

RICHMOND CITY COUNCIL

SEPTEMBER 15, 2015

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 15, 2015. The meeting began at 7:00 P.M. Mayor Michael Hall was in the Chair. The opening remarks were made by Justin Lewis.

The following Council members were in attendance: Brad Jensen, Paul Erickson, Jeff Young and Cheryl Peck

Tucker Thatcher was excused.

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

APPROVAL OF CITY COUNCIL MEETING MINUTES

A motion to approve the August 18, 2015 City Council meeting minutes was made by Brad, seconded by Paul and the vote was unanimous.

Yes Vote: Jensen, Erickson, Young, Peck

No Vote: None

Absent: Thatcher

DEPUTY'S REPORT

MAYOR: Deputy Nelson is on duty this evening and may or may not be able to attend this evening. If he shows up we will include his report later in the evening.

BUSINESS LICENSE

AFFARI MANUFACTURING, LLC (DBA: MCGREGOR GREY NATURALS)

BRIAN CLEGG: I am the owner and member of the company. I want to be in City compliance. The business is registered with the State of Utah at my home. I won't have any customers coming to my home or do any manufacturing at my home. I will be doing some minor research and might bake some cookies for test purposes on occasion. When the product is finally produced it will be done by a third party at an out of state location. I live in the City and have registered the business in the City.

MAYOR: What are you going to eventually manufacture?

BRIAN: Natural pet treats.

CHERYL: Do you need a cottage kitchen license?

BRIAN: I am still researching that as I am not sure. I am checking into all of the required licensing. There are several agencies I have to comply with and the FDA can get involved if they want to.

BRAD: Will anything be dumped into the sewer system that is not a natural product?

BRIAN: No. The focus of our company is all natural. Humans could actually consume the product.

A motion to approve the business license request for AFFARI Manufacturing, LLC was made by Paul, seconded by Jeff and the vote was unanimous.

Yes Vote: Jensen, Erickson, Young, Peck

No Vote: None

Absent: Thatcher

INQUIRY RELATIVE TO THE VETERAN'S MEMORIAL

MORTY JENKINS: I am the local American Legion Commander. I have been contacted about some names that are missing for the veteran's memorial. I am aware of six names that need to be included. One of them is a Silver Star recipient. No veteran's names have been included since the September 11th attack. I am willing to research and gather names to include. I am in the process of looking for someone to engrave the plaques. There are a couple of local machine shops that will help. There will be a cost involved. The American Legion is willing to pay some of the cost. There are some minor mistakes on some of the plaques as well, those are mainly cosmetic issues.

MAYOR: We have talked to the veteran's committee. The City is only included to hold the funds for the veteran's committee. We don't make the decisions for the memorial. Gale Alvey is the chairman of the committee. I am not opposed to what you are proposing but you need to get with Gale and discuss.

MORTY: I have talked with Gale over the last few years and he is hard to work with. I thought the City was in charge. I have tried to make updates to the memorial for many years. Nothing is happening with the committee.

BRAD: Does anyone know who is on the committee?

MORTY: The only remaining veteran is Gale.

JUSTIN: Gale Alvey, Wendy Christensen and Leslie Erickson are committee members.

PAUL: As well as Dean Hicken and LuDean Watterson.

CHRIS: What about Luann Tripp?

PAUL: I would say so where she was on the original committee.

MAYOR: The committee needs to approve all changes and proposals. We are only in charge of the money until the committee is disbanded.

MORTY: I talked to Garr Christensen many years ago and he said the intent was for the City to take over four or five years after the memorial was completed.

MAYOR: I have never heard about that.

BRAD: We need to research and see if we can find some meeting minutes in that regard.

MARVIN TRAVELLER: I am not aware of that agreement either.

PAUL: I remember the City accepting and holding the funds but don't recall anything about an agreement for the City to take over.

MORTY: I know some grave markers have been purchased with the funds.

MAYOR: I thought the committee paid for some type of electronic bugle as well.

MORTY: I thought the City paid for it.

MAYOR: I don't know if it came from the City or not.

MORTY: It was purchased before you were put in as Mayor.

MAYOR: Any idea when?

MORTY: It was before September 11, 2001. We have had it for many years and it was purchased with City funds. I initiated the purchase.

JEFF: Is the committee active?

PAUL: I think their last discussion was that the City would hold the money for them.

JEFF: Is this a City initiated committee?

PAUL: That is something we would have to research and find out. I understand Morty's concerns.

JEFF: I think a proposal needs to be created and we need to address the concern of not having anything in place for modern day veterans.

MORTY: None have been added since September 11, 2001. We need to add those that are missing as well.

MAYOR: At this point we would advise you to work with the committee. Please keep us informed of how we can help. Let them know they need to meet and address your concerns and proposal.

