

RICHMOND CITY COUNCIL

SEPTEMBER 16, 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, September 16, 2014. The meeting began at 7:00 P.M., Mayor Michael Hall was in the Chair. The opening remarks were made by Cheryl Peck.

The following Council members were in attendance: Brad Jensen, Paul Erickson, Cheryl Peck and Tucker Thatcher.

Jeff Young was excused at the start of the meeting.

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

APPROVAL OF CITY COUNCIL MEETING MINUTES

A motion to approve the August 19, 2014 City Council meeting minutes was made by Paul, seconded by Tucker and the vote was unanimous.

Yes Vote: Jensen, Erickson, Peck, Thatcher

No Vote: None

Absent: Young

DEPUTY'S REPORT

MAYOR: I want to thank the Deputies and everyone that participated in the City party. There was a great amount of support.

DEPUTY JARED KELLER: What would you like me to report on? I have been off schedule for the last two weeks.

MAYOR: Any concerns or updates you might have and how we can help the Sheriff's office.

DEPUTY KELLER: I am not aware of anything pressing. I have not pulled the report on burglaries but I am not aware of anything serious that has been reported. Our guys are staying busy and pulling over people to discuss their driving habits and at that point a ticket or warning is issued. Are there any expectations we are not meeting? Anything we need to enforce that is not being taken care of?

PAUL: Each month we get a summary report from your office. Would it be possible in the future to get a summary of the hours spent in the City during the previous month? Just a general idea of how much time has been spent in the community?

DEPUTY KELLER: Does calendar month reporting work okay?

MAYOR: Yes, just the time spent for the previous month would be great.

DEPUTY KELLER: I can easily run that report.

PAUL: Has the impact of the new ski resort been discussed in your department? I live at the bottom of the hill and there is three times more traffic on that road than there was six months ago. Has there been any discussion in your office?

DEPUTY KELLER: To the best of my knowledge there has not been to this point. Usually, we only address certain areas or problems or items you make us aware of. We do monitor certain areas more at specific times of the year. We don't have a pattern to follow in that area. I will bring it up in the department that it is a concern and I think a legitimate concern.

BRAD: I appreciate the response to the City party. The Search and Rescue team and your department did a great job.

DEPUTY KELLER: I have been doing investigations for a while and it is good to be back on patrol and assigned to a specific City. I was assigned to Providence City previously. I reside in Smithfield so I am close by. Whatever you need please let us know how we can help. I am here to assist as well as is Deputy Nelson. We will respond as quickly as possible.

BUSINESS LICENSE REQUEST

CACHE VALLEY AUTO SALES LUNCH TRUCK

LUCINA ARELLANO: I need to get a license for the lunch truck run by my dad.

PAUL: Is he here?

LUCINA: Yes. They love to cook and sell items like tacos. He has been located at the "Y" in south Logan and plans to go back there in April. Logan City only allows for him to be in one place for six months. Being here would allow him to get some extra money. I have the inspection documentation from the health department and we have been approved. I need the City approval to formally open.

MAYOR: Marlowe are there other licenses that are required?

LUCINA: I have one from the State as well and here is a copy for your review.

MAYOR: What days will you be open? Hours of operation?

LUCINA: He was open for our grand opening and some of our customers go there to eat. The truck is quite recognized in south Logan. I think the hours will be until around 7:00 or 8:00 P.M.

PAUL: Will that be all winter long?

LUCINA: We are thinking until around April. I am hoping it does not snow much.

PAUL: Will you need additional lighting?

LUCINA: We will close earlier as it gets dark earlier. I would expect to be closed by 6:30 P.M. as it gets darker.

PAUL: If you are open when it is dark will you install additional lights?

LUCINA: The ones in front are pretty bright. I think we have enough lights between the street lights and building lights. I did put up some flags and hope that is okay. We are still cleaning up the area in the back. We only have one trash can and it is filled weekly.

MAYOR: I hope things are working out well for you guys.

PAUL: Will this be a new license?

MAYOR: Yes. One for the auto dealership and one for the cooking van.

A motion to approve the business license request for Cache Valley Auto Sales Lunch Truck / Lucina Arellano was made by Paul, seconded by Tucker, and the vote was unanimous.

