

**RICHMOND CITY COUNCIL**

**MAY 20, 2014**

The regular meeting of the Richmond City Council was held at the Richmond City Office Building located at 6 West Main, Richmond, Utah on Tuesday, May 20, 2014. 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, Jeff Young, Cheryl Peck and Tucker Thatcher.

City Manager Marlowe Adkins, City Recorder Justin Lewis and City Treasurer Chris Purser were also in attendance.

\*\*\*A motion to approve the April 15, 2014 City Council meeting minutes was made by Paul, seconded by Jeff and the vote was unanimous.\*\*\*

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

No Vote: None

**DEPUTY'S REPORT**

**MAYOR:** Deputy Hatch has asked to be excused from tonight's meeting. The City will be getting a new Deputy but I have not been told who it will be.

**PRESENTATION BY CACHE VALLEY TRANSIT DISTRICT RELATIVE TO A PROPOSED 2014 BALLOT PROPOSAL TO INCREASE SALES TAX BY .25 PERCENT (0.25%) TO SUPPORT MASS TRANSIT IN CACHE VALLEY.**

**DIANE BUSH:** I have been the City representative on the Board for two years. I know that finances have been talked about every month that I have been on the board. The board is very cautious in the decisions that are made. The Board has studied the feasibility of asking for a 0.25% (one quarter of one percent) increase in sales tax. The issue has been studied and a survey done with likely registered voters. The Board would like to go ahead and put the issue on the November 2014 ballot.

**NATHAN COATS:** Diane does a great job and is a great Board member. You have a dang good Mayor as well and I really like working with him. Leah Adkins has been employed with the District for years as a driver and was recently made a dispatcher. She is a valuable part of the district. Many studies have been done to see what is the most feasible way to make the District financially viable so it can operate on its own. All the research points to a dedicated sales tax for the District. It is the most viable long term strategy. The work to determine what was viable started about a year ago and the polling started then as well. The polling was done with voters that voted in the last three municipal elections. The polls show there is support for the Transit District throughout the valley. Most people are favorable to the system and the proposed sales tax increase. Federal funding is very tedious and unstable right now. Federal funding is about 25-30% of our operating funds. In order to have more local control we need local funding. It is

always better to be controlled locally than by the state or federal government. The district needs to get off of relying on the federal dollar. In 2008 when the economy took a downturn the ridership in the District increased. The Board wants to be in a position to help again if that happens again. The District needs to be able to maintain service even if Federal funding stops. The District will always take Federal money but the strategy is to have an operating budget that does not exceed local revenue. The sales tax increase would amount to 25 cents per 100 retail dollars spent. The District helps with traffic congestion and air quality issues. The buses are considered clean diesel and are comparable to one regular car on the road in regards to emissions. The system moves about 39 to 40 passengers on average per hour system wide. Our system has a higher average than the national average. Light rail in Salt Lake only moves about 36 people per hour so we are moving more people than the light rail system in Salt Lake. I think that is very impressive and shows the support for the system. There are five stops with shelters in Richmond. We have an agreement with the LDS church that allows riders to park in the church parking lots for free during the day. Since 2011, ridership in the City has increased 15%.

**MAYOR:** We are not opposed to letting citizens vote on the issue.

**NATHAN:** Bruce Jorgensen and Kelly Smith from the law firm Olsen & Hoggan have reviewed and approved of the language in the proposed resolution. I can email you the resolution to review. I am just here to ask you to put the resolution on the ballot this Fall. A decision will be needed before the end of August or the start of September for it to be on the ballot this Fall. I am just asking the Council to authorize the resolution to go on the ballot to be voted on.

**MAYOR:** It is not a problem to put to the voters and let them decide. Please send us the resolution to review and we will put the item on a future agenda to approve for the ballot.

**MARLOWE:** I will include it in the June Council meeting for approval.

**NATHAN:** If you have any questions or concerns please ask and we will respond. Members of the Board or management are glad to come before the Council if or when needed. We need to make sure you are comfortable with what we are doing.

**BRAD:** The short range plan that is on the website, is it still viable? Why do a sales tax increase rather than charge a fare?

**NATHAN:** The short range plan is usually done every three to five years and this is the second one that has been done. The information is still current. The District has been included in some national studies as well. The studies show that the best way for small urban rural communities to fund the system is through sales tax. Sales tax is the best way to fund the system until it becomes a massive system. The system is much faster when a fare is not charged. Right now everyone contributes to paying for the system. Larry Miller once stated that a successful public travel agency is important to the overall transportation system and he owns many car dealerships and still supported the system.

**MAYOR:** How often do the buses go through Richmond?

**NATHAN:** Every 45 minutes during peak hours and every 90 minutes during non-peak hours. If the sales tax increase is approved there might be some moderate changes or expansion to the hours. The sales tax increase is mainly for sustainability. It is possible the times could be changed to 30 minutes and 60 minutes if the sales tax increase is approved.

**CHERYL:** What assurance is there that you won't eventually add a fare, along with the sales tax increase?

**NATHAN:** Research has been done and it shows if a fare is charged that the first impact will be that routes will take on average 15 to 20 minutes longer.

**CHERYL:** I understand that but you could still add a fare to the system? Right now the system is fare free. The tax is still going to be there many years down the road.

**NATHAN:** It would be better to ask for an additional sales tax increase than charge a fare. The only way a fare would be added is if it would help to provide a better service to the public. The research we are doing is showing where the system will be over the next 20 years. The cost to collect the fare when administrative and maintenance costs are figured in will cause the District to lose money. The District will also lose about 40% of the ridership if a fare is charged. I cannot speak for the future but the current Board structure wants a fare free system. It does not make financial sense to charge a fare. It would be better to add an additional quarter cent sales tax than to add a fare. Pollers show they value the fare free aspect of the system.