MORTY: I am not sure the last time they met.

MAYOR: I would guess they only meet on an as-needed basis.

PUBLIC HEARING FOR PROPOSED ORDINANCE 2015-4 ENTITLED "AN ORDINANCE ESTABLISHING A MONTHLY BILLING RATE SCHEDULE FOR CULINARY WATER FROM THE RICHMOND CITY CULINARY WATER SYSTEM WITH ADDITIONAL CHARGES AUTHORIZED BY TITLE 14-000, CHAPTER 14-500 OF THE CODE OF REVISED ORDINANCES OF RICHMOND (1975, ADOPTED 1976)".

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

Yes Vote: Jensen, Erickson, Young, Peck

No Vote: None

Absent: Thatcher

MAYOR: The public hearing is for the purpose of discussing the proposed culinary water rate changes listed in Ordinance 2015-4. The proposal is to leave the base rate alone which encompasses about 75% of the users. Another 10% of the users are included in the 10,000 to 20,000 gallons per month range. The base rate would only change, if approved, \$1.00 per fiscal year as a cost of living increase.

BRAD: The cost of living increase ordinance goes through 2017.

TERRY SPACKMAN: I am not against the water rate increase and realize it must happen. I am against the current proposal. I was impressed with the fee structure from the past. I felt the old fee structure is tied to the distribution of water. I feel this is an unfair tax on those that use the most water. I am one of the high water users. I used about 200,000 gallons last month at my dairy. All of my kids are in the lowest bracket. Taxing the heavy users is not fair and adequate for the financial needs of the system.

PAUL: What would you propose?

TERRY: I like the current structure. It is across the board for all users. It takes the City the same revenue to cover 10,000 gallons as 200,000 gallons. Why tag the heavy users more than the cost of the water? I am concerned about other businesses as well. If eighty to eighty-five percent of the users are under 20,000 gallons per month then fifteen to twenty percent of the users are not having the same say as those only using 10,000 gallons per month. The minority of the users have a much higher vote than the majority of the users. I like the current rate. I have crunched the numbers and right now the fee covers everyone in the system and what they are doing. I know we have a five million dollar project to pay for and it is partially due to the high end users. I also know there was a state mandate for water storage for fire flow purposes. How many new users do we have on the system?

MAYOR: Very few. Since the new tank was installed building permits have been down. I would say maybe 20 homes since then.

TERRY: I am talking over the last twenty years.

PAUL: So your concern is the cost of distribution is disproportionate to the amount being charged?

TERRY: Yes, that is one of my issues.

BRAD: There is a cost to develop water. People can develop their own water source. There is a big cost to develop water. The development cost of the water is just as much cost as the cost of the project. I realize there is a line of scale in this equation.

TERRY: I think we already have that in place with our current fee schedule. The new population coming in should be helping to pay for this.

BRAD: Impact fees are collected from new users. Impact fees were not charged years ago.

TERRY: I understand you are in a hard spot and the debt has to be paid.

MAYOR: The old billing structure does not work. There is not an option not to change the rate schedule. We have new debt and must pay the State for the debt. Our old billing structure does not help to cover the cost of the debt. We either have to raise the base fee or change the tier schedule.

TERRY: I am not against an increase. I am against how this increase is proposed.

JEFF: I understand you are a top end user. I have a question for you. If ten percent of the users are using sixty percent of the water and not paying their fair share how is that fair to the low end users only using forty percent of the water?

CHERYL: There are many homes that don't even use 10,000 gallons per month.

JEFF: If we just change the base fee across the board the heavy users are still not paying enough. The residents would be subsidizing the heavy users. Most of the high users are businesses. I don't have a good answer of how increasing the base rate is fair.

TERRY: I cannot cut my water use at the dairy.

MAYOR: Under the current proposal if you use 200,000 gallons per month your rate would increase from \$222 a month to \$345 a month.

TERRY: Water is a precious commodity. By increasing the water rate you will not decrease the amount of water being used.

MAYOR: I agree.

BRAD: This is not a water conservation issue.

TERRY: Sometimes it can be approached that way and it would be wrong to do so.

BRAD: We don't have a reservoir so what is not used is gone.

TERRY: I don't think the current fee schedule is equitable to the cost of production.

JAMES HENSON: What would the increase be if only the base rate is changed?

BRAD: The base rate would need to increase another \$11.00 per month.

MAYOR: The current base rate would need to increase from \$55 per month to \$66 per month.

JAMES: I am a resident of the City and I know that water is tight in the culinary and irrigation systems. I am worried about restrictions.

MAYOR: In my entire time as Mayor we have never been on culinary water restrictions.

