. At our existing growth rate that project won't happen in the next six years.

**EMILY:** Any other costs to be included? What about the engineering of the MBR plant?

**MAYOR:** Yes, include the engineering.

**BRAD:** What about the irrigation water reclamation project? Is that a sewer improvement project?

**DAREK:** No, it won't increase capacity.

**EMILY:** It is not included because it does not let more into the system. Table 7 is the debt service credit table. The total ERC's will change. The entire column will change in that regard. The debt service number will increase. The fees are calculated the same as the water fee. There will be a schedule for different sizes of connections.

**PAUL:** The debt service credit is for what a person pays into the system moving forward?

**EMILY:** Yes. The impact fee is collected upfront. What you pay on a monthly basis is deducted from that amount. I know where to go from here with the information we have discussed. I will get with Darek and get some other information as well. I will send him an email with all the information that I need and then we can update the draft analyses.

#### **DISCUSSION RELATIVE TO A CITY MAINTENANCE CONTRACT**

**JEFF:** This topic is something that Justin and I have discussed and reviewed over the last couple of months. I wanted to know exactly what had been spent for employees at the parks and cemetery in the last year. The City pays some and the cemetery pays some. Last year, with the wages and all of the benefits the total paid for the full-time and part-time work was about \$68,000. There was one full-time employee and some part-time help as well. During the Memorial Day holiday there are usually four to six people helping to get ready at the cemetery. As we have reviewed this issue I think it is more plausible and effective to come up with a set base fee that we pay. Currently, we are paying a lot of overtime. As we have reviewed this I think that a contract proposal would be better. There would be a huge cost savings as there is not any overtime or benefits that are being paid. We can contract an overall bid price for less money than we are currently paying. I think we could do a bid price of \$36,000 to \$40,000 over the next 12 months. There is lots of time spent in the summer and very little time spent in the winter.

**JUSTIN:** The agreement would be at-will, meaning we can terminate at any point and they can terminate at any point. We are not stuck in a contract that we don't like.

**PAUL:** What about equipment?

**JEFF:** That would be the same as it currently is. If it is normal wear and tear the City would pay, neglect would be paid by the contractee. I think there is an advantage to both parties, we get a cost savings and they get paid year round. Normally, we start working on the cemetery right before Memorial Day because of budgetary concerns and because Black & White Days is right before Memorial Day. Now they can start in March or April as soon as the snow is gone. Plus all the overtime scenarios would be gone.

**MARLOWE:** So there would not be any time sheets from them if there is an agreement in place?

**JEFF:** Correct. Also, we will split the time spent at the parks and cemetery proportionately and each entity would pay their designated portion of the monthly fee.

**PAUL:** Would we set the times to mow, times to water, etc?

**JEFF:** Yes, I have a list of City items that need to be completed weekly as well as cemetery items. The lawns need to be mowed twice a week in the spring and once a week in the summer when dryer. We will dictate the items that need to be done.

**JUSTIN:** Another issue was that they have requested to allow their children to move sprinkler pipe and I did not want more employees at this time. They can do that if they choose to do so under the agreement. The children cannot operate the equipment until an appropriate age but they could move pipe immediately.

**JEFF:** Ted and Yumi (Collins) want to prove they can do it and get more responsibility and hopefully be rewarded financially. We are way ahead of previous years on getting things done. If we can add more things over time then it is a win-win situation for both parties. I think there should be a year-end review process with the cemetery and the City as well. The cemetery will gladly pay their fair share of what is owed. The cemetery may add more projects as time goes and will pay their portion without problem or issue. I don't see anything that we need to add or change on the City side. Just mainly changes needed at the cemetery, especially with the new sections coming along. I like the ability to be able to change as needed as well.

**BRAD:** I just want to be clear, the \$68,000 we are currently paying is not for just wages alone.

**JUSTIN:** The \$68,000 is not for just one person either that includes all of the part-time workers, wages, retirement paid, health insurance paid, Social Security and Medicare paid. All of the costs associated with an employee above and beyond just a wage. The wages are actually in the low \$30,000's.