## **BUSINESS LICENSE**

### **PINK PRIMROSE, LLC**

**TINA BAGGALEY:** My daughter and I love baking. We have sold some products at some craft fairs. We want to start selling a few items in Richmond. I have talked to Marie Lundgreen about using the Relief Society building and having cupcake Saturday to sell the items. We would do different products each time like cookie bars or maybe English scones. It is just a small business and we would like to do something about once a month. I have brought some samples of our cooking for you to sample. I have a food handler's permit. I also have authorization from the Bear River Health Department. We have to display a sign where we sell the products that states the items were cooked in a non-professional kitchen.

**JEFF:** Are there any special guidelines for the selling of the products? I was thinking special permits were required at the Harvest Market for the vendors that had a booth there.

**TERRIE WIERENGA:** A cottage kitchen permit will be required and costs \$30 per year. It is a simple process and she is already half way there with what she has done. I have had one for about six years. She will be working with UDAF which stands for Utah Department of Agriculture and Food.

**PAUL:** Any delivery trucks coming and going?

**TINA:** No. We might put a little flag or banner outside of the building to advertise and put something in the City newsletter each month.

**CHERYL:** Will there be a problem putting it in the newsletter on a monthly basis?

**MAYOR:** We have not done it before for other businesses.

**CHRIS:** We have done a business spotlight but not advertised monthly in the newsletter for any business.

**PAUL:** I like the idea of what she is doing and putting it in the newsletter once.

**JEFF:** Do we need a copy of her licenses on hand?

**CHERYL:** Will she have to have a temporary permit for each event she sells at?

**TERRIE:** There are different ways to handle it. They can get a temporary business license for a season or operate as a year round business.

**TINA:** We are a licensed LLC and will operate year round.

**TERRIE:** Your recipes will have to be approved as part of the approval for a cottage kitchen license.

**MARLOWE:** We don't need any documentation at the City office but they will need to display the appropriate licenses where they sell their product.

**TERRIE:** A sales tax certificate, cottage kitchen license and business license will be required.

**MAYOR:** Will you be selling from inside the Relief Society building or setup outside?

**TINA:** It will all be inside.

\*\*\*A motion to approve the business license request for Pink Primrose LLC (Tina Baggaley) conditional upon all necessary licenses being obtained and copies supplied to the City was made by Jeff, seconded by Paul and the vote was unanimous.\*\*\*

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

No Vote: None

**REQUEST TO SUBDIVIDE ONE LOT AT APPROXIMATELY 88 SOUTH 300 WEST (CURRENTLY PARCEL# 09-050-0034).**

**MAYOR:** John and Jan Gilbert would like to do a lot split on a parcel they own at 88 South 300 West. They have gone before the Planning Commission and were approved and sent to the Council for discussion and possible approval.

**TUCKER:** We did not have a full quorum of members for the meeting this month to officially approve the April Planning Commission meeting minutes but the vote to approve the Gilberts request was unanimous. It is a simple lot split and meets all the requirements that the City has.

**JOHN GILBERT:** We own a parcel and would like to split off one building lot on the north side of the property and build on it.

**JUSTIN:** Do you know when the lot was combined with the rest of the property, I am just curious? When I lived in that area when I was younger there was a home on the property you are talking about.

**JOHN:** I am not sure. I own all of the property around the house which totals four acres. The new proposed lot would be one acre.

**PAUL:** This is not part of the property that you currently reside on?

**JOHN:** This property is to the south of my current residence. There is a house on the property that I rent. The new lot would be 120 feet wide and 245 feet deep. The lot boundary would be ten feet from the side of the existing home.

**BRAD:** Does this meet our current zoning requirements?

**TUCKER:** Yes. As long as it is ten feet from the property line.

**MARLOWE:** The area is zoned RMD (Residential Medium Density) and requires 90 feet of frontage plus the ten feet from the property line.

**BRAD:** The lot with the existing home will not be non-conforming if the approval is granted, correct?

**MARLOWE:** Correct.

**JUSTIN:** Will the new house require a sidewalk?

**BRAD:** Yes.

**PAUL:** Agreed. The new house will require a sidewalk.

**BRAD:** Our construction standards require an impact fee to be paid and a sidewalk to be installed.

**JOHN:** We were told about those items. How far does the sidewalk have to go?

**BRAD:** The entire width of the frontage of the new lot.

**MAYOR:** Eventually the areas with no sidewalk will be filled in. The construction standards that were put in place around seven years ago require sidewalk in front of all new structures. The City will fill in the blank areas at a later time.

**JOHN:** Can I do the sidewalk work myself?

**MAYOR:** Yes.

**JOHN:** Are there specific dimensions?

**MARLOWE:** Yes, everything must be done to the current City construction standards.

**BRAD:** The sidewalk can be installed in the City right of way and we can move the location to miss power poles, meters and other obstacles.

**MAYOR:** If you have any questions please contact Marlowe or a member of the Council.

**BRAD:** Are there any fire hydrants in that area?

**JOHN:** No.

**BRAD:** When you get ready to build we can send our maintenance crew down to locate where the utilities are located. The sewer line is on the south side of property. Water will have to be bored under the road. All of this will be explained when you get your building permit.

**PAUL:** Is a survey required? Are you going to do one?

**JOHN:** We have talked about it but are not sure. It was based on the conditions the City sets.

**MAYOR:** I am fairly confident that you don't need a survey on your own property. The City does not require a survey and the County should not require one either where it is your own property.

\*\*\*A motion to approve the subdividing request of Parcel# 09-050-0034 by John and Jan Gilbert into two lots with the new lot being one acre in size was made by Tucker, seconded by Brad and the vote was unanimous.\*\*\*

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

No Vote: None

## **PUBLIC HEARING RELATIVE TO ADJUSTING THE FISCAL YEAR 2013 BUDGET**

**MAYOR:** This public hearing is to discuss the proposed changes to the budget for the Fiscal Year 2013.

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

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

No Vote: None

The public hearing started at 7:37 P.M.