BRAD: The quality of the water can be an issue on the years when the springs don't produce. Well water is not as good as spring water. Hopefully, the new well will help with this issue. There is not a high mineral content in the new well.

MAYOR: When we receive the permit, the new well should help the water quality issues. The water in the new well has been tested. I am hopeful to not use the old well in the future. We need to keep it as a backup. For everyone to understand, we call this well the WDCI well.

BRAD: We need to keep that well in operation in case one of the trunk lines becomes inoperable.

JAMES: Does everyone pay the same base rate?

MAYOR: Correct.

JAMES: I find the base rate interesting.

PAUL: The cost to deliver water everywhere in the City is about the same since we are in such a confined area.

MORTY JENKINS: Don't we have to use the well to keep the water?

BRAD: We just have to show use on an annual basis.

MORTY: Is that monthly or annually?

BRAD: We just have to use the well yearly.

MORTY: What is the implication of Smithfield buying water rights within the City?

BRAD: Those water rights are located in the County and will not affect the City.

MORTY: The base rate includes 10,000 gallons per month. What is the affect if the base rate is changed to 15,000 gallons per month? I am not opposed to a rate change. We are getting a good deal on our water. What is the financial impact of leaving the base rate alone and raising the monthly allocation to 15,000 gallons per month?

CHERYL: How is that fair to those that don't even use 10,000 gallons per month?

MORTY: Because they won't pay more as I would suggest leaving the base rate alone.

JUSTIN: For informational purposes; the annual water tank bond payment is approximately \$288,000 per year which translates to \$32 per month per household. There are around 750 connections in the City.

BRAD: We have already approved the increase when this project started. The rate has to increase whether by changing the base rate or the tier rate. We have had two base rate increases and held off the third increase as long as possible.

MAYOR: The project is finishing up and we are coming in under budget.

MORTY: I think it should be an across the board increase, we all pay it. I am not opposed to an increase. When Logan City finally raises their rate it will be right there with ours. I would ask you to consider changing the base rate from 10,000 gallons per month to 20,000 gallons per month.

CRAIG HARRIS: Fortunately, we have a well for our dairy. I was a big user in the past. If I had to buy water from the City I would be out of business. I am using 25,000 to 45,000 gallons per day. I think this needs to be an across the board increase. There are only a few dairies left in town and they are some of the large users. Does the school pay the same rate?

MAYOR: The schools and churches pay the same rate as everyone else.

CRAIG: Can the schools pay more or less?

MAYOR: State law says we have to charge the same rate to everyone.

CRAIG: If I was a large user like Lower's, I cannot speak for Alan, I would want a well, period. If a well is drilled and they go off the system then the City does not have enough money and you will have to increase the base rate at that point. The time to start is now.

JEFF: How do you respond when seven users are using over sixty percent of the water?

CRAIG: I can promise you I would drill a well if this increase is approved.

JEFF: Where is the balance?

CRAIG: Everyone should pay the same.

CHERYL: You want the residents to pay for your water?

MAYOR: You want everyone in the City to subsidize your dairy?

PAUL: What would happen if you could not drill a well?

CRAIG: I would be out of business. Thankfully, I only have a few animals at my house.

MAYOR: So if you used 750,000 gallons per month your rate would increase from \$492 to \$975. That increase would put you out of business?

CRAIG: No, I would not go out of business but it would be hard.

BRAD: You cannot develop water for four to five hundred dollars per month.

JEFF: I look at the increase for the Spackman Dairy using 200,000 gallons per month. They are a business that is making money and I don't see them going out of business if their monthly bill increases \$123 per month from \$222 to \$345. I don't see any valid arguments for those using under 500,000 gallons per month.

MAYOR: I think more like one million gallons per month or less.

JEFF: I agree it gets expensive above that. I would want to watch costs as well. Where is the balance? Is it fair for eighty percent of the users to pay and subsidize six or seven users? If we continue as we are going it is out of proportion. The increase of \$100 to \$200 a month is a lot less than one dead cow. I don't want to bankrupt anyone; nobody wants that.

CRAIG: What happens if two or three of these big users drill a well?

PAUL: Then we will have to adjust the rate.

CHERYL: Plus there will be more water to utilize in the City system.

PAUL: The cost to drill a well, if allowed, is much higher than the proposed monthly increase. You want the residential users to pay your bill?

CRAIG: Our family has had a dairy in the city for over 100 years.

BRAD: I am glad we are getting to hear both sides. It is good to hear from the residents. Either we raise the base fee or redistribute to the high end users.

CRAIG: If you raise the base fee \$30 to \$50 dollars per month how many people will sell their homes?

PAUL: Either way there is going to be an increase. There is a cost to deliver water. Right now a half a dozen users are using over 60% of the water.