**MAYOR:** As Justin said, it is a combination of a lot of different things, not just a wage.

**JUSTIN:** Wages account for less than 50% of what is paid.

**PAUL:** Most schools and churches have gone to private contracting because of cost concerns.

**JEFF:** The Cemetery District is looking at paying contract pay for burials as well. Possibly, paying more for weekend burials as well. The lack of correct procedures on burials and grave preparation has caused us to have to go back and spend countless unnecessary hours after the fact. I want it done right the first time moving forward.

**JUSTIN:** I do need the support of the Council in regards to the use of the City backhoes. Long term we would like to have Ted dig the graves for the burials. He has operated all types of heavy machinery in the past but we would need to use the City backhoes and will schedule as needed for burials. I just know that City workers can get possessive of what they consider to be their equipment and don't want others to use it.

**BRAD:** That won't be a problem.

**MAYOR:** We are talking about a contract of \$36,000 annually to be reevaluated in January.

**JEFF:** The \$36,000 number is hard to keep long term. That is not much for everything that needs to be done. I would like to review at the end of the year and go to \$40,000 if everything is good. It is their job to prove they deserve more money. They need to be able to say we did all that was asked plus extra and would like to be rewarded.

**TERRIE:** I like the idea but what recourse do we have if we want to terminate the contract?

**JUSTIN:** The agreement is at-will meaning we can terminate at any point and they can leave and go elsewhere at any point.

**JEFF:** We would put the contract out to bid if they leave.

**BRAD:** I would be in favor of this idea but want to see a contract.

**MAYOR:** I like the idea and think we can move forward to establish a contract.

**JEFF:** They will also clean the buildings as well.

**MAYOR:** They will shovel the snow on the building approaches as well.

**PAUL:** What about cleaning the restrooms?

**JEFF:** Yes, that is part of the contract. We would also have the option to have extra help during big snowstorms as well.

**BRAD:** The help during big snowstorms won't work. It cannot be pick and choose when they push snow by the City.

**MAYOR:** They would just do the building approaches. The City employees would do the sidewalks.

**PAUL:** We could also pay so much per push, as well, if needed.

**JEFF:** They really like the idea of a set pay schedule where they won't work much in the winter but lots of hours in the summer. I would like to move forward on this and put it in place now.

**MAYOR:** I would suggest starting the contract at \$40,000 rather than having to address again in just a couple of months.

**BRAD:** We definitely have the need for the man hours to get the job done.

**JEFF:** We have the room to take the contract up to \$50,000 long term but I want the money to be earned and not just given. I want it to be an incentive to do well.

**MAYOR:** It gives us some room for later on. Good idea.

**JEFF:** I am very happy with the work Ted and Yumi have done to this point.

**MAYOR:** They have a great work ethic.

**BRAD:** We need to look beyond the people and focus on the contract.

**JEFF:** Yes, we need a long term contract for them and future people as well.

**MAYOR:** I want a fairly tight contract so in the future we can negotiate based on the contract we are establishing now.

**JEFF:** I think within a one year period we can learn all of the info that we need regarding the contract as well. What we did that was good and what was not so good.

**BRAD:** There will be lots of options after having data for one year.

**JEFF:** I will work with Justin to draft an agreement and bring to the Council for approval.

\*\*\*A motion to approve the developing of a City maintenance contract for work in the City parks and maintenance service in City buildings was made by Terrie, seconded by Brad and the vote was unanimous.\*\*\*

Yes Vote: Jensen, Erickson, Wierenga, Young, Thatcher

No Vote: None

Absent: None

**MAYOR:** Marlowe, include to review the contract at the next Council meeting as an agenda item.

#### **DISCUSSION AND DECISION RELATIVE TO THE SEWER AT THE CITY NATURE PARK**

**BRAD:** We made an earlier decision in regards to connecting the sewer at the Nature Park at 300 South. After careful consideration and review, we think it is best and most cost effective to go to 400 South instead. It will have to be done with one or more pressure pumps. It would be a private lateral that would be located on City property all the way. It is a better cost alternative going uphill to 400 South than down to 300 South.