**JUSTIN:** I am proposing a general fund revenue increase of \$26,038. This is mainly from an increase in sales tax and franchise tax revenues. I am also showing a decrease in court fines and a transfer to the capital projects fund. When we started the year we budgeted for a transfer of \$39,545 from the capital projects fund. As revenues have increased we have been able to cut that down to only transferring \$13,682 and I am hoping as money comes in and projections are made the next month and a half that we can get that transfer to zero or even transfer some to the capital projects fund. Court fines collected in the City, County and across the State are down. It is not just Richmond, it is a State wide trend. Administrative Expense increases are proposed at \$13,204 with the majority being an increase in engineering fees and bad check expense. Building department increases total \$131. Public Safety shows a decrease of \$643 as fines paid to the City decrease the amount the City has to remit to the state for the fees decreases as well. Streets show an increase of \$3,315 which is mainly from an increase in wages and benefits. It is hard to estimate the hours that Charles will work and I am proposing an increase to street, water and sewer wages as Charles wage is split equally among the three departments. Parks shows an increase of \$3,549 which is mainly an increase due to additional items being purchased for the nature park. Fire Department increases total \$94 for bonds and insurance payments. The EMT department shows a decrease of \$186 to take the wages and benefits to actual. The library shows an increase of \$6,574 which will account for health insurance that is now being paid on an employee and for the grant expenditures associated with the state grant that was received. I am showing a decrease in water revenues of \$17,000 and also a decrease in water expenses of \$13,220. Supplies and gas purchases have been down this year. I appreciate Scott and the crews work in only buying what is needed and not what is wanted. Sewer fund revenues show an increase of \$8,877 which is mainly from the CIB paying a portion of the sewer master plan. Sewer expenses show an increase of \$22,632 mainly for gas and oil increases as well as supplies that have been purchased for the MBR plant. We have had to replace some items in the MBR plant and are accounting for it in the budget. Cub River shows a revenue increase of \$672 and an expense increase of \$672. The revenue increase is from usage fees being collected.

*\*\*\*There were not any comments from the public.\*\*\**

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

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

No Vote: None

**BRAD:** Do the adjustments affect the budget amount for sewer line cleaning?

**JUSTIN:** No, I have left the \$17,000 allocation for sewer line cleaning alone so it can be done next month.

**MAYOR:** Are we still using Twin "D"?

**DAREK:** Yes, and they are just doing cleaning right now and not any videoing. A lot more area can be done when they don't have to camera the lines.

**BRAD:** Are water meter purchases affected by the adjustments?

**JUSTIN:** No, there is still approximately \$3,900 left in this budget year and we have budgeted \$20,000 for the new budget year as well.

**JEFF:** About how many of the new meters have been installed?

**BRAD:** Around 50% of the City has been completed. All of the west side has been done as well as the Sadler subdivision, Cherry Creek Heights PUD and Hill Haven.

**JUSTIN:** I find it interesting that a community of 2,500 has a SCADA system and wireless water meters where Smithfield, a community of 10,000 does not have either. They are still installing the meters like we have in the ground that have to be read by an employee each month. I appreciate the foresight of the Council and Mayor to have these systems in place to save on having to hire employees and other additional expenses. Different components and systems work for different communities and these systems work great for Richmond.

\*\*\*A motion to approve adjustments to the budget for the period of July 1, 2013 through June 30, 2014 was made by Brad, seconded by Tucker and the vote was unanimous.\*\*\*

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

No Vote: None

**GENERAL FUND**

Revenue \$26,038

**EXPENSES**

Administration	\$13,204
Building	\$131
Public Safety	(\$643)
Streets	\$3,315
Parks	\$3,549
Fire	\$94
EMT	(\$186)
Library	\$6,574
<b>TOTAL</b>	<b>\$26,038</b>

**WATER ENTERPRISE FUND**

Revenue	(\$17,000)
Expense	(\$13,220)

**SEWER ENTERPRISE FUND**

Revenue	\$8,877
Expense	\$22,632

**CUB RIVER SPECIAL REVENUE FUND**

Revenue	\$672
Expense	\$672

**PUBLIC HEARING RELATIVE TO UPDATING THE WATER AND SEWER IMPACT AND HOOK-UP FEES FOR THE YEARS 2014 THROUGH 2019.**

**MAYOR:** The City is required to do an impact fee analysis every five to seven years. J-U-B Engineers has helped us over the last year or so to review this information. We are looking at implementing a new schedule. The topic has been discussed at several Council meetings this year. The proposal has been reviewed and adjusted several times.

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

Yes Vote: Jensen, Erickson, Young, Peck, Thatcher  
No Vote: None

The public hearing started at 7:49 P.M.

**MAYOR:** There will not be a vote tonight. This is just the public hearing on the proposed impact fees. It has been advertised as such, when and where appropriate.

**TERRIE WIERENGA:** There have been a bunch of hits on the website reviewing the proposal. Almost as many hits as people looking at the Black & White Days content. There are a lot of people reviewing it.

**DUANE WILLIAMS:** What are the fees? I was talking to a friend and he said that Richmond's fees are around \$15,000 and Smithfield's are only \$5,000 to \$6,000.

**JUSTIN:** The impact fee for water is \$4,401, sewer is \$5,500 and the fee for the water meter is \$550.

**DAREK:** As proposed the sewer system would now be split into a north and south zone. Main Street would be the approximate divider of the zones. The proposed fee on the north system would be \$5,609 and on the south system \$2,358. There are projects that are in each zone that will help to increase the capacity. There is only one fee for the entire City in regards to water and it is proposed at \$3,791. Fees vary from city to city. No two cities are the same. The fees are based on a standard meter size of 3/4".

**BRAD:** The fees mentioned are impact fees and hook-up fees are separate and have their own fee schedule.

**DAREK:** If the City crew does the water and sewer hook-up there is a fee and if the contractor does the hook-up the only fee is for the water meter and installation.

**JUSTIN:** The fee for the meter and installation is \$550.

**JOHN GILBERT:** So the numbers just mentioned are the new numbers?

**BRAD:** They are just proposed at this point and not officially approved.

**DAREK:** Currently, the existing numbers of \$4,401 for water and \$5,500 for sewer are in place.

**PAUL:** The north system will almost have the same fees as they currently already are. I show a total of \$9,890 for the north zone.

