

## **RICHMOND CITY COUNCIL**

**NOVEMBER 17, 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, November 17, 2015. 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, City Engineer Darek Kimball and City Treasurer Chris Purser were also in attendance.

### **APPROVAL OF CITY COUNCIL MEETING MINUTES**

\*\*\*A motion to approve the October 20, 2015 City Council meeting minutes was made by Jeff, seconded by Paul and the vote was unanimous.\*\*\*

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

### **PRESENTATION OF AWARD TO SUE MCCORMICK FOR PLANNING & ZONING PARTICIPATION**

**MAYOR:** Sue McCormick served on the Planning Commission from 2012 through 2015. We are sad to see her leave. Sue has moved outside of the City. You will be missed and we appreciate your service to the community.

*\*\*\*Mayor Hall presented Sue with a plaque of appreciation for her years of service.\*\*\**

### **BUSINESS LICENSE**

#### **REZZIMAX LLC**

**SHARIK PECK:** I reside at 405 South Highway 91. I have lived there for 9 ½ years. Over the last five years me and my wife have created some tools. I now have a tool that is ready to hit the marketplace. I am starting a new business for the tool to be sold through. The tool helps to deal with headaches and other nervous system conditions. The tool has seven speeds that help control the flow of energy through the nervous system. The tool will be hitting the marketplace in two weeks. Cheryl and I have been all over the world working on this project. I have a few thousand units arriving soon.

**MAYOR:** Will sales occur through the Internet? Delivery through FedEx or another shipper?

**SHARIK:** We will be doing Internet sales. We want to utilize the United States Postal Service since they are locally based.

**MAYOR:** Any traffic at your home?

**SHARIK:** None.

**PAUL:** Don't you have onsite parking if needed?

**SHARIK:** There are several parking spots at our home. We are not a point of sale business. Cherry Creek Dental will be selling our product. We will do product mailing and customer support from our home.

**JEFF:** I like local ideas. I have used their products. They helped me cure a migraine around 2 ½ years ago. I have witnessed the people they are helping. People with chronic illness can be helped. It is refreshing to see something new and local.

**CHERYL:** I will abstain from the vote since Sharik is my husband.

\*\*\*A motion to approve the business license request for Rezzimax, LLC (Sharik Peck) was made by Paul, seconded by Tucker and the vote was unanimous.\*\*\*

Yes Vote: Jensen, Erickson, Young, Thatcher

No Vote: None

Abstain: Peck

**BRAD:** The license will be good through the end of 2016.

### **CANVASS OF ELECTION RESULTS FROM NOVEMBER 3, 2015**

**JUSTIN:** The general election was held on Tuesday, November 3, 2015 at the City office building. There are 1,106 registered voters in the City and 272 voted. The voting percentage for the election was 24.59%. Paul J. Erickson, Tucker Thatcher and Jeff Young were elected to serve four year terms starting in January 2016. A couple of ballots were rejected. Reasons for rejection can be for various reasons such as the voter was not a registered voter, not registered in the City to vote or they filled out the ballot incorrectly. An incorrectly filled out ballot could be where a person selected four candidates when only selecting up to three was allowed. I would like to thank Lori Lefgren, Deanne Cottle and Geraldine Hansen for their help as election officials. I am not aware of any accusations of fraud or issues with the election. I would like to thank everyone that voted and those that helped out. Congratulations to the three that were elected to serve.

**MAYOR:** I also want to thank those that helped out. Their service is appreciated.

\*\*\*A motion to accept the election results of the November 3, 2015 General Election was made by Brad, seconded by Cheryl and the vote was unanimous.\*\*\*

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

No Vote: None

### **AUDIT PRESENTATION BY ALLRED JACKSON FOR THE PERIOD OF JULY 1, 2014 THROUGH JUNE 30, 2015**

**DIANA CANNELL:** I appreciate Justin and Chris. They are always good to work with. They have done a fantastic job this year. They are a pleasure to work with. I have good news. The City is doing well. I am going to hit just a few highlights. There has been one big change this year. It is called GASB68. It is new requirements to disclose pension liability for those entities using the State Retirement System known as URS (Utah Retirement System). Page 17 shows the

new pension accounts that have been added this year. New accounts include deferred outflow of resources-pensions, pension liability and deferred inflow – pensions. The numbers in the report are based on the number of employees in the URS system. The City is allocated a percent of the State liability. The State tells us the number to use for that line item. You don't actually have a bill for \$111,677. The pension numbers are based off of numbers provided from the State as of December 31, 2014. Your budget year ends June 30, 2015 so they would be slightly different. Overall your financials are quite comparable to last year. There were not any big changes in assets or liabilities. In the water fund, cash is down but assets are up so the net effect is minor. Page 21 shows you had a positive excess of revenues over expenses of \$21,223 for the budget year. Page 25 shows the water and sewer enterprise funds. The water fund showed a positive net change of \$102,344 and the sewer fund showed a negative net change of \$94,492. The reason for the loss is depreciation of assets. There are some State compliance issues I need to let you know about. You were within budget in all funds so there is not a finding there. Page 23 shows the budgeted numbers versus the actual numbers for the general fund. As you can see you ended up \$27,338 under budget. Some of the footnotes show capital asset improvements of over one million dollars in the water fund and a change of \$122,000 in the general fund. Page 44 shows that debt was paid down in the amount of \$321,679. Page 45 includes information on the pension plan of the City and this is new information that is required. There are two State compliance findings. The open and public meetings act has several items we are required to check for compliance. Agendas need to be properly posted on the public notice website and there was one that was not. The approved City Council meeting minutes need to be posted within three days of approval and that has not been done on the State website either. Closed meetings (Executive Sessions) need to be recorded. There were a few new items for this year such as the requirement to post meeting minutes. The requirement started in January 2015 but I don't think that was communicated to the cities very well. They usually let us know in May the new requirements and your fiscal year ends in June so it is hard to comply. It is just a minor finding. You are now aware and can address in the future.