**PAUL:** It is the least costly and least invasive option. The costs were much higher going north or west.

\*\*\*A motion to amend the original motion and approval of the sewer connection at the City nature park to now go from approximately 350 South 300 East southward to approximately 400 South 300 East was made by Brad, seconded by Paul and the vote was unanimous.\*\*\*

Yes Vote: Jensen, Erickson, Wierenga, Young, Thatcher

No Vote: None

Absent: None

**ORDINANCE 2013-01**

*\*\*\*Mayor Hall read proposed Ordinance 2013-01.\*\*\**

**MAYOR:** There are two different ordinance proposals for you to review.

**TERRIE:** I have talked with my friends previously and that is the first revision that you see which incorporated their ideas and my ideas. After thinking about it for the last three weeks, at the Harvest Market and elsewhere, my opinion has changed. I don't want to create a new ordinance. I like the new proposal of changing the language in the existing ordinance. Right now as it stands people with hens and roosters running loose, if they trespass the property owner has to go after damages. I want it changed to see that owners be responsible to keep the chickens on their property. I don't want any wiggle room there. How can I put a price on damage for chickens digging up my flowers?

**BRAD:** I like the idea of going from damage to trespassing. I like it.

**TERRIE:** I want to hold people accountable. I want the owners to keep them confined to their property and make them responsible to do so.

**JEFF:** I like it.

**PAUL:** I do as well. It is respectful and at the same time offers containment.

**JEFF:** It is completely different and I like it.

**BRAD:** It can be changed through LUDMO.

**MAYOR:** I like the idea of undoing the Judge's hands in these cases.

**TERRIE:** That is a part I am having a hard time with. It is something that we need to enforce.

**MAYOR:** The Judge needs to uphold the law. I would like to get comments from the Judge as well. What we have in place is not enough to deter the behavior. A \$25 fine would be incurred and they can go right back out and do the same thing all over again and only have to pay \$25 again. I want to leave to the discretion of the Judge. What kind of confidence do we have in our Judge?

**TERRIE:** I have no issues with the current Judge but looking down the road.

**MAYOR:** That will be a decision for a future Council.

**JEFF:** I like how this has developed, it feels right now.

**TERRIE:** Do we have to have a public hearing to change an existing ordinance?

**MARLOWE:** No. A public hearing is only required when it is in regards to a financial matter or the changing of fees.

**PAUL:** So to modify this existing ordinance, it would not be needed?

**MARLOWE:** Only the language of the ordinance is being changed. It will handle the concerns of the Judge but not limit him either.

**BRAD:** We are proposing to change Chapter 13-200.

\*\*\*A motion to adopt Ordinance 2013-1, AN ORDINANCE ESTABLISHING A SERIES OF UPDATES TO CHAPTER 13-200, OF TITLE 13-000 "POLICE AND PUBLIC OFFENSES" OF THE CODE OF REVISED ORDINANCES OF RICHMOND (1975, ADOPTED 1976) was made by Terrie, seconded by Jeff and the vote was unanimous.\*\*\*

Yes Vote: Jensen, Erickson, Wierenga, Young, Thatcher

No Vote: None

Absent: None

### **FINANCIAL REPORT**

**JUSTIN:** On Page 1, you will see "Rent – Backhoe Water/Sewer" in the amount of \$12,873.34. This is the amount paid by the water and sewer funds for their portion of the new backhoe. You will see the "Bonds & Insurance" line item in each department is approximately \$4,000. The majority of the City insurance has been paid for the year and is divided equally over the 10 departments. On Page 2, the last line item is "Building – A/C-Furnace Unit". Marlowe received a bid from Four Seasons for a new unit that has been budgeted in this budget year. We budgeted \$6,200 for this purpose. I will let Marlowe explain the bid.