**JOHN:** So the south sewer zone is south of Main Street?

**DAREK:** The north and south sewer zones are each fed by a different trunk line. They all feed to the west. Mr. Gilbert is most likely on the south zone. The actual line is based off of the sewer maps and lines but Main Street is a good reference point when discussing the two zones.

**JEFF:** Our fees are ahead of most of the rest of the valley but they will all be heading our way. We already installed an MBR plant for sewer disposal and Smithfield and many other communities fees will be changing.

**JUSTIN:** Seven communities will be affected by the new sewer system that is required in the Logan area. They will all see increased sewer monthly fees.

**JEFF:** Our permit came due before a lot of other communities and theirs are now coming due and they will be catching up to the rates we are paying.

**BRAD:** An analysis has to be done to set the fees. That is where the north and south sewer zones have come from. They were determined to be appropriate as part of the analysis. There is a possible deficiency in the future on the north system.

**DAREK:** Impact fees are collected to help with capacity issues in the system. New growth buys capacity in the system.

**MAYOR:** There is a higher cost to rural living. We have a new MBR plant and water tank and the cost of those projects is being paid by 700 hookups in Richmond versus 3,700 hookups in Smithfield. The more the hookups the less the fee per hookup.

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

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

No Vote: None

**MAYOR:** This will be a topic of discussion and possibly voted on in the June meeting.

**BRAD:** We need to discuss the proposed project in the north system and the cost of that project. The project in the north zone has to be completed within six years.

**MAYOR:** The impact fee discussion and possible approval will be next month and we will discuss the north zone sewer project and costs at that meeting as well on a different line item.

**REQUEST FOR A PROPOSED THREE LOT MINOR SUBDIVISION TO BE CREATED ON THE SOUTH SIDE OF 300 NORTH BETWEEN 200 EAST AND 300 EAST (PARCEL# 09-049-0073).**

**MAYOR:** Duane Williams is proposing a three lot minor subdivision on 300 North in the middle of the block between 200 East and 300 East.

**TUCKER:** Duane came before the Planning Commission and a few concerns were discussed. A few items were addressed and passed to the Council for approval. There were not any major concerns with the project.

**PAUL:** As you market the lots, are you providing the improvements or will the future buyer be responsible for all of the costs? Will any utility lines be stubbed into the three lots? Any improvements done by yourself before the lots are sold?

**DUANE WILLIAMS:** I am just going to sell them unimproved. I might help out a buyer on the improvements, if needed. Sometimes it is hard to get financing on an unimproved lot.

**PAUL:** So you will make it clear the purchaser is responsible for all of those costs?

**DUANE:** Yes. The power is just across the road and the water line is on the north side of the road.

**PAUL:** The request meets all of the minor subdivision requirements. There is not a future road in the area on the master plan, no additional City services are required and it conforms in the amount of lots requested.

**DUANE:** I have talked to some of the neighbors and they like the idea of the property being big lots. Two of the lots will be one acre each and the third lot will be 0.8 acres. The lots will come with animal rights according to Marlowe. There are three irrigation water shares and one of them will go with each building lot.

**BRAD:** It is too bad we cannot put the water shares on the property. Normally, the City takes over the water shares so they cannot be sold off. There is not a guarantee the shares will stay with the property. If a person sells the property they can take the water share with them. In other subdivisions we have required the water shares be turned over to the City.

**PAUL:** The City did not take the shares on minor subdivision approval that I can remember.

**BRAD:** The irrigation bylaws are not the cities and I wish we could deed the shares to the property and not the landowner.

**TUCKER:** Is the goal to sell the shares with the property?

**DUANE:** Yes. Hopefully the lot owners are smart enough to keep the shares but there is no guarantee.

**CHERYL:** I would not want the lots without the irrigation water shares.

**JUSTIN:** Are you selling all of the lots or building on one of them?

**DUANE:** Originally, I was going to build on one of them and my brother on another one but he did not end up moving and I am not sure now if I will build there.

**BRAD:** It is an interesting grade in that area. How are you going to deal with the approach to the lots? Are you going to build on the hill and fill in the swell?

**DUANE:** I would think lots 1 and 2 would be built on the hill as they have a great view of the area. The other lot is pretty flat.

**BRAD:** If approved, the water shares need to go to the original lot purchasers.

**MARLOWE:** We did not require the Roscoe Flats minor subdivision to turn over their shares and set a precedent.

**JEFF:** That was a mistake and we can change for the future.

**PAUL:** Water shares changed hands in that minor subdivision and all of the shares are still with the property.

\*\*\*A motion to approve the three lot minor subdivision request by Duane Williams for Parcel# 09-049-0073 which is located on 300 North between 200 East and 300 East with the condition that one irrigation water share be sold to each landowner purchasing one of the lots was made by Brad, seconded by Tucker and the vote was unanimous.\*\*\*

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

No Vote: None

**COORDINATION DISCUSSION WITH THE FIRE DEPARTMENT AND OTHERS  
RELATIVE TO HAZARDOUS MATERIALS STORAGE.**

**MAYOR:** I have asked Calvin Swendsen and Fire Chief Wood to attend this evening and have a discussion on chemical usage and storage. This is not a public hearing and input will not be taken from the public. The Council would like to know some general rules for insecticide, herbicide, quantities allowed, storage, etc. The Council and Fire Department need guidance of how to respond to a place that has chemicals stored onsite. Are special licenses required? How are the licenses monitored?