CRAIG: If you raise the rate for the schools then they will turn around and charge us more to pay for it.

PAUL: All of you have presented good feedback.

JEFF: Some fair arguments have been made.

COYE THATHER: I have a question. When can I drink water from the tap again? I have not been able to for 2 ½ months. The water is gross. I am spending \$25 a week to buy clean water.

BRAD: As soon as we can utilize the new well. Right now it is in the permit process. The tanks must be kept full and are run by an automated system.

COYE: I want good drinking water.

MAYOR: Cheryl, Brad and myself are all in the same situation and understand.

COYE: Three months ago the proposal was in the name of conservation when spoke about at that time. Now you are talking about paying a tank fee. I know Alan Lower cannot attend tonight. Tucker (Thatcher) is out of town as well. The water is expensive. The government is trying to kill a business. It is happening across the nation. Many mandates are being put in place for businesses. This is a big impact. I agree with the comments made by Craig Harris. It is not fair to give the responsibility to just a few. I want higher quality water.

BRAD: We want to know about the rate schedule; the quality of the water is something else entirely.

COYE: I think everyone should pay some. I want to save the businesses like the dairies.

MAYOR: The dairies are not going out of business because of this increase.

COYE: My dad had some cows die one summer and it ruined our farm.

MARGO TEEPLES: I don't want the bill to go up. I don't have an extra \$30 per month. I don't mind it going up some to help the local businesses. I think we need to help the businesses. I am on a fixed income. I want to show you the dishes I took out of my dishwasher after using the water from the well.

BRAD: I am well aware of your concern; I have the same issue.

MARGO: I have brought in some water I put in a jar and want you to look at it.

MAYOR: We are well aware of your concern and run the required tests for the state.

MARGO: I have to buy water to drink as well. I think I might have to have the city water tested. I am not against a fair increase.

CHERYL: What is fair?

PAUL: Is a \$10 per month increase to the base rate fair?

MARGO: I could pay an extra \$10 per month.

BRAD: But increasing the base rate \$10 per month still does not pay our debt obligations.

PAUL: There is not a way to base the increase on income level.

BRAD: After the first public hearing we have come back with a different rate schedule. This is round two. There are numerous factors in the rate proposal.

MARGO: I don't want to see people go out of business.

MAYOR: I agree.

MARGO: We also need to be cautious of those that don't have the income or funds to pay the current fee.

STEVE PORTER: I am not clear on how the base rate works.

MAYOR: The base rate is \$55 per month and includes up to 10,000 gallons per month as part of the \$55 charge.

STEVE: So anyone using 10,000 gallons or less per month pays \$55 per month?

MAYOR: That is correct. There is also some old bonds that have 20 year terms that are being paid on as well.

JUSTIN: A couple of those are paid for in 2019.

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

No Vote: None

Absent: Thatcher

MAYOR: I appreciate the input during the public hearing. There is not a vote this evening. The discussion and possible vote will be at the October Council meeting.

PRESENTATION, DISCUSSION AND POSSIBLE PASSAGE OF RESOLUTION 2015-5 ENTITLED “A RESOLUTION REQUESTING THE RECERTIFICATION OF THE RICHMOND CITY JUSTICE COURT”.

MAYOR: This is a request we have to deal with every four years. The City’s Justice Court must be recertified. City Attorneys Bruce Jorgensen and Kelly Smith have both submitted letters of approval. They both speak very highly of our court system and are in favor of the recertification. The City does not make very much money off of the court. The court is operated more for a convenience factor. The State collects a substantial amount of the fines collected. Most of our tickets are from the highway. The court is not a big revenue source for the City.

JEFF: I have met with Judge Funk and discussed some options that will make the court system more convenient. Being able to pay citations on-line is being considered. We are looking at some options of adding this feature to the City website. The City phone system was recently upgraded and will really help the court side as more information is provided for those calling in. Because we are a small community we cannot afford to have a full-time court clerk in the office during regular business hours. The hours of the court are very limited. We are trying to accommodate people as best we can.

A motion to adopt Resolution 2015-5, A RESOLUTION TO HEREBY REQUEST CERTIFICATION OF THE RICHMOND CITY JUSTICE COURT BY THE JUSTICE COURTS STANDARDS COMMITTEE AND THE UTAH JUDICIAL COUNCIL was made by Brad, seconded by Jeff and the vote was unanimous.

Yes Vote: Jensen, Erickson, Young, Peck

No Vote: None

Absent: Thatcher

PRESENTATION, DISCUSSION AND POSSIBLE PASSAGE OF RESOLUTION 2015-6 “A RESOLUTION ADOPTING THE 2015 PRE-DISASTER MITIGATION PLAN: BEAR RIVER REGION”.