**MARLOWE:** It is the same brand as the one we purchased last year. It is a smaller unit than last years as we don't need the exact size of the new unit per their recommendation.

**TERRIE:** Are we only required to have one bid?

**MARLOWE:** We don't have to bid projects under \$125,000.

**DAREK:** Technically, the State of Utah has adjusted that amount to \$175,000.

**MARLOWE:** Originally the amount was \$117,000 and it increases slightly each year.

**TERRIE:** We have a \$2,500 limit where I work.

**DAREK:** The City could adopt something special like that but has chosen in the past to use the State of Utah guidelines. The road project on 600 South just barely fell under that amount.

\*\*\*A motion to approve the bid proposal from Four Seasons Heating and Air Conditioning in the amount of \$5,600 for a KGA036S4DSP 3 TON RTU, with new curb adapter, crane work and installation was made by Paul, seconded by Terrie and the vote was unanimous.\*\*\*

Yes Vote: Jensen, Erickson, Wierenga, Young, Thatcher

No Vote: None

Absent: None

**JUSTIN:** On Page 3, see “Streets – Backhoe” in the amount of \$19,310. This was the cost of the trade-in on the new backhoe. We were actually about \$1,700 under budget. Paul, see “Streets – Class C Road Funds” in the amount of \$11,058 that was the total spent on Class C Funds road work in July. On Page 5, you can see that the \$7,500 was transferred from the General Fund to the Cub River Sports Complex for the new budget year. It will show up on next months’ financials but Lewiston City paid their annual commitment of \$7,500 this month as well.

**MAYOR:** I have met with Mayor Field of Lewiston to discuss the last budget year and the budget years moving forward in regards to the Cub River Sports Complex and each city is going to adjust their budget in the future to \$10,000 from the \$7,500 in the past.

**JUSTIN:** There were two water and sewer impact fees collected in July. The interest earned on the remaining CIB bond funding for July was \$1,318.69. If you notice Line Items 5161 and 5261, those are the accounts where the water and sewer funds paid for their portion of the backhoe.

**BRAD:** Is the City paid for burials?

**JUSTIN:** The Cemetery District pays the City General Fund for each burial and more for Saturday burials when the City digs the hole for the vault. The remaining amount in the CIB bond fund account is \$2,995,741 as of the end of July. I would expect another draw from ABC within the next few weeks as they finish up.

### **COUNCIL MEMBER REPORTS**

**BRAD:** As an update on the water tank project. The tank is done and the chlorinator building is done. The tank is running with an average depth of 8 to 13 feet. The tie into the system for those on 400 East and 500 East will be soon. Letters have been sent to the affected homeowners and the project should be done next week. The fence posts for the chain link fence at the tank are up and the rest should be finished next week. The well permit process is currently at the State right now. Darek, do you have any idea when we will see equipment on-site for the well part of the project?

**DAREK:** The project will have to be bid out. I would want to drill the well this winter and hopefully have it completed by February.

**MAYOR:** Hopefully it will be on-line by spring time.

**BRAD:** Getting three-phase power to the tank area is being worked on right now.

**DAREK:** The Cherry Creek Ski Resort needs three-phase power and they have two options. They can run the power up from where we stop at the tank site or they can install generators. We have to run to the tank no matter what decision they make but they are willing to pay 1/3 of the cost to run the power to the tank if we will allow them to hook on and continue on up to the ski resort area. They would pay 100% of the cost past the water tank site area. We would put an agreement in place where they would reimburse the City 1/3 of the installation cost to the tank site.

**PAUL:** If we don’t allow them, would they just run a separate line?

**DAREK:** No, they would go through the pioneering process but right now they would agree to 1/3 of the cost.

**PAUL:** Is this better for them to do this because the pioneering agreement would make them pay more?

**DAREK:** They could pay up to 50% of the cost or less than 1/3 of the cost. They said they can pay up to 1/3 of the cost because after that point it is cheaper to install generators. It is a cost improvement to us to not have to pay 100% of the cost and they ran simple economics to decide which direction to go.