**CALVIN SWENDSEN:** I will start off with some background information. I have been in the business for around 30 years. When I started the insecticide is much different then than it is today. We used to use one to five gallon quantities of product and now we are only using thimble sized quantities. My insurance company dictates what I can and cannot do. If you do things like fumigation, insurance rates are very high. The chance for an accident is significantly higher doing fumigation than other services. Around 1994, all chemicals and compounds were registered over about a three year period. At that point, testing was changed from parts per million to parts per billion. Some chemicals had to go. Persistent chemical agents had to go away. The ones staying in the soil had to go. Some chemicals were determined not to be good to the environment. I looked at all of the chemicals that I have and they all have some type of label like "Caution", "Warning" or "Danger". Oven spray is more dangerous than some of the chemicals that I use. I went through all of my products and all of them except one has "Caution" listed on it. I have gone from using a storage unit to store the products to only bringing the products in when needed. It costs more but it works better. I have agreements with IFA and Steve Regan Company that I will purchase a pallet of product and they will store it for me and I just pick up the product when needed. Dennis Wood came over and went through my place and gave me a couple of ideas. I had some labels and MSDS information but Dennis suggested that I store the information outside of where the chemicals are going to be so if someone had to respond they would know what is in the building. I am going to do it. I have some property on 400 West and there is a fertilizer tote there. Dennis suggested that I put the MSDS information there as well. I am required to have MSDS sheets in every truck that I operate. My trucks get stopped and checked for MSDS sheets, labels and other items of compliance. Most of this has come about since the two children passed away in the Layton area. It was a very unfortunate situation. When I talked to a gentleman that works with the State of Utah he told me that the technician was untrained and the product that was used was very dangerous. I used to fumigate granaries years ago but due to rising insurance costs I quit that service. I no longer do it and now farmers are paying six to nine times what they used to pay because fewer companies are offering the service. All of the chemicals I use have a "Caution" label except for one and it has "Warning" label. That product is a weed control product.

**JEFF:** Which one has the "Warning" label?

**CALVIN:** A product similar to 2-4-D. It is a three-way product and is the only product I have with a "Warning" label. I was surprised when I reviewed them all that they all had "Caution" labels except for one. As far as fertilizer, everyone has it and it can be purchased from

anywhere. I am regulated by the State of Utah in what I do and every pesticide treatment has specific paperwork that must be done and it is time consuming but has to be filled out for each job. The documentation keeps a record of service for the future. We believe we are as safe as we can be. The chemicals I use are the same chemicals found in most peoples garages. We have a book in each truck. There are people watching what we are doing and photographing me and my workers. I am tested on a regular basis. I have had two violations in 30 years and those were for not having the proper numbers on the trucks. The violation was around five to six years ago. I was told by someone that I have more approved categories on my license than anyone else in the State. I have narrowed things down over the years mostly because of insurance costs. In some cases, the insurance costs more than what I was selling of that product in a year.

**MAYOR:** Chief Wood, thank you for going onsite and discussing this with Calvin.

**DENNIS WOOD:** I went to his home and his place on 400 West. At the 400 West location there is a 250 gallon tank which is a sealed container. His home is basically the same products you can purchase at IFA, Lowe's or Home Depot. He gave me the MSDS sheets for all of his products. After reviewing the products what he is storing is less hazardous than what can be purchased at IFA. We discussed the MSDS books and having them available if we had to respond. At the 400 West site, I suggested having MSDS information available on what is in the tank and also having the tank labeled so when we show up we know what is in the tank. I did not see anything unsafe or out of the ordinary at either location.

**JEFF:** The changes that have happened over time of what the State allows and does not allow. Were the changes recent? Did they happen drastically over the last two to three years or were they slowly done over the last five years?

**CALVIN:** About five years ago insurance rates changed dramatically. On occasion I go to Washington and do some work. My insurance dictates what I can do and the insurance became so costly for fumigation services that I stopped that service five years ago. I don't want to offer that service in the future either. The last year and a half I have had to change things in regards to storage. I used to have a lot of storage, now I only go and get eight to ten bags at a time. It has really impacted what I have done but that is life and we are dealing with it.

**JEFF:** Do you know the reasoning why the changes were made? I know you used to store your products in a shed by my residence. Was it just fertilizer?

**CALVIN:** I had a lot of stuff in there but about 85% of it was fertilizer. There were cases of insecticide as well as a few other things. I am older and just don't want to offer as many services as I had in the past.

**JEFF:** Have all of your chemicals been moved to 400 West?

**CALVIN:** I know where you are going with this as I was encouraged to read the minutes from the last Council meeting. I was told that some people think I am dumping chemicals. I have no reason to dump chemicals, it is too costly. I have enough trucks using the same product that I have no reason to dump the product. Even if I have product that needs to be dumped I have a list of people that have told me to come and spray their property with the leftover chemical on the trucks. So many people want the product there is no reason to dump. I have a standing list of four people that want the chemicals applied when I have leftover product. When we have a chemical we no longer need or want it is disposed of according to the product label. I have to store antifreeze in the trucks during the winter and in the spring when I clean it out I have to take it to a storage facility in Logan to be disposed of. Paint and other things can be taken there as well. In Box Elder County, for a couple of years, they had a place that commercial and private

applicators could take their products and leave them to be handled properly. I used the facility a couple of times as I had a product get wet and could not be used. There is no reason for me to dump. I am sorry that there is this idea out there that we are doing it. I cannot imagine anyone doing it.

**BRAD:** In your professional opinion, is there any benefit to have a City ordinance or resolution in place regarding chemical storage?

**CALVIN:** Where the State controls the storage aspect already, I don't think there is a reason to have an ordinance. There is a gentleman that works for the State of Utah that just shows up and does random inspections. The State regulates it. I cannot imagine that you need to do anything. The Fire Marshal should know what is out there.

**JEFF:** I like the idea of the Fire Marshal looking at certain places and doing inspections. Some businesses are a higher risk for fire than others. With the business licenses the City could determine which businesses to inspect and then the City would know what product is stored and where.

**CALVIN:** You need to know what is out there. There is stuff in people's basements from years ago that is more of a concern than the products I have. My biggest concern is gas and oil and that type of stuff. I cannot imagine anyone responding to a building or facility and not thinking there is not gas in there. A full gas can will not explode but an empty one will. I think you should know things like that. I think it is a good idea to have some of the business licenses inspected. I think there are a few that need to be visited and I would welcome it. I would not call, I would just show up unannounced that way everyone is on the same playing field.