**BRAD:** The open and public meetings act is always changing. There are always changes.

**DIANA:** You are correct. There are always new items. I wish we had a year to become compliant.

**BRAD:** We attend training seminars in April and September of each year.

**DIANA:** The issue is there is no way to document who actually attended which session. There was also a Justice Court finding. When a case is dismissed there is some documentation that is required. The documentation was missing on a couple of cases. The Court Clerk will review the process and make appropriate changes.

**MAYOR:** We are already in the process of implementing changes to come into compliance on the open and public meetings act finding.

**BRAD:** How do we provide documentation for this? Isn't the registration for the meetings enough?

**DIANA:** If you hold the training during a City Council meeting the proper documentation would show who attended and be a binding document.

**BRAD:** We are trained on this yearly.

**DIANA:** I think this is a short fall on the part of the State. They need to provide more clarification on their rules. Other cities are dealing with this same problem. The officers that are trained for GRAMA requests show online and I would hope this would be an option for other groups in the future.

**MAYOR:** We will be dealing with the open meetings and records training at our January Council meeting.

**DIANA:** Just make sure the training is included in the recording and written minutes.

**JUSTIN:** I would like to thank Diana, Brad, Greg and the other new members of the firm. They are good to work with. They are always very accommodating. This year we did something different and provided all of the information online through a Dropbox file. I think it worked out very well. I also want the Council to know that I have questions throughout the year on changes, budget items, etc. and I will contact Diana or Brad for help. They always respond immediately and we are not charged for the help I receive throughout the year. It is just part of the yearly agreement we have with the firm.

**MAYOR:** We appreciate the help of everyone that is involved in this process.

**PRESENTATION, DISCUSSION AND POSSIBLE DECISION RELATIVE TO TRANSFERRING THE RESPONSIBILITY OF THE VETERAN'S MEMORIAL UP-KEEP, MAINTENANCE AND FINANCES FROM THE VETERAN'S COMMITTEE AS PRESENTLY CONSTITUED TO THE RICHMOND CITY COUNCIL**

**MAYOR:** The City currently holds the funds for the Veteran's Memorial Committee and the committee approves disbursements.

**GALE ALVEY:** It has been 14 years since the memorial was dedicated. There are only five members of the committee left.

**MAYOR:** Who are they?

**GALE:** LuDean Watterson, LuAnn Tripp who is represented by Marvin Traveller this evening, Wendy Christensen, Leslie Erickson and myself. We want to propose that since our committee is diminishing in numbers as we get older that the City take over the maintenance and upkeep of the memorial. We have a list of items we hope you will consider as decisions are made regarding the memorial.

**LUDEAN WATTERSON:** We have a few stipulations. We want the funds to only be spent on the memorial. If names are to be added to the memorial the engraving needs to be done for free or the person requesting a name be added needs to make a donation to cover the cost. If new sheets are needed the memorial fund would pay for the sheet and the names would be paid for by donors. Any maintenance and repair cost would be paid with the funds of the memorial. We would hope you would always keep a cushion in the fund to allow for future major expenses or expansion. There is a table on the north side of the memorial showing everyone that donated to the creation of the memorial. We do not want names added or changes made to that table. New donors can be put on a separate memorial or table. Please feel free to contact any of us with any questions.

**GALE:** We just want an invitation to give our thoughts even though we know the final decision will be made by the Council.

**LUDEAN:** Does the Council have any stipulations in taking over that we need to consider?

**JUSTIN:** LuDean and fellow committee members I want to show you that we have a specific line item on the balance sheet for the memorial. It is a line item all by itself. We do get donations and expenses on occasion for the Veteran's Day dinner and as you can see that is a totally separate line item.

**MAYOR:** We appreciate you coming in with the request.

**GALE:** I am hopeful the Council member over parks and recreation can oversee the memorial as well. I think it is a good fit there.

**MAYOR:** I am not aware of any concerns and I appreciate Justin working with Gale to help make this come together.

**JEFF:** I appreciate your willingness to supply guidelines and stipulations but I hope they are not stringent as time and things change some of these items might change. Requests need to fit current circumstances. We don't want to go against the wishes of the committee.

**GALE:** We have received various calls over the years asking for money but the requests had nothing to do with the memorial. We did purchase some flags and flag holders for the cemetery years ago. The stands were broken. I don't think flag stands are needed. The flag pole can just be pushed in the ground. The Washington D.C. memorial does not even have flag holders. We just want to make sure the funds are used for the maintenance and upkeep of this memorial.