Yes Vote: Jensen, Erickson, Peck, Thatcher

No Vote: None

Absent: Young

MARLOWE: Can they open tomorrow even though I cannot get them a license until next week as I will be gone to training?

MAYOR: Yes, since it was approved already.

DISCUSSION AND POSSIBLE DECISION RELATIVE TO A NEW PROPERTY OWNER AND PROPERTY RENTER UTILITY AGREEMENT(S) INTRODUCED AT THE AUGUST 2014 CITY COUNCIL MEETING.

MAYOR: This is the renter/owner agreement that was discussed at the last Council meeting with the discussed changes. Is this what we wanted to accomplish? We did add one last item that the property owner would be notified of delinquent accounts.

PAUL: So the property owner comes in and signs the agreement and then the renter comes in and signs the agreement. The renter leaves and then the new renter comes in and the landlord has to come back in again?

MAYOR: Yes, anytime the renter changes the agreement changes.

PAUL: So when a renter leaves how long before we notify the homeowner?

JUSTIN: Renters are just like every other utility user and the renter and landlord are notified of a delinquent account on a monthly basis, when applicable.

MAYOR: This agreement covers the City and does not let the bill get out of control before the owner is notified.

PAUL: Will we accept electronic agreements sent by the landlord?

JUSTIN: Yes. Email and FAX are fine.

BRAD: If the landlord and tenant are responsible then there is no reason for an issue but if the account becomes delinquent it is shut off. The agreement looks good. As far as implementation it will be taken care of as new requests for service are made. We can advertise the new agreement through Parlant as well.

CHERYL: How do we know if someone is a renter or the property owner?

CHRIS: They have to indicate that on the agreement.

CHERYL: What if they don't say they are a renter?

TUCKER: It must be specified on the current application for utility service.

CHERYL: It would be hard to know if someone is a renter especially if they are renting a home.

CHRIS: We ask them as well when they come in and sign up for service.

PAUL: An ordinance is not required for this agreement to be valid?

MARLOWE: No, this is just an administrative issue.

A motion to adopt the Local Utilities Service Agreement was made by Brad, seconded by Paul and the vote was unanimous.

Yes Vote, Jensen, Erickson, Peck, Thatcher

No Vote: None

Absent: Young

PRESENTATION, DISCUSSION AND POSSIBLE DECISION ON ORDINANCE 2014-3, AN ORDINANCE MODIFYING AND UPDATING THE *RICHMOND CITY MANUAL OF DESIGN AND CONSTRUCTION STANDARDS, 2ND EDITION* AS ENABLED BY ORDINANCE 2006-1.

MAYOR: This is an update to an existing ordinance and the *City Construction Standards Manual*.

DAREK: This changes the requirement for sewer lateral cleanouts. Sewer laterals are private from the main line to the home. The requirements are being adjusted.

MAYOR: In the past we have required two cleanouts.

MARLOWE: This will make it easier for maintenance issues as well. The cleanouts can be anywhere between the structure and the property line but not in the City right-of-way.

MAYOR: This helps to clarify any potential future homeowner issues. The cleanouts are used to clean out blocked lines.

MARLOWE: There is also more clarification of where a tracer wire should be placed.

MAYOR: This ordinance helps to clean up some potential issues on new construction.

A motion to adopt Ordinance 2014-3, AN ORDINANCE MODIFYING AND UPDATING THE *RICHMOND CITY MANUAL OF DESIGN AND CONSTRUCTION STANDARDS, 2ND EDITION* AS ENABLED BY ORDINANCE 2006-1 was made by Brad, seconded by Tucker and the vote was unanimous.

Yes Vote: Jensen, Erickson, Peck, Thatcher

No Vote: None

Absent: Young

PRESENTATION, DISCUSSION, AND POSSIBLE DECISION ON ORDINANCE 2014-4, AN ORDINANCE ESTABLISHING TITLE 12-000 ENTITLED “LAND USE DEVELOPMENT AND MANAGEMENT (LUDMO)” TO THE *CODE OF REVISED ORDINANCES OF RICHMOND (1975, ADOPTED 1976)*.

The Council held a discussion on LUDMO or the Land Use Development and Management Ordinance for the City.