**MAYOR:** The Fire Chief already has the authority to do so.

**CALVIN:** Make sure that people know you have the authority when you show up. Preston is dealing with a gasoline problem, potentially.

**KAREN FRANSEN:** Can I make a comment?

**MAYOR:** No, this is not a public hearing.

**BRAD:** This is some good information that you have presented. Chief Wood what are your thoughts?

**DENNIS:** Labeling is always a good idea and the State is pretty good at regulating everything else.

**CALVIN:** The State is in my business all the time. It might be overkill but it is worth it. I think it is important to know where oil is stored.

**MAYOR:** I am glad the Fire Chief can spot check at any time and has the authorization of the Council to do so.

#### **INITIAL DISCUSSION RELATIVE TO THE ESTABLISHMENT OF AN INTEGRATED PEST MANAGEMENT PLAN.**

**MAYOR:** I have asked Terrie Wierenga and Jeff to review and discuss if an Integrated Pest Management Plan is needed for the City. Terrie please let us know what you propose or think of this idea.

**TERRIE WIERENGA:** An integrated pest management plan (IPM) is not just about chemicals but many different strategies are used. Some active natural products can be used as well as some organic products. For example, in some cases ladybugs might be used. Questions are asked, such as, do we dig up the dandelions or leave them alone? Questions like what is the City doing and what are the problems in the City will be answered. It is a very concerted effort. There is

more than one tool in the plan. Sometimes proper application is the best idea over other controls. Sometimes management and cultivation ideas work for bigger areas. The City would be looked at as a whole. The plan would decide what the City does in regards to spraying and what it contracts out.

**JEFF:** This plan makes for responsible management. The plan would help us to think out what we are doing and why we are doing it. Actions would be thought out rather than just doing something. I feel like it is a happy medium between all groups. Weeds are a public relations disaster. If the park looks bad because of weeds it does not matter how good the mowing is and the Council is contacted. It is a necessary reality. We need to have a plan for our employees and they need to be better educated on the topic. We are doing our best but we need to do more. We need better education of when to spray, what chemicals to apply, the timing of the spraying. For example, we should not be spraying the City parks when there are children on the playground equipment next door at the school. I feel if we are more consistent in our spraying then we will use less and spend less in the long run.

**TERRIE:** An IPM will save money in the long run. Education is the key. In some instances areas can be treated this year a certain way and not look to good this year but the weeds are gone next year. Education helps people to understand this. An IPM is more management intensive. The general attitude is that chemicals are quick and easy. A longer site plan is needed than just worrying about today. What is put on the ground today might now show up as a problem for many years.

**PAUL:** Is an IPM typically done by ordinance?

**TERRIE:** It can be but it is just a document.

**PAUL:** So we need to adopt a plan. What about an agricultural based business that is located in a residential area and stores chemicals? An ordinance would be placed on households to abide by.

**TERRIE:** It has been done in a few places in America but less than 10% of the time has it succeeded long term. It usually ends up in litigation and the City loses in this regard. An IPM is made to help control what is done by the City on City owned property. There can be a component suggesting that people understand and be aware of what is stored at their place. If products are not being used they should be taken to the Logan landfill and disposed of properly.

**JEFF:** I see this being a resolution. We can only commit to what we can control and do. I do like educating people on the subject. We need to get information out there for people to consider. The Council asks every single business license requestee if they store or have chemicals onsite. It is a common question. We always ask are you storing chemicals. I like the idea of the City being aware and being proactive but not being controlling. My biggest fear is the control aspect. We need sound management practices and cannot take away people's rights. We can help the City and be used as an education tool as well. Information could be put on our website. We could list things like if there is a problem with a chemical this is where it can be taken and disposed of.

**TERRIE:** As part of the Mosquito Abatement District we have to have a pesticide disposal management plan in place. Part of the plan is that problems are listed, and resolutions to those problems are listed. Then a process of how to fix the problem is listed. The last resort is to do ground application or aerial spraying. What compounds you have are listed and why you have them. You also list when they are used and describe the impact of the product being used. All labels and MSDS sheets are written for normal healthy people which is considered a 150 pound

white male. There is a standard bell curve that includes about 98% of the people but there are exceptions. This program will take time to put together. Input from the public would be good and Karen Frandsen and others can be used to help develop the plan.

**JEFF:** I envision a committee being formed like the City sports committee. There was an issue that was recently discussed and there were many opinions and they all had valid points. The decision that was made was the best combination of all of the opinions. I would like citizens to know how and why we are doing what we are doing when spraying. I would like someone with knowledge of the industry on the committee. It helps to create a balance and that is what we need. I will work to help formalize a plan along with the committee.

**TERRIE:** There are resources available from Utah State University and they are willing to help and offer guidance.

**MAYOR:** I propose that Jeff oversees the committee and that Terrie is the Chair of the committee. I would like to see five committee members. The Council can approve the members of the committee. This plan will only affect City owned property.

**BRAD:** There is no reason to approve a plan we cannot enforce so this is for City use only.

**MAYOR:** It is like the General Plan and is a guiding document for decisions that we make.

**BRAD:** I want the document based off of science and not public opinion.

**JEFF:** I will get some names of people willing to help.

#### **CONTINUED DISCUSSION ON THE ENABLING ORDINANCE (2014-1) FOR A NEW WATER AND SEWER IMPACT FEE SCHEDULE.**

**MAYOR:** The proposed ordinance includes all of the new language for impact fees and hook-up fees. Darek and Emily Sim have reviewed the language and both agree it is what the City is wanting to accomplish.

**MARLOWE:** I sent each of you a sheet with some bullet points on it of the proposed changes and recommendations. The new language in the document is in italics. Darek offered a couple of suggestions as well and they have been incorporated into the document.

**MAYOR:** The plan is since we have had the public hearing tonight that we discuss and vote on the ordinance at the June 17<sup>th</sup> Council meeting.