**MAYOR:** As a Mayor and Council we will always reach out to the committee members to participate in any changes or items needed in regards to the memorial.

**JEFF:** We want to be good stewards of the memorial. I just want to make sure there is flexibility as we maintain, repair and possibly expand in the future.

**GALE:** I have no doubt the City will maintain the memorial appropriately. There are six names that need to be added and we are going to take care of that through the current committee.

**LUDEAN:** We will oversee the addition of the six new names.

**PAUL:** Is a Resolution required to accept this request?

**MARLOWE:** Just a motion of the Council is all that is needed.

**BRAD:** I appreciate the work that has been completed. The memorial is a great asset to the City. I think a document needs to be created outlining the stipulations.

**PAUL:** Put the stipulations in the form of a Resolution.

**BRAD:** A very simple Resolution can be created.

**PAUL:** I think we create a Resolution and let the committee review it and note any changes they would like.

**MAYOR:** We will write up a Resolution and approve at the December Council meeting.

**MARLOWE:** I will put their stipulations in Resolution form.

**MAYOR:** We will provide a copy of the Resolution to Gale to provide to the committee to review before the December 8<sup>th</sup> Council meeting. We appreciate everything that has been done for the memorial. We understand the responsibility that is involved and will make sure we honor those that have passed on and those that serve in the future.

**PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING THE RENEWAL OF THE LOANS FROM THE CAPITAL PROJECTS FUND AND THE SEWER ENTERPRISE FUND TO THE WATER ENTERPRISE FUND.**

\*\*\*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, Thatcher

No Vote: None

*\*\*\*The public hearing opened at 7:39 P.M.\*\*\**

**JUSTIN:** In the process of the water tank and infrastructure project there were some expenses that needed to be paid and the water fund did not have the reserves to pay the expense. The capital projects fund and sewer enterprise fund loaned the water enterprise fund some money to pay for those expenses. The current principal loan balance owed to the capital projects fund is \$333,453 and the amount owed to the sewer enterprise fund is \$376,710. In the past the loans have been renewed on a yearly basis. Last year the loans were renewed at an interest rate of 1.00% as the State is paying us about 0.50% on our deposit accounts. We are in essence paying ourselves interest. The water tank project is finishing up as the well permit is needed, some landscaping needs to be completed and the land purchase agreement needs to be finalized. To stay in State compliance we need the Council to renew the loans. I suggest renewing the loans at a rate of 1.00% interest through June 30, 2016. The State is currently paying 0.65% interest on our deposit accounts. The State will dictate what is allowed with the remaining bond proceeds we have on hand after the project is completed.

**TERRIE WIERENGA:** How long before the loans will be paid off?

**JUSTIN:** I hope all of the paperwork and the project is completed no later than June 30, 2016.

**PAUL:** We still need to receive the permit to operate the well.

**MAYOR:** The State is finalizing the well permit and the land purchase agreement needs to be resolved as well.

**GALE ALVEY:** How is the well water?

**MAYOR:** The testing is done and the samples passed. The State just needs to give final approval to allow the water to enter into the City culinary water system.

**GALE:** What is the volume of the new well?

**DAREK:** We are allowed up to 700 gallons per minute.

**PAUL:** Right now the well is free flowing without the pump on.

**SHARIK PECK:** Where is the money coming from to fund the loans?

**JUSTIN:** The State will determine in the future what we are allowed to do with the remaining bond proceeds and then the City can make a plan of how to deal with these two loans.

**RILEY JORGENSEN:** I am here with my scout group. Can you talk about constitutional rights and freedoms.

**PAUL:** There cannot be taxation without representation. Everyone gets an opportunity for their voice to be heard. A recent election was held and three candidates were elected to serve.

**JEFF:** We are having a public hearing on Thursday night as the Richmond Cemetery Maintenance District is proposing a property tax increase.

**PAUL:** Justin please explain the advertising process for a property tax increase.

**JUSTIN:** There are several requirements that must be met. A parcel specific mailing was sent to everyone that pays property tax in the district. Advertising was required in The Herald Journal. There are even requirements on the size of the article in the newspaper and where it can be placed.

**GALE:** What ever happened with the proposed increase to the water rate?

**MAYOR:** It is being discussed later in the evening.

**PAUL:** Justin inform the audience of what the proposed property tax increase would do to your property tax on your home.

**JUSTIN:** The specific line item for the Cemetery District would increase from \$18 per year to \$46 per year.

**CHERYL:** My home is going from \$23 to \$64.

**PAUL:** Keep in mind this is just the cemetery portion of what is paid in property tax.

**JUSTIN:** For those in attendance, the Richmond Cemetery Maintenance District is totally separate from the City. They have their own board, budget, meetings, etc. The District consists of all of Richmond and a portion of Cove. About half of Cove is in the District. The other half of Cove is in the Lewiston district. The only connection between the City and the Cemetery District is the District has an agreement with the City to pay bills and manage the finances since the District does not have any full-time employees.

