

RICHMOND CITY COUNCIL

APRIL 18, 2017

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, April 18, 2017. The meeting began at 7:00 P.M.; Mayor Jeffrey Young was in the Chair. The opening remarks were made by Cheryl Peck.

The following Council members were in attendance: Paul Erickson, Tucker Thatcher, Cheryl Peck, Lyle Bair and Kelly Crafts.

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

APPROVAL OF CITY COUNCIL MEETING MINUTES

A motion to approve the March 21, 2017 City Council meeting minutes was made by Lyle, seconded by Cheryl and the vote was unanimous.

Yes Vote: Erickson, Thatcher, Peck, Bair, Crafts

No Vote: None

QUARTERLY REPORTS

FIRE DEPARTMENT

CHIEF TROY HOOLEY: I have t-shirts with the department logo I would like to present to the Council and Mayor. We want the Fire Department to be well represented. The logo is on the front and back. I want to introduce my Assistant Chief Chris Ross. When there are Council meetings I cannot attend, Chris will attend in my behalf. In March we responded to two fire calls and seven EMS calls. One call was a cardiac arrest at Maverik. The staff did a good job. Two of the department members rode in Ambulance 160 to Logan as part of the response. I was notified by other department how well our department did on the call. So far since I came on we have been able to have at least two people respond to every single call for service. Right now there is a lot of training going on. Two are participating in an EMT course in May. Three will be attending wildland fire training in May. Two members will be attending an apparatus class in June. We are looking into all training options. The better trained we are the better care we can offer. Tonight a pack test is being done by the members of the department. This is not something everyone has participated in during the past. We ordered five packs and they are for training purposes and to help with physical fitness. The test is to wear the pack, which weighs 45 pounds, and hike for three miles and must be completed in 45 minutes. At about the two mile mark most people start to get shaky. It is a lot of weight. So far everyone who has tried has passed. Some department members chose not to participate this year but my goal is to have 100% participation next year. The more wildland certified members we have the more money we can make. We have submitted the letter to the county about taking over one of the ambulances to make as our new squad vehicle.

JUSTIN: I have been told the new ambulance won't go online for at least another month or so.

CHIEF HOOLEY: I know the ambulance we are getting is still in service and being used. During the summer we are going to do some evolutions in the city park. This is when a fire is rehearsed from A to Z so that everyone in the department knows their job when we respond to a fire. We will be using some fire hydrants and water for this training exercise.

MAYOR: We will want to reserve the park for you on those days as we rent the pavilions out to people. We don't want to have any conflicts with park reservations and your training drills down there.

CHIEF HOOLEY: We will be doing some hose testing as well. Each hose is pulled out and pressurized and then marked with the day it was certified. I have talked to L.N. Curtis Company about getting a quote to repair our extrication tool that is in the station. It needs to be gone through. I am not sure if it runs or not. Right now we would have to wait for the Smithfield or Lewiston departments to arrive on scene with their tools.

LYLE: Is this the combo tool?

CHIEF HOOLEY: Yes, it is not the ideal tool but it will work. L.N. Curtis will get us a cost estimate to put this equipment into service. We can also apply for some grant funding for new extrication equipment.

LYLE: Do you know if the tool or the power unit is not working?

CHIEF HOOLEY: I was told it is the power unit but I am not sure. I know it has a Honda motor that operates it. I am getting it looked at tomorrow. We are also getting a bid to repair the doors on front of the building.

MAYOR: Is there a way to secure the quonset doors better?

LYLE: Aren't the doors barn style?

MAYOR: It is a sound building if we can figure out how to secure the doors better. We need to seal them off. The new ambulance will be going in there.

CHIEF HOOLEY: Actually the ambulance will go in the station. The old ambulance is being stored in the quonset because it does not function. I know the parks department has other items stored in there as well. We have an antique truck and brush truck stored in there as well.

MAYOR: Tucker will review the door situation and see what can be done where he is over buildings.

TUCKER: The building is good. If a new door can seal it off, it would be worth it.

CHIEF HOOLEY: Some of the rollers on the garage doors are worn out and we are having remote control issues with the openers. For \$500 we are getting all of the rollers replaced on the front doors and the remotes repaired. Do you know when the fire hydrant on 200 South 200 West will be repaired? We are concerned it is out of service where it is located by some businesses.

MARLOWE: The auto dealership hit and broke the fire hydrant over the winter. We have the parts to repair it and will do so now Rob is back to work.

CHIEF HOOLEY: There is other physical fitness certification that can be done without using one of the packs.

LYLE: I believe it is a run that is 1 ½ miles long and must be completed in 11 minutes and 30 seconds or less. I want to thank the department for what they are doing and the progress that has been made recently.

MAYOR: There are many good things that are going on. Things are looking good and I want to thank every department member for making a difference.

TREASURER

CHRIS: I don't have any additional items to discuss this evening.

MAYOR: Chris does everything behind the scenes at the City office along with Marlowe. Many things happen in the background that people are not aware of. Turning on water, flushing a toilet and having plowed roads all happen because of people behind the scenes and they are not appreciated until the service is stopped.

JUSTICE COURT REPORT

MAYOR: Judge Funk will come before the Council once per year in either June or July to give a yearend report and update. Our Justice Court Judge is Matthew Funk and his Court Clerk is Melissa Titensor.