**PAUL:** Can all of the power needs of the City and the ski resort be met with one trunk line?

**DAREK:** Yes.

**BRAD:** We are not upsizing the line in their behalf.

**DAREK:** The minimum sized line would cover the power needs of the City and the ski resort. The ski resort would supply their load information and then the power company would determine the minimum line size at that point. The ski resort is more than willing to pay their portion.

**TERRIE:** I want to be very clear and make sure everyone understands that the City is not paying a penny for the ski resort. People will ask, why is the City willing to help out?

**DAREK:** I am 99% sure the standard line will cover all the power needs. They are more than willing to issue a check to the City for paper trail purposes.

**MAYOR:** That was a concern I had and why I want to make sure we have a paper trail to show people if needed.

**DAREK:** The City is going to pay "X" amount no matter what. They would be willing to pay us a portion of that amount.

**BRAD:** We need to complete the fencing and the well. The removal of the dirt is on top of the signed contract that we have with the contractor. We will have to pay to haul it away. Hopefully, the hauls will be short. We will need a final appraisal on the property as well. I hope the entire project is done and completed within 18 months.

**MAYOR:** It better be.

**DAREK:** I want the well drilled and completed by next June and the entire project done by the end of next summer.

**BRAD:** We have done really really well on this project and I have been very impressed by ABC Construction. On the sewer project, we are in the mobilization phase.

**DAREK:** We are having a meeting this Thursday and talking about hauling the equipment up later this week.

**BRAD:** We will only be able to do one upgrade project and that is the headwork's upgrade for a grit removal system. It is a very important project that will complete the funding for the original part of the MBR plant. The rest of the projects will have to be paid for with operation and maintenance costs.

**MAYOR:** We got a letter on August 14<sup>th</sup> from the State accepting the bid proposal and saying we can move ahead with the project. It is now moving forward.

**BRAD:** It will be nice to get it wrapped up. We have transmissions lines we need to plan for. This will have to be addressed with new developments. I know that Chief Bair and the Fire Department have responded to several calls but I am not sure the extent of what we have responded to.

**MAYOR:** I know that we have covered at other stations while those departments responded to fires. I know we covered in Smithfield and Lewiston.

**BRAD:** The interlocal agreement is the best I have ever seen. Hats off to them and all of the involved departments. I have no new nuisance complaints. Chief Bair has proposed we add a new fireman to our department. His name is John Hayes and he has worked for the Fire and EMS departments in Lewiston. He is a great guy and will be an asset to our department.

\*\*\*A motion approve John Hayes as a member of the Richmond City Fire & EMS Departments was made by Brad, seconded by Jeff and the vote was unanimous.\*\*\*

Yes Vote: Jensen, Erickson, Wierenga, Young, Thatcher

No Vote: None

Absent: None

**JEFF:** I am working with Brad Deffinger on the trees in the park. We are doing some additional work on top of what was planned.

**BRAD DEFFINGER:** Pruning is effective on the Ash trees and a follow up spray program would be good. We are still going to have bore problems.

**JEFF:** We are still planning on more work in 2014 and that will include some trimming in front of the Library as well.

**PAUL:** Are we going to trim or replace there?

**TERRIE:** I think the three trees are too close together.

**BRAD DEFFINGER:** If you are considering removing some of the dying Maples, I would start a transplant program with some long limb trees.