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

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

No Vote: None

\*\*\**The public hearing closed at 7:48 P.M.*\*\*\*

**DISCUSSION AND POSSIBLE APPROVAL OF THE LOAN RENEWAL FROM THE CAPITAL PROJECTS FUND AND SEWER ENTERPRISE FUND TO THE WATER ENTERPRISE FUND.**

\*\*\*A motion to approve the renewal of the loans from the Capital Projects Fund and the Sewer Enterprise Fund to the Water Enterprise Fund at an interest rate of 1.00% to expire on June 30, 2016 was made by Jeff, seconded by Tucker and the vote was unanimous.\*\*\*

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

No Vote: None

**PRESENTATION, DISCUSSION AND POSSIBLE APPROVAL OF ORDINANCE 2015-4, ENTITLED "AN ORDINANCE ESTABLISHING A MONTHLY BILLING AND 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).**

**MAYOR:** The original discussion started earlier this year. We have held two public hearings on the proposed changes. The higher end users would pay a higher fee. The fee is based on usage. The base rate of \$55 per month for up to 10,000 gallons would stay the same. The tiered rate would be as follows: 10,001 to 100,000 gallons used per month would be charged at \$1.00 per one thousand gallons used. Those using over 100,000 gallons per month would pay \$2.00 per month per every one thousand gallons used.

**JUSTIN:** The ordinance would go into effect on January 1, 2016.

**BRAD:** One part I want to mention is the \$1.00 per month increase that is implemented in July of each year has a termination date.

**MARLOWE:** That is correct. The yearly increase terminates on June 30, 2017.

**BRAD:** I want to make sure the current Council and Mayor review the rates on a periodic basis. The Council and Mayor need to sign off on and approve the rates. I don't want to see an automatic increase forever without a review.

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

**PAUL:** Water usage could change and the rate schedule will need to be changed as well if that happens. Expenses change as well.

\*\*\*A motion to adopt Ordinance 2015-4, AN ORDINANCE ESTABLISHING A MONTHLY BILLING AND 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)* was made by Brad, seconded by Paul and the vote was unanimous.\*\*\*

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

No Vote: None

**DICUSSION AND POSSIBLE APPROVAL OF ORDINANCE 2015-5, "AN ORDINANCE ESTABLISHING A NEW TITLE 14-000 ENTITLED UTILITIES IN THE CODE OF REVISED ORDINANCES OF RICHMOND (1975, ADOPTED 1976) AND RENDERING HISTORIC ALL PREVIOUS VERSIONS OF TITLE 14-000 AND THEIR RESPECTIVE ENABLING ORDINANCES".**

**MAYOR:** This ordinance gives the Council the authority to charge monthly utility fees for water and sewer service.

**CHERYL:** I need a brief explanation of this ordinance.

**MARLOWE:** This ordinance allows the Council to charge the residents a monthly water and sewer fee. The way the fees are collected is in a separate ordinance.

**CHERYL:** I thought we just did that in the ordinance that was just passed.

**MARLOWE:** This allows the Council to charge the fees. The ordinance that was just passed set the fee structure. I have read and reviewed all 60 plus pages of this ordinance.

**BRAD:** I have read the ordinance in its entirety as well. Some conflicting issues have been resolved.

**PAUL:** Brad are you satisfied with the proposed ordinance?

**BRAD:** Yes.

**MAYOR:** This is an ever changing ordinance as sometimes things change and conflicts occur and need to be resolved.

**CHERYL:** What if this ordinance is not passed?

**MARLOWE:** Then the City can no longer collect water and sewer charges from the residents.

**PAUL:** This ordinance also says how the City will operate the water, sewer and storm water systems.

**MARLOWE:** Yes, that is correct.

\*\*\*A motion to adopt Ordinance 2015-5, AN ORDINANCE ESTABLISHING A NEW TITLE 14-000 ENTITLED *UTILITIES IN THE CODE OF REVISED ORDINANCES OF RICHMOND, (1975, ADOPTED 1976)* AND RENDERING HISTORIC ALL PREVIOUS VERSIONS OF TITLE 14-000 AND THEIR RESPECTIVE ENABLING ORDINANCES was made by Jeff, seconded by Paul and the vote was unanimous.\*\*\*

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

No Vote: None

**DISCUSSION AND POSSIBLE APPROVAL OF ORDINANCE 2015-6 ENTITLED “AN ORDINANCE ESTABLISHING A MONTHLY BILLING AND RATE SCHEDULE FOR THE RICHMOND CITY SANITARY SEWER SYSTEM AND TREATMENT AS AUTHORIZED BY TITLE 14-000, CHAPTER 14-500 OF THE CODE OF REVISED ORDINANCES OF RICHMOND (1975, ADOPTED 1976).**

**MAYOR:** This was discussed at our last Council meeting. This changes how wastewater is metered and charged. When flow meters are installed there is a different rate schedule for the user. The monthly rate is not changing. There is not a public hearing as one is not needed since the rate is not changing.

**PAUL:** Darek have you reviewed this ordinance?

**DAREK:** Yes, I have read through it a couple of times. This ordinance clarifies there are two billing cycles. One is based on the amount of culinary water use and the other is based on if a flow meter is installed. There were some conflicts in the old ordinance in this regard. There is a new rate structure as well.

**BRAD:** The threshold numbers are now included. They were not defined previously. Now the surcharge is not applied until the allowable level is exceeded.