MAYOR: This is a resolution that is being considered throughout the valley. If approved, the resolution would allow us to apply for FEMA funds in the event of a natural disaster. BRAG is working with every community in the valley on this plan.

MARLOWE: BRAG has provided some good information and the plan has been worked on for over two years.

CHERYL: I have some confusion on what is being considered.

MARLOWE: The entire document is on the BRAG website. The document is very large and I did not print it off for each of you.

CHERYL: What is listed in the document?

MARLOWE: The plan for each community in the event of a disaster is listed. Events such as wildfires, floods and earthquakes are discussed.

MAYOR: The plan must be approved or the City is not eligible for FEMA funding.

CHERYL: If we don't approve the resolution then what happens?

MARLOWE: Then if there is a natural disaster we would not be able to apply for or receive funding from FEMA.

PAUL: We want to make sure we can apply if something does happen.

STEVE PORTER: Why do we need help from FEMA?

MAYOR: It just depends on the situation. I don't recall applying for FEMA funding in the last ten years. We would apply in the event of a natural disaster.

MARLOWE: We tried to apply for FEMA funding on the flooding issue a few years back and were denied since we did not have this plan in place.

MAYOR: We need to make sure this Council or a future Council can apply, if necessary.

JEFF: We need to have the ability to apply. Look at the recent flooding disaster in Southern Utah.

CRAIG HARRIS: During the earthquake in the 1960's nine homes were lost, some businesses ruined and two large buildings collapsed. None of us know when the next one is coming but we need to be ready and have all of our ducks in a row.

MAYOR: This is just another form of protection like an insurance policy.

STEVE: I think we should stay away from FEMA.

CHERYL: I agree.

MAYOR: It all depends on the situation. We did not apply for some sidewalk funding as there were too many strings attached.

STEVE: The federal government has no authority to have programs like FEMA.

MAYOR: The program does exist and the City would be foolish to tie our hands or the hands of a future City Council.

JEFF: It is our choice to apply or not. We need to make sure we have the ability to apply. I don't want this to be a roadblock for future applications.

A motion to adopt Resolution 2015-6, A RESOLUTION ADOPTING THE 2015 PRE-DISASTER MITIGATION PLANT: BEAR RIVER REGION was made by Jeff, seconded by Paul and the vote was unanimous.

Yes Vote: Jensen, Erickson, Young, Peck

No Vote: None

Absent: Thatcher

DISCUSSION OF CHANGE IN RATES FOR CERTAIN ASPECTS OF TREATING WASTEWATER FROM COMMERCIAL SOURCES.

MAYOR: We need to discuss some possible changes to the wastewater fees charged to commercial users.

BRAD: We talked about water earlier in the meeting but the majority of our water must be treated in the sewer system. We have a permit and process that must be abided by to discharge water into the Cub River. The permit is reviewed and approved on a periodic basis. The new

permit has much tighter requirements. The City sewer rate schedule needs to be reviewed. The costs need to be passed down to those sending the majority of the waste down the system.

PAUL: I have reviewed the proposal.

STEVE PORTER: What water goes into the river?

BRAD: We have to have a permit to release the water into the Cub River after it goes through the MBR plant. The water goes through the MBR plant then into the lagoons and then into the Cub River. The water being discharged into the river is cleaner than the water in the river.

MAYOR: I agree, the discharge water is much cleaner. This is a requirement of the EPA we must abide by as well as requirements of the Utah Division of Water Quality.

BRAD: Our current issue is phosphorous. It is not cheap or easy to keep out.

STEVE: You want those discharging the most to pay the cost?

BRAD: Yes.

STEVE: Can you determine who those people are?

BRAD: Yes. The rate schedule is mainly talking about those companies with flow meters and sampling points. The surcharge will be based on the information found in the independent sample.

JAMES HENSON: The inlet side is easy to determine but what about the outlet side? I work at Lower's and they use a lot of water.

BRAD: Lower's has opted to install a sonic flow meter and have a sampling point. Their monthly sewer charge is based on what is going into our system not the amount of water entering the system through the culinary water meter.

MAYOR: Lower's is not charged for the water they reuse in their system.

JAMES: They use millions of gallons per month. Where is it going when it is not going into the City sewer system?

BRAD: They have their own pretreatment facility and a permit from the State.

MAYOR: They have a separate discharge permit than the City.

JAMES: I am worried about potential soil contamination to the culinary water wells in the area.

MAYOR: Every well has a well protection zone that is monitored by the State of Utah.

BRAD: There are two businesses that currently have flow meters; Lower's Foods and Pepperidge Farms. The Cherry Peak Ski Resort will be installing one as well as part of our agreement with them.