LUDMO is worked on by the City Council in conjunction with the updates the State of Utah legislature does with LUDMA or the Land Use Development and Management Act.

The Council reviewed the proposed revised and new sections and several grammatical changes were made.

The Council will send the modified sections to the Planning Commission for review at their October meeting.

After review by the Planning Commission, the City Council will review again and consider the comments of the Planning Commission.

The Council will discuss LUDMO again at the October or November Council meetings and possibly vote on the proposed ordinance at that time.

Some of the key discussion points were the sale of commodities from home occupations. How an accessory building is classified for a home based business. The length of time motor homes can be parked in one spot. A discussion on an appeals judge and who that person would be. There was a discussion on the variance committee and how it was disbanded previously because of the lack of items to discuss over several years. Clarification was made on the difference between a first and second class county. The highway commercial tax rate and area was discussed. Flag lots and inner block developments were reviewed and discussed on what is allowed and not allowed. Conditional use permits were reviewed and the length of time they are allowed before being reviewed again before the Council. Water exaction was defined and discussed. The number of required parking spots required for medical and dental offices was discussed at length.

****Jeff Young arrived at the meeting at 7:38 P.M. during the middle of the LUDMO discussion.****

MONTHLY FINANCIAL REVIEW WITH DISCUSSION AND DECISIONS AS NECESSARY.

JUSTIN: I met with the Irrigation Board last week and gave them an update on the Parlant system, how it works and what it could offer to the irrigation board. I think it was a great meeting and will be a useful resource for the Council, Irrigation Board and the residents to get information in a timely manner. I have sent test messages to the Board members for them to see how the system works and they will discuss at a future board meeting if they want to continue with our offer to include them in this system. The concrete work for the Black & White Days RAPZ Tax project will start the week of September 29th. The wash rack area, drain area to the west and an area by the grand stands will be worked on and repaired.

PAUL: Who has been contracted for that work?

JUSTIN: Jason Rock and J Rock Concrete. We got a couple of bids and they were the low bid.

BRAD: I see a small amount of property tax has been collected. What is that for?

JUSTIN: It is for past due property tax as well as the personal property tax paid by businesses. The new bleachers for the Black & White Days project have been received and paid for in the amount of \$9,480. The Black & White Days committee will assemble them and they are currently stored in the pavilion. Dog catcher service in the amount of \$9,600 has been paid for the fiscal year and police protection in the amount of \$23,868 has been paid for the fiscal year.

JEFF: I am working with the Mayor and Council of another local community about the same size as ours and they have within about 200 people the same population as Richmond. They

have their own police department and the budget for them is around \$250,000. This is such a great benefit to our community to be with the Sheriff's office.

JUSTIN: Do we know if the extension of time was granted for the GIS mapping project?

MARLOWE: Yes, it was.

DAREK: We are just waiting to receive the official letter granting the time extension.

CHERYL: What are the expenses in the Library for office expense and maintenance and repair?

JEFF: In the past the Library has received some grant funding and that funding is for the computers used by the residents. The employee used computers have not been updated in the past and I was not aware of that. One of the machines was using Windows XP which is no longer serviced by Microsoft and the laptop would not even turn on for a presentation and someone in the audience graciously allowed us to use theirs. The laptop has been redone and works great. We have sent over one of the City office laptops for them to use as well. The two old computer towers used in the City office building were rebuilt and put into service in the library as well.

JUSTIN: I have made Juliene aware that we will adjust her budget in January to accommodate for these items. Richmond City and Lewiston City have both paid \$10,000 each for the current year for the Cub River Sports Complex. With the repairs made to the concession stand last year and that expense the total paid by each City ended up being approximately \$12,000.

MAYOR: Do we have any RAPZ tax funding left for that project?

JUSTIN: Yes, \$11,268.

PAUL: Now that we know for sure what Casper's Ice Cream is doing for their building expansion we can finish the project. We are looking at adding a fence and possibly some picnic tables. The six new trees are a nice addition as well.

CHERYL: That is a high use area.

PAUL: Agreed and a reason we need to install a fence.

JUSTIN: The rest of the month was quite quiet and the audit will occur in October. I am almost ready to go thanks to the information provided by Chris and Marlowe. Right now the water project has been paid for the amount due but we will have several thousand dollars in dirt hauling to pay for as well as pumping costs associated with the new well. In the future we will have the cost of the pump house, balance due on the land purchase and landscaping to pay for.