**MARLOWE:** The big thing is that we don't have to wait the 90 days to implement the fees since the fees are being lowered. To protect ourselves I would suggest implementing the new fees as soon as possible. I would suggest they go into effect immediately after passing the ordinance in June.

**CHERYL:** What is the wording to determine what multi-family means?

**MARLOWE:** We are using a formula that has been used by other communities and has survived litigation. It is a formula used by many communities in the State.

#### **INTRODUCTION AND INITIAL DISCUSSION ON PROPOSED ORDINANCE 2014-2 ESTABLISHING A ONE DOLLAR (\$1.00) PER MONTH UTILITY COLLECTION POINT FOR THE MAINTENANCE OF THE CACHE COUNTY COMMUNICATIONS SYSTEM.**

**MAYOR:** This is not a new proposal and we approved it and chatted about it several months ago. This is the official ordinance passing the proposed increase on the monthly central dispatch charge from \$2.00 per month to \$3.00 per month.

*\*\*\*Mayor Hall read a letter from Randy Auman, Director of the Logan City Police 911 Communications center.\*\*\**

**JUSTIN:** The fee is being charged whether we pass the ordinance or not. They will bill us at a higher rate if we fight the rate increase. They will be including an administration fee or collect it by other means if needed. There will be a public hearing on this item at the June Council meeting as well as a discussion and vote.

### **MONTHLY FINANCIAL REVIEW WITH DISCUSSION AND DECISIONS AS NECESSARY.**

**JUSTIN:** I have provided a copy of the proposed budget for the fiscal year 2015. Please review it. We will discuss it again at the June meeting and the new budget has to be adopted no later than June 22<sup>nd</sup>. The budget is based on the last few year's budgets. The proposed budget shows starting off the year with a transfer of approximately \$29,000 being required by the capital projects fund. Last year, we started off at \$39,000. I have included the \$1.00 per month increase to the Central Dispatch fee, the new backhoe, and the \$1.00 per month increase to the water and sewer utility service fees. There is a raise included for the employees as well. There were \$13,787 in property taxes collected in April. For the year, Court fines collected are down as I mentioned earlier. I have discussed with Paul and the Mayor a couple of Class C Road Fund projects that we will get done before the end of the budget year. Cub River received \$678 in usage fees for the complex. The interest on the bond proceeds was \$1,060. The well drilling company has submitted their invoice and Marlowe will get it approved and paid in the next month or so.

**PAUL:** What was the responsibility of the American Legion at Black & White Days?

**JEFF:** Nothing. They were good with that as they were just asked to come and socialize if they wanted to do so.

**MAYOR:** Did anyone show up?

**JEFF:** No. We did not make it a requirement, we just said they were welcome to do so if they wanted too.

**JUSTIN:** The City agreed too and did pay for the two girls to attend Girl's State.

**BRAD:** Chief Wood, how did the Fire Department do at the hamburger stand?

**DENNIS WOOD:** We were about \$1,000 above last year in revenue.

**PAUL:** Dennis and the entire Department did a great job.

**JEFF:** In regards to the American Legion, they had a dilemma and we helped them out with it. The people helping them was fading fast and they just could not operate the hamburger stand any longer. They still have local representation and do a local dinner once a year. I am very pleased with the Fire Department and what they do during the Black & White Days festival. All of them in matching shirts was great and the entire Department represented the City well. I had a lot of compliments on the food. I am very happy about what they did and how it turned out. I think it is great for the Fire Department to help out and for the public to see them.

**JUSTIN:** I will be meeting with Paul and the Mayor to discuss the road repair estimate for 300 East from 300 North to 500 North. Hopefully it can be done over two budget years.

**MAYOR:** What happened with the concession stands at Cub River?

**PAUL:** The work could not get done quickly enough for Mick to open up this Spring. The electrical and dry wall work has been completed. Rod Johnson will do the painting of the concession area as well as all of the metal doors, seven or so doors.

**MAYOR:** Since Mick is not opening up right now, a youth group has an interest in walking up and down the side lines and selling items.

**PAUL:** Mick will be opening up the concession stand this Fall for the Fall season. I don't want to upstage Mick and what he is doing. Jared Gillman and A&D Landscaping are going to plant seven or eight trees at Cub River and the labor will be done for free.

**MAYOR:** I have had nothing but positive comments on the playground at Cub River.

**JUSTIN:** We need to schedule a ten minute year end meeting to pay bills at the end of June.

**MAYOR:** Let's go on Friday, June 27<sup>th</sup> at 7:00 A.M. for ten minutes. It is early morning but will be a quick meeting.

## **COUNCIL MEMBER REPORTS**

**BRAD:** The Fire Department had a great turnout for the Black & White Days activities. I don't have anything else to pass on from the Fire Department. If there are any new recruits Chief Wood will bring their names to the Council during his next report. In regards to water, the billing on the well project is being finalized. The screen cleaning on the new well has been delayed and will hopefully be completed next week. The contractor asked for a couple of week delay on the cleaning process as they are still working on another project. Once the screens are cleaned then another flow test will be performed. The well house will be designed to meet the flow of the well. The MBR plant project is pretty well done and the billing will be completed soon. The Operation and Maintenance manuals are in hand.

**JUSTIN:** It will be good to close out the sewer project in this budget year.

**DAREK:** I have asked Nelson Brothers to prepare their final billing and I have delivered the manuals to Scott at the plant.

**BRAD:** All remaining costs on the sewer plant will be paid by the sewer fund as all of the bond proceeds have been paid out.

**JEFF:** The Young Single Adult Stake just did a service project last night for the City. They picked up about 10 to 12 large bags of garbage. They painted the fencing at the horse arena as well as a bench and sign in that area. With the remaining time they had they cleaned up branches in the nature park. There were around 120 young adults that helped out.

**MAYOR:** There were around 240 hours of donated time for the project. Scott will be cleaning up the paint brushes and cans that were left behind. We will send a letter of thanks to Bishop Buttars who oversaw the project as well as President Traveller.