****Mayor Hall was excused and left the Council meeting.****

BRAD: If any other business or residence opted to install a flow meter this proposed rate schedule would apply to them as well. If we trace a high concentrate coming from one hookup we could require them to have a sampling station. The City has to manage the sewer system. The current rate schedule has been set for the last twenty years and not the new system. Tonight is just our initial discussion. It is not cheap to treat water that does not meet minimum standards. One fee will increase from \$0.80 to \$2.04. The BOD charge per pound will increase from \$0.10 per pound to \$0.56 per pound. The TSS charge will change from \$0.06 per pound to \$0.41 per pound. Currently, we are charging three rates but the new fee schedule will be based on five rates. There is an increased cost to the City for those dumping into the system that do not pretreat their effluent.

PAUL: The commercial users have known for a couple of years this change would be coming.

BRAD: Correct. I have been working with Pepperidge Farms for a couple of years. They know they are going to see an increase in their monthly bill. We are helping them to determine why the strength of their flow is so high.

PAUL: That is in regards to solids, BOD and TSS?

BRAD: Yes, all of those combined are what we refer to as strength. Lower's Foods has a pretreatment facility. They can discharge outside of the City system. We have seen a drastic decrease of what they dump into our system.

DAREK: For over a year now their effluent amount has been significantly less than in the past.

BRAD: Most of their pretreatment fees are gone.

CHERYL: So it has made a big difference for them having the pretreatment facility?

BRAD: Yes. The other user we have been monitoring has been sending significantly more into the system than we expected and at a higher strength. We have to meet the requirements of our permit. If we don't, we would get a violation notice and a fine. J-U-B Engineers has helped to determine the proposed costs. The costs are per gallon based on certain strength levels. We need to review the current data and the existing ordinances. We need to modify the existing ordinances to make sure they do not contradict each other.

JEFF: Do the dairies need a meter?

BRAD: Not unless they want to install one.

JEFF: I know for a dairy, the majority of the water is consumed by the cows.

BRAD: We had another large user that was using water to water their lawn and they did not like how the sewer fee is charged. After reviewing their options and the possibility of installing a flow meter they chose not to and pay based on culinary water use.

DAREK: The current fee schedule is based off of what the costs are to operate the old lagoon system. The new costs are for what it costs to operate the MBR plant.

PAUL: How long has the MBR plant been in place, 2007 or so?

DAREK: I think around five years.

BRAD: The facility has seen an upgrade since it was built and we just received our new permit.

PAUL: The permit states the responsibility of the City and what must be done to comply.

DAREK: That is correct.

BRAD: When the MBR plant was designed and built it was designed for domestic waste.

PAUL: How much life has been lost at the plant because of this other product entering into the system?

DAREK: None. The higher strengths are harder on the equipment and make the equipment wear out faster. The higher flows decrease the capacity and longevity of the plant. By Lower's choosing to discharge elsewhere it actually frees up capacity for the City system. We would prefer that everyone that discharges into the system discharges at a household strength level.

BRAD: We are only talking about implementing this charge for those that exceed the allowable level.

DAREK: The old ordinance kicked in at 20,000 gallons into the system the new one would be for every gallon. In the past a user could dump some really bad stuff into the system in the first 20,000 gallons and we would not have any recourse and that cost would be passed onto the residents.

BRAD: We need to get our input to Marlowe so he can modify our existing ordinances. The modified ordinance will be the subject of a future public hearing and then a vote after that point. The council must choose to supplement businesses by charging the residents or by passing on the costs to the businesses dumping high strength product into the system.

JEFF: This is a tough item to address. One thing I have learned in my eight years on the Council is not to put stuff off onto future City Councils. Tough decisions need to be dealt with now so future generations are not having to pay more and deal with the issue then. The longer an issue is not resolved the harder it becomes to address and pay for. We have seen many changes to the city in my eight years on the council. This council has not pushed issues off and has dealt with them even when they are hard issues.

BRAD: We are not obligated to treat the waste from industrial users. We could refuse to accept their discharge. I have been working for over two years with one entity on this issue. I have been working and still working with Pepperidge Farms on this issue. They are aware of the proposal. This proposal should not affect the dairies.

DAREK: I am not aware of any dairies that dump into the system. They all have their own lagoon systems.

CRAIG HARRIS: Will there be an overall increase on the monthly sewer charge?

BRAD: Only to the metered users with excessive flow or high strength. Marlowe please prepare an updated ordinance.

MARLOWE: Do you want it to go into effect on January 1, 2016?

BRAD: Yes.

MARLOWE: I will make sure all three ordinances are in harmony with each other.

BRAD: A public hearing is not required but I feel it is appropriate in this case.