**DAREK:** The requirements of the new permit are included in the ordinance as well.

**BRAD:** Two new items have been included: Kjeldahl Nitrogen (TKN) and Total Phosphorous (TS).

**MAYOR:** The costs will be passed through to those putting excessive strength waste into the system.

**BRAD:** Phosphorous is a really big deal. We only have an annual allotment that is allowed. We are constantly monitoring how much is being discharged.

**JEFF:** How often is it tested?

**BRAD:** Monthly.

**MAYOR:** We get a report that shows where we are at.

**JEFF:** Is the State notified?

**BRAD:** Yes. Thankfully we have been able to discharge into our existing ponds.

**PAUL:** Where does the excessive strength come from?

**DAREK:** Excess strength comes from detergents and food for example. Phosphorous was removed from detergent because of this issue.

**CHRIS:** Are you changing the surcharge limit being applicable from five months down to three months?

**BRAD:** Yes. Right now seasonal discharge could or might not be caught if five months is allowed.

**CHRIS:** So the surcharge is not mandatory?

**BRAD:** That is correct. Each situation will be checked on a case by case basis.

**MARLOWE:** This ordinance is like the water ordinance and will expire on June 30, 2017.

**MAYOR:** This will ensure the Council and Mayor review the fees on a periodic basis.

**CHRIS:** The way the ordinance currently reads the customer will be charged. There is not an option saying it is not mandatory.

**BRAD:** I think “may” is a better term and should replace “will”.

**MARLOWE:** “May” allows the Council to have options. “Will” means the surcharge must be charged.

\*\*\*A motion to adopt Ordinance 2015-6, AN ORDINANCE ESTABLISHING A MONTHLY BILLING AND RATE SCHEDULE FOR THE RICHMOND CITY SANITARY SEWER SYSTEM AND TREATMENT AS AUTHORIZED BY TITLE 14-000, CHAPTER 14-500 OF THE CODE OF REVISED ORDINANCES OF RICHMOND (1975, ADOPTED 1976) with the word “will” being amended to “may” in Section B, Line 2 was made by Brad, seconded by Paul and the vote was unanimous.\*\*\*

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

No Vote: None

#### **DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 2015-7 ENTITLED “A RESOLUTION ADOPTING UNIT COSTS TO BE APPLIED WHEN CALCULATING THE COST OF WASTEWATER TREATMENT”.**

**MAYOR:** This resolution sets the cost per pound for additional treatment of wastewater above the allowed threshold.

**DAREK:** A cost of service study was completed. The cost to operate the facility is determined. The cost to treat the following was also determined: Biochemical Oxygen Demand (BOD), Total Suspended Solids (TSS), Total Kjeldahl Nitrogen (TKN) and Total Phosphorous (TP). The MBR plant was built to maintain a certain strength level which is the residential strength level. There is a higher cost to treat strengths above residential strength.

**JEFF:** What is the process? How do we find someone that is sending a higher strength into the system?

**MARLOWE:** We trace the flow. We install portable meters that help us track back to the area where the strength is coming from.

**BRAD:** With or without this fee we still have to treat the waste to meet the requirements of our permit.

**JEFF:** What happens when we go over the allowable limit?

**BRAD:** We get heavily fined.

**MARLOWE:** Fines could be up to \$100,000 per day.

**BRAD:** There is no death date in this Resolution. It is ongoing.

**MARLOWE:** A Resolution has been created as it is easy to change the costs per pound if they change. As costs increase we can easily change what we charge to match the current cost.

**BRAD:** That is why we did a Resolution.

**MAYOR:** We don't want to redo an entire ordinance each time these costs change.

**DAREK:** Right now residents are paying \$48.00 per month to put residential strength wastewater into the system. I don't see this resolution affecting a resident. They would have to

put some really nasty stuff into the system to be charged these fees. A regular home should not be affected.

**BRAD:** That is a good point of clarification. Industrial users are required to pretreat their waste. Our intent is to not have to charge the surcharge and only have residential strength waste enter into the system.

**DAREK:** We would be very happy to only have residential strength waste in the system.

\*\*\*A motion to adopt Resolution 2015-7, A RESOLUTION ADOPTING UNIT COSTS TO BE APPLIED WHEN CALCULATING THE COST OF WASTEWATER TREATMENT, was made by Paul, seconded by Tucker and the vote was unanimous.\*\*\*

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

**PRESENTATION, DISCUSSION AND POSSIBLE APPROVAL TO AUTHORIZE THE MAYOR, ASSOCIATED COUNCIL MEMBERS AND STAFF TO ENTER INTO DISCUSSION WITH A PARTY DESIRING ANONYMITY AT THIS TIME RELATIVE TO ACQUIRING UP TO EIGHT POINT SIX (8.6) ACRE FEET OF WATER FOR FUTURE CULINARY USE.**

**MAYOR:** There has been an initial discussion with a person who wants to sell some water rights to the City. The City has worked with this person in the past. The public will be made fully aware of any possible transaction in the future.

**MARLOWE:** The discussion can be confidential until negotiations are completed. The transaction would take place over eight years.

**MAYOR:** In the eighth year the City would purchase 1.6 acre feet to complete the transaction. The first seven years the City would purchase 1.0 acre feet per year. The agreement is being set up over eight years for tax planning purposes for the seller. The water right would be assigned to the City.