**JUSTIN:** Black & White Days was great and Jeff did a tremendous job.

**JEFF:** I love working with this group of Council members and City staff. The volunteers are all great as well. They all make my life easier.

**TUCKER:** I am expecting another couple of lot splits to come before the Planning Commission in June. I have seen the initial plans on a couple of them. I have told the people to get with Marlowe and get on the agenda. One of them is a lot split of some family property.

**BRAD:** On any of them, if there is a water or sewer concern please let me know.

**TUCKER:** Unfortunately, there was not a full quorum at the last Planning Commission meeting. That was very unusual. Missing three members from a meeting is tough. I need to get a more specific commitment of who can attend. Should I have Marlowe ask the Commission members in advance if they will be attending?

**MAYOR:** Yes, I think that is a great idea. The date of the Commission meeting could be moved, if needed.

**TUCKER:** I will ask Marlowe to start doing that.

**MAYOR:** As far as the Commission, is Monica the longest in regards to time served?

**TUCKER:** Yes.

**MAYOR:** C.J. Sorenson has expressed a willingness to serve when there is an opening.

## **MAYOR'S REPORT**

**MAYOR:** We have had an inquiry to see if the City would sell some City owned property at about 300 North State Street. The City owns approximately 2.4 acres in that area. A private roadway splits the property in two. The property is zoned RE-2. Is this something the Council would like to pursue? I don't think it is. I think it should be kept for bargaining power in the future. There is value to us in that regard.

**BRAD:** I agree. Half of that property is being maintained as a pasture right now in lieu of charging a fee.

**MAYOR:** I will have Marlowe inform the person that there is not an interest to sell at this point. There has been an emergency responder issue in the Sadler subdivision. The emergency response personnel of the County would like to see a second blade added to the street sign that also shows 130 West on the 100 West sign.

**PAUL:** I think it is a good idea.

**MAYOR:** Let's do it. I had Marlowe send Norman Jessee a letter about a temporary fence that had been installed on Rocky Point Road and from approximately 300 North State to 400 North State to ask what his intentions were with the fence. Mr. Jessee responded that the intent is just to fence the City owned property temporarily to allow the weeds to be eaten down. There was no harm intended and he is just asking permission to keep the weeds down and is not trying to claim the property.

**MARLOWE:** It really has cleaned up the area.

**MAYOR:** There has been a discussion on the sidewalk in Phase 3 of the Cherry Creek Heights P.U.D. There will only be a sidewalk on one side of the road due to a previous agreement. All future phases will have sidewalks on both sides.

**MARLOWE:** The agreement was made before the current construction standards were put into place. I walked the area with Darek, Rob and Ben. It is quite a steep area.

**BRAD:** Will the sidewalk be on the inside perimeter of the road?

**MARLOWE:** Yes, and it will connect to the Phase 2 sidewalk as well.

**MAYOR:** A letter has been sent to the property owner of the building where Brian Fife used to operate his business. The building is no longer being leased as the business failed. The letter

just stated that the area needs to be cleaned up. We did not get a response to the letter but the area is being cleaned up since the letter was sent.

**MARLOWE:** Ted Ricks owns the property.

**MAYOR:** A letter was sent to a family that had a basketball standard placed on the side of the road and the kids were playing in the road. We had received a few complaints. The hoop has been removed or taken down. The next Council meeting is on June 17<sup>th</sup> and we will have a short ten minute meeting on Friday, June 27<sup>th</sup> at 7:00 A.M. to pay year end invoices.

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

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

No Vote: None

A&D Landscape	5343.90
Advanced Heating	338.00
Aflac	178.38
AIA Corp	516.03
Al's Trophies	378.82
Altius	5892.96
Angela Fannesbeck	120.00
Bear River Health	40.00
Beazer Lock	19.96
Blue Creek Communications	75.00
Bridgerland	177.40
Brown Monument	85.00
Cache Chemical	1954.92
Cache Co. Service Area	15495.35
Carpenter Paper	100.86
Center Point Large Print	125.00
Centurion Holdings	149.33
Century Link	234.86
CNH Capital	9.10
Coca Cola	121.02
Comcast	336.83
Demco	298.53
Ecosystems	1289.39
Electrical Wholesale Supply	1087.34
Hall Drywall	1200.00
Halls	133.43
Hansen Locksmith	15.00
Hillyard Anderson Olsen	75.00
IFA	1336.90
Interstate All Battery	45.65

Ipaco	545.94
Itty Bitty	108.45
JBS Hyrum	857.50
Laser Precision	82.00
Lee's	30.40
Les Olson	94.76
Lewiston City	1572.49
Lewiston City	29.25
Logan Memorials	360.00
Maverik/ parks and cemetery	545.06
Maverik/ city	471.63
Maverik/ Fire Dept	58.34
Oldcastle	1386.91
Olson & Hoggan	4926.00
PEHP	94.40
Pride Embroidery	187.50
Questar	934.86
Randy's	342.65
Rocky Mountain Power	14084.44
Rocky Mtn Landscape	300.00
Safety Supply and Sign	715.70
Smithfield Imp	77.69
Sprinkler Supply	1075.05
Staples	330.18
The Book Table	39.12
The Clean Spot	285.95
The Herald Journal	72.75
The Home Depot	13.98
Treewise Tree Care	180.00
UEN	75.22
Ut Business Licensing Assoc	40.00
Ut League of Cities and Towns	1086.03
Ut Water Users Assoc	100.00
Utah Dairy Commission	150.00
Utah Local Gov Trust	105.78
Utah State Div of Finance	153000.00
Verizon	249.77
Visa	787.33
Visa Library	1448.50
Watkins	657.80
Wex Bank	140.70
Zions Visa	16.44

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

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

No Vote: None

Adjournment at 9:42 P.M.

**RICHMOND CITY CORPORATION**

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Michael E. Hall, Mayor

**ATTEST:**

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Justin B. Lewis, City Recorder