COUNCIL MEMBER REPORTS

BRAD: Chief Wood is here this evening and I will ask if he has any news before I start my report.

CHIEF DENNIS WOOD: I have some hats for the Council with the department logo.

MAYOR: I want to commend Chief Wood and the department. They have responded to a few early morning call outs and done so quickly and professionally. We have a good crew. There was a situation by my house last Sunday that was responded too. I am always impressed by the department.

JUSTIN: I would like to thank Chief Wood and the entire department for their appearance and professionalism at the City party. I had several compliments about how nice they looked and how professional everyone acted. The vehicles looked stunning, like always.

CHIEF WOOD: The HAM radio is on-line.

CHERYL: There is an upcoming training session in October that some of us will be attending.

BRAD: Thank you for attending this evening and thank the department as well for all they do. In regards to water, some flow testing is being completed on the new well.

DAREK: A constant rate test should be done tomorrow and then the driller part of the project will be completed.

BRAD: The well is almost complete and almost all of the dirt pile has been hauled away.

DAREK: I gave some guidance to the bulldozer operator this evening and we will fill in the area where the drill rig was located and the fence can be reinstalled.

BRAD: The design of the pump house still needs to be completed.

DAREK: We need the flow data from the well before the final design of the pump house can be completed.

BRAD: After the design is completed we will take the project to bid.

PAUL: Do we have an estimate on the cost of the pump house?

DAREK: I don't remember, I would have to review my numbers.

MAYOR: What is the time frame for that project?

DAREK: The design of the pump house will be based on the flow test data. The state will then review the building design and then the project will go to bid. I am hoping to have it to bid by the middle to end of October. It will be built in the winter. We need to discuss at a future meeting if we want a backup generator for the pump. That is a maintenance item we can discuss in the future.

PAUL: Is the area prewired for the generator?

DAREK: Yes.

BRAD: I don't have anything new for sewer. We are receiving information on the new permit. We will most likely have to meet the new standards.

MAYOR: Or divert the water elsewhere.

BRAD: The system was designed for the new standard so it is not a big surprise. We have been saving money for a long time by not having to meet the new standard to this point. I appreciate J-U-B's help on the permit process.

DAREK: It has been good to have communication with the State and we have brought to light some issues they have not considered in the past.

JUSTIN: The last pump house estimate cost I have was around \$500,000.

BRAD: We have received three official complaints on the property located at 272 North 300 East. There are three letters that the City has received about this property. We are going to go to a third party and approach them about contracting to be a nuisance inspector for the City. We will act and proceed as the nuisance ordinance states.

MAYOR: We can have a committee or inspector do the review and have chosen to use an independent inspector.

JEFF: The City party is done and I would like to formally thank everyone. There is a lot of work that goes into the party. I also want to let the fire department know how much I appreciate their service and how they represent the City. They felt and looked very professional. The City gets lots of pride from the department and how they represent the City. There was a good showing at the City party by the local search and rescue team as well as the Cache County Sheriff's Office. They offer great support to the community.

MAYOR: I thought it was good to see the vendors there as well, like Questar.

JUSTIN: Was there any input from Redi Lite Firepuffs or the other vendors like them?

CHERYL: They would not normally attend an event like this but they did because we asked. They mentioned they got several good contacts.

JEFF: A special thanks to Tucker for the meat and the corn and his handling of it. It is a lot of work. The Lion's Club helped out as well. We need to send a thank you letter from the Council to the Fire Department, Search and Rescue and the Sheriff's Office.

MAYOR: One has already been sent to the Sheriff's Office.

BRAD: Do we want to send one to Wheeler Machinery as well?

JEFF: Yes, that is a good idea. We need to thank them for their help at the nature park. They have donated a tremendous amount of equipment time and labor for free. We specifically need to thank Brian DeGasser. There is no way we could have done it without his help.

BRAD: They have donated a lot of man hours and machinery hours.

JEFF: We are coming up on the 100th anniversary of the Black & White Days celebration and I am going to start getting committees put together now as it is hard to get people involved in the summer. The bleachers are here and need to be assembled. The concrete work should be done within a month. The grand stands will be worked on as well. I hope there is very minimal left to do on that project in the spring.