**MARLOWE:** The water right would be assigned to the WDCI well.

**GALE ALVEY:** Is this irrigation or culinary water?

**MAYOR:** It is just a water right that allows us to pull more water from our wells. The owner is giving up his right to pull the water from a well and selling the right to the City.

**TUCKER:** Is the price public yet?

**BRAD:** No.

**MAYOR:** At this time the request is that the Council allow myself, a member of the Council and the City Attorney to negotiate with the seller. The Council would have to approve any type of agreement at a future Council meeting. I am just asking for permission to enter into negotiations with the seller.

\*\*\*A motion to approve Mayor Hall, the City Attorney and members of the City Council to enter into negotiations for the City possibly purchasing 8.6 acre feet of water over a period of eight years from a private seller was made by Cheryl, seconded by Jeff and the vote was unanimous.\*\*\*

Yes Vote: Jensen, Erickson, Young, Peck Thatcher

No Vote: None

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

**JUSTIN:** There were \$12,431 in Class “C” Road funds collected in October. The amount received was for the amount collected the previous two months. The total amount collected on the surplus sale was \$13,290.

**BRAD:** These were all scrap items that had been fully depreciated many years ago.

**JUSTIN:** I talked with Tamara Hardy about the Youth Council. She has been assigned to oversee the finances and the budget of the Youth Council. This year there are four leaders that will be helping out. They are excited to get going. Tamara is mailing a personal invitation to all kids high school age to join the Youth Council. Tamara would like to be notified of the kid’s day at the Legislature at the start of the year. Tamara will work with Jeff on projects and assignments and myself in regards to the budget.

**JEFF:** This year we have formed a Youth Council leadership committee. The committee members are Stephanie Tanner, Tamara Hardy, Janet Bair and Fran Schumann. A committee will be able to balance the time of the committee members. Suzi Barrett struggled in the past to help during Black & White Days as she was heavily involved in track at that time of year. I hope this committee blossoms and is something we continue with year after year. I am excited to see what happens this year.

**JUSTIN:** So far Class “C” Road Fund expenditures have totaled \$65,577 plus another \$11,000 will be paid this evening. Once the current drainage project has been completed and the bills paid we will see how much is left for future projects in this budget year. Chief Wood and the Fire Department have been busy with training as you will see by their training line item in their budget. So far water impact fees collected for the year total \$16,276 and sewer impact fees collected total \$19,961. We currently have three annual payments on water bond obligations. Two of those payments will occur in December. One payment is approximately \$11,000 in principal plus interest and the other payment is approximately \$37,000 in principal plus interest. The third payment is made in June or July of each year. The two December bond obligation payments should be paid off in 2019. Each year as part of the employee’s wage we budget what we call a Christmas bonus which is in fact just part of the employee’s wage. Historically we make these payments in November or December of each year. The amounts are based off of if the employee is part-time or full-time and longevity with the city.

**MAYOR:** These amounts are budgeted for up front and part of our current budget. The list has only had minor changes since last year mainly from the addition of new employees.

**JUSTIN:** Juliene has reviewed and approved of the Library payments.

\*\*\*A motion to approve net Christmas Bonuses in the following net amounts to the Richmond City Employees was made by Paul, seconded by Cheryl and the vote was unanimous.\*\*\*

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

No Vote: None

**RICHMOND CITY EMPLOYEE NET CHRISTMAS BONUS AMOUNTS FOR FISCAL YEAR 2016**

Adkins, Marlowe	\$500
Bair, Robert	\$500
Ball, W. Scott	\$500
Chism, Charles	\$300
Collins, Yumi	\$400
Forsgren, Patricia	\$100
Funk, Matthew	\$500
Gilbert, Jan	\$150
Hawes, Kristie	\$100
Lewis, Justin	\$500
Lewis, Shane	\$400
Lundgreen, Ben	\$500
Nielsen, Shaylee	\$50
Parrish, Juliene	\$500
Purser, Chris	\$500
Reese, Janessa	\$50
Reese, Tina	\$100
Titensor, Melissa	\$300
Wood, Dennis	\$300

**COUNCIL MEMBER REPORTS**

**BRAD:** Lots of training is happening in the Fire Department. We have a deficiency in daytime response. I need ideas of how to get new recruits that can assist during the day. We need daytime volunteers. There is a training time commitment that has to be met and this is hard for some people to do. The City is changing and we have to meet the demand. People don't work in the City for the most part so we need to find new people. Drill attendance is a factor in training and certification. The City cannot match the hourly wage paid by the employer to the volunteer who responds. The response time from members of the Lewiston or Smithfield departments is about five to seven minutes longer because of travel time. Our Department cannot transport patients. We can only stabilize them and wait for the ambulance.

**PAUL:** Exactly what type of volunteer are we looking for?

**BRAD:** We need to find people that live in town and don't have jobs Monday through Friday from 8:00 A.M. to 5:00 P.M. so they would be able to respond to calls. The calls would mainly be EMT related.

**JEFF:** I have some questions. I know of people that can help and have helped in the past. The continual training has caused an issue. Are there other options for them to meet this training requirement outside of drill attendance?

**BRAD:** That is a discussion we need to have. In the past we have had separate EMT and Fire entities. We currently have separate budgets for each Department.