MONTHLY FINANCIAL REVIEW WITH DISCUSSION AND DECISIONS AS NECESSARY.

JUSTIN: We received the CLEF grant for the library in the amount of \$2,585. Judge Funk and the court have been busy, so far this budget year they have collected \$15,601 in revenue when normally they collect around \$46,000 for an entire budget year. When revenue is up the amount owed to the State increases as well. Sundry revenue currently totals \$3,264 as the guys at the maintenance shop were able to sell a bunch of scrap metal. They usually collect for a year or two and then sell what we have. We paid Rebound Unlimited \$1,500 in August for the kid's rides for the City party. The rest of the bills will start to come in now. The new backhoe and forks were paid for at a total cost of \$21,420. The water and sewer departments each pay 1/3 of the cost. The general fund pays the entire bill and then the water fund and sewer fund each pay 1/3 of the total cost to rent the equipment. So far Class "C" Road Fund expense through the end of August is \$19,215. I know there are around another forty to fifty thousand dollars of invoices that still need to be received and paid for work completed in this budget year. Lewiston City will be paying their annual \$10,000 allocation for the Cub River Sports Complex. We paid our portion in July. The bleachers that were approved for the Cub River Sports Complex RAPZ tax application have been paid for in the amount of \$62,054. I have submitted the reimbursement request to the County. There will be some freight and travel charges to pay for in the next few weeks. Two members of the Lewiston City staff are going to go and get the bleachers next week. The total allocation for the project is \$73,000. The water and sewer impact fees for the two homes in the White Pine Subdivision being built by Visionary Homes were paid this month. They will show up on your report next month. For those in attendance we are paying interest on three water loans. The current monthly interest amounts are \$16,346, \$159 and \$38 respectively. The audit will start Monday, October 19th.

COUNCIL MEMBER REPORTS

BRAD: I saw firsthand an EMT response to an issue in my neighborhood. The EMT program is a valuable asset to the City. The response time was incredible.

BEN LUNDGREEN: From the time the page is received until someone is on scene is around five to seven minutes.

BRAD: Our EMT group arrives about five to seven minutes before the ambulance coming out of Smithfield does. Our department is very professional. In regards to the water department. We are waiting for the permit to operate the new well. There is still a land calculation and payout that is needed to be completed and that issue is being worked on.

STEVE PORTER: Where is the well located?

BRAD: Right next to the new tank. As far as we are aware there are only minimal solids in the water.

STEVE: How deep is the new well?

DAREK: The depth of the well is 672 feet.

STEVE: How deep is the well with the bad water?

BRAD: The well with the solids in it is at about three hundred feet and located by the City maintenance shop.

STEVE: What is the issue that Mrs. Thatcher and Mrs. Teeples brought up earlier in the meeting?

BRAD: The amount of water being used in the City is more than the springs are producing. One item not brought up in the public hearing was if less water was being consumed then the well would not have to be kicked on. There is a cost to turning on the well and operating it. The quality of the water is not as good either. The cost to deliver this water is higher than elsewhere. The City would not have to turn on the well if the water being consumed was less than the water being delivered.

STEVE: So the well is not run in the spring or the fall when water use is less.

BRAD: Correct. The water is tested. The water is 100% safe. The quality of the water is just not as good as spring water. The difference is well water versus spring water. The deposits brought in by Mrs. Teeples are mineral deposits and are not harmful.

STEVE: So when the tank gets low the well automatically kicks on?

PAUL: Yes, and pushes the water back into the system to help meet the deficiency.

JEFF: The new well is a better distribution point as well.

STEVE: When will the new well be on-line?

BRAD: Hopefully within the next few months.

STEVE: Will you stop using the old well at that point?

BRAD: Hopefully. We still have to show use of that well and have the well in operation. We need that well if the main trunk line for the City is damaged. This well is the only other water source we have other than the City Creek spring which is just a trickle.

STEVE: Does the City put fluoride in the water?

BRAD: No.

PAUL: Fluoride is costly and hard on the system as well.

STEVE: Fluoride has nothing to do with having better teeth.

BRAD: The culinary water rates for the City need to be adjusted. We can consider the input from the public. A decision has to be made. We have received initial approval for the sewer project that will cross the railroad tracks. J-U-B Engineers are helping us to get the necessary

permits. It is very expensive to cross the railroad tracks. There are many criteria and we will need to review with Ben and Rob. The maintenance department will start the winterization process next month. Snow removal has been discussed as well and how we want to handle it. There are no new nuisance complaints. We need to review the issue on 300 East again.

MARLOWE: I have not been able to review the issue again as I have been very busy on other projects.

BRAD: Let's review that issue. It is the only open complaint we currently have.