TUCKER: In talking with Justin he explained to me that another local municipality has an alternate member for their Planning Commission. I have talked to the Mayor and we think it would be good for us to have one as well. There will be a lot of changes in the quorum over the next couple of years. The alternate member would have a seat and vote on the Commission if one of the Commissioners cannot attend the meeting. If all of the Commissioners are in attendance then the alternate would observe the meeting from the audience area and not have a vote. If there are absences this would help to make sure we have a full quorum.

JUSTIN: Smithfield does this with their Planning Commission and it works very well. The alternate attends all the meetings and participates in some and just observes others. It is also a good way for future Commissioners to learn about the Planning Commission process and ordinances before becoming a full-time Commissioner.

MARLOWE: This works good to include this in LUDMO. Do you want to include one or two alternates?

MAYOR: Up to two would work.

MARLOWE: I will include this in the LUDMO documentation.

TUCKER: Lately we have had well attended meetings and only had this issue a few months ago. The Planning Commission will review the LUDMO information at the October Planning and Zoning meeting.

MAYOR: Cheryl has a question regarding a vacant spot on the Library Board.

CHERYL: Paula Covington has resigned from the Board. Kathy Gantz was mentioned as a possible replacement but I have not talked to her about it yet.

PAUL: I think it would be a great move if she will accept.

JEFF: She owns the book store in town and I agree she would be good for the Board.

CHERYL: Susan Swetnam the author of *Books, Bluster, and Bounty* will be speaking at the 100 year Library celebration. A picture of our Library is on the front cover of her book.

MAYOR’S REPORT

MAYOR: Our next Council meeting is on October 21st. The Irrigation Company is forming a committee to review their proposed plan and have asked for two names of residents to be submitted to help on the committee.

JEFF: I would suggest Scott Pratt.

JUSTIN: I think Shane Lewis would be good where he has the perspective of a City user and agricultural user.

MAYOR: Justin please submit those names and their contact information to Kip Panter for consideration.

A motion to adjourn and pay 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 Landscaping	8757.11
A-1 Uniforms	297.54
Advertures in Advertising	225.00
Altius	1817.49
Angela Fannesbeck	60.00
Beeline Digital	22.00
Brent Webb Excavating	1330.00
C.V. Extermination	15.00
Cache Service Area	17626.18
Centurion Holdings	116.67
Century Link	236.85
Denny's	85.98
Dickey's BBQ Pit	142.50
Fastenal	102.96
Fat Boy	181.44
Frank Edwards	10.83
Gateway Mapping	8506.60
Hach	8030.07
Halls	220.77
Huber Technology	1058.00
Industrial Tool & Supply	103.24
Intermountain Farmers	243.92
IPACO	214.48
Itty Bitty	3287.39
JP Cooke	92.36
JUB	7462.42
Ken Marshall	110.00

Kezla Whitteker	175.00
Lee's	654.67
Lewiston City	1021.62
Maverik(Cemetery)	697.86
Maverik (city)	595.73
Maverik (Fire)	166.98
Meterworks	12788.42
Milk Money Trucking	9779.50
North Cache Vet	50.00
Northstars	26.62
Oldcastle	3457.12
Olson & Hoggan	1848.00
PEHP	203.92
Questar	92.68
Randy's	170.99
Remote Control	2400.00
Robertson Mfg	1016.00
Rocky Mountain Power	6458.42
Ron Keller Tire	95.00
Rural Water Assoc	755.00
Safety Supply & Sign	199.3
Sam's Club	45.00
Smithfield imp	148.12
Staples	56.23
Tamara Hardy	153.00
The Home Depot	215.63
Treewise	1100.00
UEN	150.42
USA Blue Book	218.90
Utah Local Gov Trust	52.89
Valley Office Systems	355.82
Verizon	249.45
Visa	49.33
Wells Fargo	35.00
WexBank	169.75
Wheeler	373.50
Ytech	1035.00
Zions Visa	698.56
Zions Visa (Justin)	84.15

Adjournment at 9:10 P.M.

RICHMOND CITY CORPORATION

Michael E. Hall, Mayor

ATTEST:

Justin B. Lewis, City Recorder