**CHERYL:** Why are the budgets separate?

**BRAD:** In the past we had some that were trained in firefighting only and others trained in EMT response only. Now almost all of the Department members are trained in both areas. We need to

discuss this issue with the Fire Department leadership and see if we need to have a separate EMT group only.

**JEFF:** I think of someone choking or other similar emergencies and we need someone there as quickly as possible. It might be a life or death situation. What options can we consider? There are people that are willing to help but cannot attend the weekly drills.

**BRAD:** Cheryl and I need to meet with Chief Wood and discuss. Right now we do not have sufficient coverage during the day. I need to get input from Chief Wood. There are liability issues we need to understand.

**CHERYL:** I am glad to meet and discuss.

**BRAD:** There have been some recent Fire Department calls as well. One was a fire at Pepperidge Farms.

**TUCKER:** Are the people that are willing to help not able to help because of time or drill attendance?

**BRAD:** I don't know. I am getting conflicting reports. Drill attendance is a big issue. There have always been drill attendance requirements that need to be met but I think accountability has been lacking in the past. I think the attendance policy is more stringently monitored now. We need to meet, review and discuss what is best for the city.

**MAYOR:** I think everyone needs to meet on occasion to understand what needs to be done as a team but can some of the training be done online?

**BRAD:** We ask a lot from our volunteers. Most volunteers are not just volunteers for the EMT or Fire Department but volunteer elsewhere as well in other capacities. We cannot lose anyone that is willing to volunteer. We have spent a lot of time and money to get people trained.

**CHERYL:** I know I want the best people to respond during an emergency.

**BRAD:** Right now we have good coverage on weekends and evenings. We need to fill the void during the day. I am not aware of any water or sewer concerns so if you have something please let me know. There is a sewer project on 500 West on the north end of town that is being reviewed. We have received approval from Union Pacific for the project and need to pay them for their permit. Once they are paid there is a deadline for the project to be completed.

**PAUL:** The new pipe goes under the railroad track?

**BRAD:** Yes. The sewer model has shown a potential deficiency in that area we need to resolve. This project is why we have impact fees. This project is an example of why impact fees for sewer are higher on the north end of town than the south end of town. There is still one open nuisance complaint. I know Justin has spoken with the property owner but it does not appear anything has been done. I have not seen any improvement but I know there is an ongoing discussion.

**JEFF:** I have been over the Black & White Days celebration for eight years. I am wondering if it is time for someone else to take over. Let a fresh set of eyes make changes and suggestions. If any of you want to take over I am glad to let it go. In regards to our parks and recreation department I don't think the city has ever looked better. Right now the staff is focusing on picking up leaves. We have dedicated employees. I saw them this morning at light out working in the cold.

**PAUL:** Our mowing is golf course quality and they are doing a great job.

**JEFF:** It has been a very positive year for maintenance of the parks. I am looking forward to the future. I want to see new things done in the future. The Star Garden has not had a lot of care in the past as we have not had time. I am excited to see areas like this updated and changed.

**MAYOR:** Justin please give us an update on the Star Garden.

**JUSTIN:** Paul Jenkins as part of his Eagle Scout project cleaned up the Star Garden. All of the bushes and old bark and ground cover were removed. A&D Landscaping, weather permitting, we be installing a sprinkler system in the Star Garden in November. Next spring I intend to put down commercial grade weed barrier, day lilies and other plants that do well in this climate and don't have to be replaced yearly. The project will be finished off with decorative rock.

**JEFF:** Since the splash pad application for that area was denied I think this is a great change.

**LUDEAN WATTERSON:** Are there any grant opportunities for a splash pad?

**JUSTIN:** Great question. The reason we were denied this year in our RAPZ tax application was the Board felt water conservation is a big issue and splash pads do not conserve water so all of the splash pad applications were denied.

**JEFF:** Sadly, some projects were previously funded in this regard and all new proposals were denied.

**LUDEAN:** I know Springville City has a canal type system.

**JEFF:** In the past we have been fortunate and received around \$30,000 to \$50,000 per year in RAPZ tax allocation approvals. The big splash pads in those bigger cities cost over \$500,000 plus the cost of the water.

**LUDEAN:** What can the grants be used for?

**MAYOR:** It all depends on the requirements of the grant. Parks, lighting and other projects are various examples.

**LUDEAN:** Does the City have to pay a portion?

**MAYOR:** All grants are different. Some require a 50/50 split. Some allow us to trade labor in lieu of cash. Some want a 5% match. All grants have different requirements.

**TERRIE WIERENGA:** What is the long term plan for the nature park? The Lion's Club is willing to help out.

**DAREK:** I met with a young man last week that wants to do his Eagle Scout project up there. Actually there would be two Eagle Scout projects. They would work together to get a railing on the bridge. There are federal guidelines that need to be met. The Council will be part of the approval process as well. The paperwork would be completed over the winter months and the project would be done in the spring.

**TERRIE:** What about trails? Seeding of the area?

**MAYOR:** The trail has been outlined. There will not be a pond because of liability issues. The area will continue to serve as a catch basin. If we line the pond area and hold water there the City will have some liability issues. The trail will just circle the park at this time. Roger Priest is aware of the trail. Railroad ties are being considered to line the trail. We are open to all options. We received a bid previously for seeding and just could not financially afford to do it. We can reconsider for the future.