STEVE: Is it public knowledge?

BRAD: You can come in and make a GRAMA request to get information on it.

MARLOWE: It is protected right now.

BRAD: That is correct since some litigation might be involved.

JEFF: The City party went well. We had great weather, great food and great participation. I want to thank everyone that helped out. There were many hours of preparation that were involved to make this happen. I think this event is one of the things that makes Richmond special. Not many other places do something like this. Not many City Councils gather together with the residents for a fun activity. I would like to use Parlant to get people's thoughts on the fireworks show. It was a fun event but it costs quite a bit of money. I would like to know what the residents thought about it. The cost for the fireworks show this year was \$3,000.

BRAD: It was budgeted for as part of Black & White Days but got rained out.

PAUL: If we can keep getting sponsors we could hold the event yearly.

JEFF: We did receive sponsorship funds in the amount of \$500 this year from Sharik and Cheryl Peck and their company. I would like to know people's thoughts on getting sponsors to pay for the event. I would try and keep them to a minimum but the show costs money. I think it was a good addition to the party this year. I think there are several areas of town the fireworks could be seen from.

PAUL: It was a good addition to the party.

CHERYL: People stayed and participated longer waiting for the fireworks show.

JEFF: I think the fireworks show fits better with the City party. Six of the eight years I have been involved with Black & White Days it has rained. Only two of the eight years I have helped with the City party has it rained. We have completed some infrastructure work at the City office and library that allows the two buildings to communicate with each other. It will save money in the long term.

BRAD: I don't like the new phone system. I like to talk to people, not immediately go to a recording.

JEFF: I think our network setup is as good as any other city.

MAYOR'S REPORT

MARLOWE: The Mayor asked I bring this to the Council. Sue McCormick has resigned from the Planning Commission as she is moving outside of the City. Tucker is out of town this evening but he had reached out to Randy Fischer to ask him to serve in Sue's place. Randy wanted to talk to his wife first. The Mayor just informed me that Randy has accepted and it is up to the Council to consider him for the position at this time.

PAUL: Randy works at Lewiston State Bank and is a great guy. I think he will do a great job.

JEFF: I support him being on the Planning Commission as well.

*** A motion to appoint Randy Fischer as a member of the Richmond City Planning Commission was made by Jeff, seconded by Paul and the vote was unanimous.***

Yes Vote: Jensen, Erickson, Young, Peck

No Vote: None

Absent: Thatcher

BRAD: We need to get a thank you plaque for Sue. The next Council meeting will be held on October 20th.

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

Yes Vote: Jensen, Erickson, Young, Peck

No Vote: None

Absent: Thatcher

A-1 uniforms	252.44
Aflac	228.18
Allen Rock	1433.70
Alltech	1450.00
Altius	2677.97
ARS Flood & Fire	2169.80
Bear River Health	40.00
Beeline Digital	46.00
Bennetts Paint	290.13
Brent Webb	300.00
Brown Monument	170.00
C.V. Insurance	525.00
Cache Chemical	43.86
Cache County	
Corp	74524.36
Cameron's Excavating	10173.65
Century	523.43
Century Industries	62054
Century Link	236.39
CNH	149.79
Coats	99.00
Coca Cola	63.64
Comcast	608.36
Demco	45.78
Ecosystems	1950.64
Ferguson	773.35

Richmond City Council Meeting Minutes, September 15, 2015

Great Basin Graphics	110.00
Hach	6974.50
Hall's	144.65
IFA	524.50
Industrial Tool	24.95
Intermountain WorkMed	65.00
Ipaco	159.73
JUB	9788.53
Lee's	293.78
Lewiston City	37.17
Logan City	17916.50
Maverik fire	71.30
Maverik cemetery	220.69
Maverik	856.54
Meterworks	10299.24
Motorola	633.75
NAPA	134.56
Olson & Hoggan	4012.75
Over Drive	39.27
PEHP	230.42
Pepsi	147.00
Peterson Plumbing	3403.31
Questar	88.88
Rocky Mountain Power	12254.03
Rural Water Assoc	775.00
SKM	5548.72
Smithfield Imp	41.68
Specialized pest control	445.00
State of Utah	500.00
Tamara Hardy	60.00
Tess A. Davis	440.00
The Clean Spot	67.86
The Herald	
Journal	34.54
The Home Depot	76.86
Treewise	1230.00
United Service & Sales	219.98
United Services Assoc	600.00
UVU	33.00
Verizon	261.21
Wex Bank	45.80
Wheeler	1736.35
Zions Visa	5781.23

Adjournment at 8:49 P.M.

RICHMOND CITY CORPORATION

Michael E. Hall, Mayor

ATTEST:

Justin B. Lewis, City Recorder