**JEFF:** I will get with you and come up with a proposal for trees in the future.

**PAUL:** Who removed the south tree by the Stop Sign to the east of this building?

**JUSTIN:** I have no idea, I will see what I can find out.

**JEFF:** The City party will be on Saturday, September 7<sup>th</sup> at the City park. The dinner will start at 6:00 P.M. and Rebound Unlimited will operate the air rides from 5:00 to 8:00 P.M. that evening. They would like to be paid the evening of the party. They offer a great service at the City party. In regards to planning for the meal, last year we had 700 rolls, we are going to add another 100 for this year. I am planning for the most ever to attend this year. We will have horseradish to go with the meat. We can cut the meat or Lower's can pre-cut. We will need to heat it up either way. The amount of tomatoes was done right in the past and Kip got them as well as the corn. I am going to talk to Boyd Lewis and see if he will do it this year where Kip has moved to Smithfield. I like the tradition of those employees and Council members from the past still helping out. Last year we had 700 cans of soda pop and ran out. This year I am going to order 700 and use what is in the City office closest as well. The Lion's Club will deal with the soda pop. Paul please work with Roger Priest in this regard. Roger will order the pop and deliver it as well. The quantity of the corn was good and it works great to break some cobs in half for the little kids. Another issue that we always have is the baked beans. We always run out. Brad would you mind working with Branden on this and let me know what you need?

**BRAD:** Jeff, please contact Branden directly.

**JEFF:** The flyers about the party will be sent out the week of the party.

**TERRIE:** Why not include them in the newsletter mailing?

**JEFF:** We can, it is just something we have done different in the past.

**TERRIE:** Let's just do a separate sheet and include it with the utility bill mailing.

**JEFF:** Okay. Last year we ran out of plates and napkins and we had 825. This year I have ordered 1,000. I am going to do Junior Fatboys as well this year. Last year I had 500 and ran out. This year I have ordered 300 more. Cost wise it is better to go with the junior's as well. There will not be any coleslaw. I will send out a few emails as we get closer to that weekend to clarify the time to arrive. If the meat needs to be cut then we will arrive at 3:00 and those that can shuck corn need to arrive at 2:00. I have a wedding to attend to that day so I will be in and out. I think it is a great event to socialize with the citizens.

**PAUL:** Will the Youth Council have a role? Can they help clean-up?

**JEFF:** That is a great idea.

**TUCKER:** Planning & Zoning met earlier this month and you have the draft minutes from that meeting. Jon White proposed a subdivision with 64 homes.

**PAUL:** That number cannot work for low density.

**MARLOWE:** Low density is 14,500 square feet per lot.

**JEFF:** All of the open space has been removed as well.

**TUCKER:** He came before the Commission to get thoughts before he proceeds with the costs of engineering. Overall the consensus of the Commission was positive. It appears he will move forward with those details. He did not want to invest in the project until he thought it was a favorable climate in the Planning & Zoning Commission.

**BRAD DEFFINGER:** That is one of the reasons I came tonight, is there any stipulation for parks? There is only one park in town.

**JEFF:** That is a valid question.

**BRAD DEFFINGER:** There are parks every mile or so in Pocatello.

**DAREK:** The General Plan does cover that concern.

**MAYOR:** The problem is if the park is not part of an H.O.A. then the City pays the bill to maintain.

**BRAD:** We could consider a park impact fee.

**JUSTIN:** Smithfield charges a park impact fee of \$1,000 per unit.

**BRAD:** After reviewing the Planning & Zoning Meeting minutes, was the discussion on land-use or just personal feelings?

**TUCKER:** Some of both. His proposal is possible and there were some concerned citizens in attendance.

**BRAD:** In the future we will deal with the utility concerns.

**TUCKER:** I bet we see something from him in the next few months.

**MAYOR:** I am glad to hear there were some citizens in attendance.

**JEFF:** I am curious, why did he take out the open space?

**TERRIE:** Because more people will want to build there if the ski resort is successful.

**TUCKER:** He wants to avoid an H.O.A. if possible.

**PAUL:** He is making business decisions as well.

**BRAD DEFFINGER:** H.O.A.'s make people watch their neighbors closer and that is not what Richmond is all about. They don't live their own lives in H.O.A.'s as they are too worried about their neighbors.

## **MAYOR'S REPORT**

**MAYOR:** I have asked Justin to take a few minutes to discuss a recent meeting he attended where the UCAN system was discussed.