**TERRIE:** Right now the area is just filled with noxious weeds and poisonous plants.

**PAUL:** Our existing budget would allow for spraying of the area. I would love to see a proposal for the area.

**JEFF:** Terrie, you have a great background to help us. I am over parks and this park is different from all of the other city parks. I am willing to look at any idea. I want to keep the character of the area as it is developed.

**TERRIE:** Native grass would do well in the area.

**MAYOR:** We are willing to consider all options.

**TUCKER:** Planning and Zoning has been slow the last couple of months. We have one Commissioner that needs to be replaced as her term has expired. I have a new candidate I would like the Council to consider. The name I am presenting is Jessica Dunyon. I think she would be a good fit. I know Justin knows her and she supplied a small introduction that I have sent to the council for review.

**JUSTIN:** I went to school with Jessica. I admire her for being a single mom with two kids and still finding the time to get her master's degree. She works in Logan at iWorq. She has two kids attending Sky View High School and she resides in Hill Haven. Jessica is like Cheryl, Terrie and Sue McCormick. She will attend all of her meetings and always be prepared.

\*\*\*A motion to appoint Jessica Dunyon as a commissioner on the Richmond City Planning and Zoning Commission was made by Cheryl, seconded by Jeff and the vote was unanimous.\*\*\*

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

No Vote: None

## **MAYOR'S REPORT**

**MAYOR:** Rocky Mountain Power has donated \$300 to the Youth Council for their projects and activities. They have donated to the Youth Council the last couple of years and we appreciate their willingness to help.

**MARLOWE:** Notification of the payment has been received.

**MAYOR:** Marlowe please send them a letter thanking them for their support.

**JEFF:** Smithfield City worked with Comcast this year on a Comcast Cares Day of Service. Justin how much did Smithfield earn during that day?

**JUSTIN:** Approximately \$28,000.

**JEFF:** I would like to pursue seeing if the City could work with Comcast. We have the people that are willing to help. We already have an annual city-wide cleanup just before the Black & White Days Celebration. I think this could be a great opportunity for the City. We have many good causes the funds could be used for.

**CHERYL:** Maybe we could tie it into the changeover of the schools from Park Elementary to White Pine.

**JEFF:** I think we should focus on sidewalks as we are lacking a good sidewalk to get to White Pine.

**CHERYL:** Or even a playground since there is not one at White Pine.

**JEFF:** We are already in the process of trying to get good sidewalks to White Pine as right now the kids have to walk on the road on 100 North. This is something I will pursue.

**MAYOR:** The next Council meeting has been rescheduled to Tuesday, December 8<sup>th</sup>. The City employee Christmas party will be held on Friday, January 15<sup>th</sup>. The Lieutenant Governor is speaking to the Mayor's Association on Thursday night and myself, Cheryl and her spouse and Tucker and his spouse will be attending. The dinner is being held in the Utah State University ballroom.

\*\*\*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, Thatcher

No Vote: None

A&D Landscaping	5089.09
A-1 Uniforms	70.38
Allen Rock	56.10
Alltech	84.75
Al's Sporting Goods	230.20
Al's Trophies	44.78
Altius	2677.97
American Water Works Assoc	209.00
Bair Auto	85.00
Bear River Health	120.00
Beeline Digital	23.00
Biolynceus	1354.51
Brown Monument	170.00
Cache Chemical	308.59
Cache County Corp	10.63
Cache County Treasurer	953.94
Century Link	241.29
Comcast	237.65
Denny's	85.98
Ecosystems	1468.15
Electrical Wholesale	18.23
Esri	401.00
Follett	700.00
Great Basin Graphics	55.00
Hall's	122.48
Harris	2355.46
Industrial Tool and Supply	45.47
Interstate All Battery	73.80
IPACO	47.08
Ipaco	650.00
Itty Bitty	147.11
JUB	28998.27
KCA Construction	11384.05
Landlocked Design	177.85

Richmond City Council Meeting Minutes, November 17, 2015

Lewiston City	1471.22
Logan City	17781.81
NAPA	158.76
NAPA of Smithfield	160.07
Olson & Hoggan	2768.50
PEHP	460.84
Pepsi	39.00
Peterson Plumbing	1448.90
Platt	1191.98
Questar	130.09
Randys	50.40
Remote Control Systems	550.00
Rocky Mountain Power	11177.42
Safety Supply and Sign	901.90
Saltworx	3091.50
Siemens	5398.45
SKM	1810.56
Smithfield imp	152.52
Staples	144.44
Stotz	991.46
Tamara Hardy	116.00
Tess A. Davis	725.00
The Clean Spot	150.35
The Herald Journal	512.87
The Home Depot	1700.98
Treewise	1090.00
UEN	143.95
Utah Firemans Assoc	94.00
Verizon	261.01
Wex Bank	50.55
Wheeler	118.50
Zions Visa	2812.04

Adjournment at 8:52 P.M.

**RICHMOND CITY CORPORATION**

\_\_\_\_\_  
Michael E. Hall, Mayor

**ATTEST:**

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Justin B. Lewis, City Recorder