**JUSTIN:** I attended a meeting and Randy Auman discussed the UCAN system. I will pass along some information that some of you might already know but I was unaware of. The fee was not presented in the correct way. The fee is a 911 or Central Dispatch fee but was mentioned as being part of the garbage collection fee. There needed to be more clarification on that fee. The 911 fee is invoiced on the same invoice we receive for our garbage collection fees but is a totally separate line item. The fee is not really negotiable, basically the option is to pay a \$1.00 per house hold per month increase or get one lump sum invoice in July of each year for the estimate of your fee. The estimate will be higher than the \$1.00 per month. The fee goes into effect on July 1, 2014. The fee increase is the same for a regular household as a business such as Wal-Mart. Everyone pays a \$1.00 per month increase no matter the size of the house or business. Eight communities have so far endorsed the increase and two have voted against it. Lewiston and Providence have voted against it and I am not sure why. They will end up paying for it down the road. It is a service that must be offered and must be paid for.

**MAYOR:** Each of you have been presented with the bid for some work on the Carnegie Library. It is for informational purposes at this time and will be discussed at a later point.

**TERRIE:** This is just another part of the process. It is a specifically targeted grant. How do we proceed? Do we need to put out to bid?

**JUSTIN:** The dollar amount for each item as well as the entire project fall under the threshold and we can proceed at this point should you choose to do so.

**TERRIE:** I would like to get the drainage issue and windows repaired immediately. The coil that is mentioned is in regards to the window flashing. It helps to keep the wood around the windows from rotting.

**JEFF:** I have discussed with the staff to make sure the sprinklers are adjusted on a monthly basis so they are not hitting the buildings and doing damage.

**BRAD:** Thank you for the information that was provided on the Ephraim library. It is amazing.

**MAYOR:** We have found out some information on the old Randy's Texaco building. I am going to have Paul follow through with the current owner to see if he has an interest in selling the building. The State of Utah sent out a letter in regards to making sure that carnivals are paying sales tax when they come to a City and leave within a few days. We have provided the required information and this letter was a letter sent to all municipalities in the state. The Ephraim library is amazing but would require significant funding for us to achieve what they have accomplished. I am guessing there is over one million dollars in improvements. Our next Council meeting will be on September 17<sup>th</sup>. The Utah League of Cities and Towns meetings will be from September 11<sup>th</sup> through the 13<sup>th</sup>.

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

A&D Landscaping

1527.99

A.A. Hudson	632.50
Aflac	178.38
Agri-service	80.71
Allen Rock	88.90
Bear River Health	40.00
Beazer	72.00
Beeline Carpet	300.00
Bennett's Paint	132.52
C.V. Insurance	700.00
Cache County Road Weed	315.54
Century	634.53
Children's plus	266.61
Coats	108.35
Coca-Cola	74.65
Comcast	214.34
Denny's	85.98
Fastenal	118.76
Gateway mapping	98.21
Hall's Store	1829.17
IDA	9.99
Intermountain Workmed	65.00
IPACO	42.96
Itty Bitty	1382.06
Lee's	45.91
Lewiston City	44.16
Lewiston Visa	165.90
Library Visa	419.02
Maverik	754.79
Maverik (Cemetery)	311.81
N.W. King	1800.00
Nextel	284.53
Oldcastle	112.97
Olson & Hoggan	2586.00
Questar	79.02
Randys	5.00
Remote Control Systems	12000.00
Rocky Mountain Power	8279.32
Rocky Mtn Landscape	250.00
Safety Supply	173.65
Smithfield Imp	248.78
Spencer Welding	125.00
Sprinkler Supply	14.54
Theurers	171.58

USA Bluebook	138.26
VISA	726.21
Wex Bank	53.95
Xerox	193.64
Zions Visa	500.00

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

Adjournment at 9:50 P.M.

**Richmond City Corporation**

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Michael E. Hall, Mayor

**Attest:**

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Justin B. Lewis, Recorder