YOUTH COUNCIL REPORT

JENECCA VAIL: Last Thursday 14 of us helped to fill the Easter eggs along with the Lion's Club. On Saturday 16 of us helped to hide the eggs for the Easter egg hunt. Two Saturdays ago we met and discussed how we are going to run the hamburger stand for Black & White Days. We will have more planning meetings in this regard before Black & White Days. We have ordered new t-shirts to wear during the upcoming events. We are going to help with the citywide cleanup. We will assign people where to go and work.

PAUL: We will need a couple of members here at 8:30 A.M. on Saturday, May 6th to pick up tables, chairs and garbage bags for the citywide cleanup. The main focus areas will be Main Street, State Street and the city parks. The cleanup will start at 9:00 A.M. and I will reach out to the local faith based groups to remind their leaders.

MAYOR: We will send out a message through Parlant as well.

KELLY: What is the movie in the park going to be for Black & White Days?

JENECCA: Moana.

EAGLE SCOUT PROJECT PRESENTATION

LYLE: Blake Johnson has an Eagle Scout project he would like to present to the Council.

BLAKE JOHNSON: I need an Eagle Scout project and talked to Chief Hooley. I would like to paint the exterior of the fire station. We have some color options to consider. It would freshen up and make the building look better. The intent would be to do a light color on the bottom, dark brown in the middle and red around the top.

CHERYL: Who chose the colors?

BLAKE: They have not been selected. I have some options for the Council to consider.

CHIEF HOOLEY: We are still looking at color options.

PAUL: How do you plan to do this project?

BLAKE: We will rent a lift and sprayer.

PAUL: Are you wanting the City to pay for the paint?

BLAKE: Yes. We need to get some cost estimates.

CHIEF HOOLEY: I would really like to see the building painted. We received a professional bid and it was around \$6,000. The department members are willing to help with this project. I want to involve as many people as we can. We will need to rent a lift and a sprayer. Areas will need to be masked off. I got the square footage of the building and it is 5,200 square feet. I would need to deduct the door areas from this amount for the actual square footage to paint. I talked to the owner of Bennett's Paint and we are estimating the cost to be around \$1,500. There is a huge cost savings with donated labor.

PAUL: When are you wanting to do this project?

BLAKE: As soon as I can. I expect it will take a few days to complete.

PAUL: Is your plan after school gets out for the year?

CHIEF HOOLEY: We are still trying to figure out exact dates.

MAYOR: Could it be done before Black & White Days?

CHIEF HOOLEY: It would be nice if it could.

DAREK: It is such a large project it could possibly be split over two Eagle Scout projects.

MAYOR: The scouting agency prefers not to have split projects anymore. I think with the help of the department and others Blake gets to help it will be fine as one project.

TUCKER: Is there some repair work that needs to be done to the building?

CHIEF HOOLEY: There is some stucco on the bottom of the east side that is in disrepair. Moisture gets behind it and ruins it.

LYLE: There used to be berm on the east side of the building and the stucco went down to the edge of the berm. After the berm was removed nothing was done to the building below the stucco.

CHIEF HOOLEY: I am thinking we can clean it all off.

MAYOR: I think the City wide cleanup would be a good day to do this project. The project could start earlier in the week but we could have the community participate on Saturday. I think it would be good to have the community involved.

CHIEF HOOLEY: I only figured renting one scissor lift but to do what you are wanting I think we would need to rent two or three scissor lifts to get it done as well as a couple of sprayers.

LYLE: What are the cost of the lifts to rent?

CHIEF HOOLEY: A regular lift is about \$100 per day and a large lift is \$350 per day.

PAUL: We need to make sure there is adult supervision around the lifts at all times.

MAYOR: Blake can you do this project during the citywide cleanup?

BLAKE: Yes, I am willing to try.

PAUL: I would guess you will spray the area and then roll it with a roller.

DAREK: You could move the thank you luncheon up there and cook the hamburgers and hot dogs at the fire station so the community could see what is being done.

PAUL: What about seating if we do that?

MAYOR: We can take over tables and chairs from the City office building.

CHERYL: I need to know the location for the food permit.

MAYOR: Let's make it all happen at the fire station.

PAUL: It is a big project with a ton of work needing to be done but will be nice when complete.

DISCUSSION AND POSSIBLE VOTE ON DECLARING MAY 4TH AS A DAY OF PRAYER IN UTAH

MAYOR: Governor Herbert is proposing to have May 4, 2017 as a Day of Prayer in Utah. I would like to read the declaration we have been sent.

Mayor Young read the following:

Whereas, prayer is a fundamental part of our national heritage, with the first National Day of Prayer proclaimed by the Continental Congress in 1775;

Whereas, in 1783, the conclusion of the Revolutionary War marked a temporary end to the National Day of Prayer;

Whereas, reinstated as an annual observance by members of Congress in 1952, the National Day of Prayer has become a unifying force for American citizens representing diverse religious backgrounds; and

Whereas, this nation has traditionally sought Divine guidance as it charted what has become the path of American history;

Now, Therefore, I, Jeffrey D. Young, Mayor of Richmond, Utah, do support Gary R. Herbert, Governor of the State of Utah, in his Declaration of May 4, 2017, as A Day of Prayer in Utah.

MAYOR: I support this. I feel it is important. We start our meetings with a prayer the majority of the time. It is not meant to offend anyone. Prayer has been part of the process since this country was founded.

A motion declaring Thursday, May 4, 2017 as Day of Prayer in Utah was made by Tucker, seconded by Paul and the vote was unanimous.

Yes Vote: Erickson, Thatcher, Peck, Bair, Crafts

No Vote: None

PRESENTATION RELATIVE TO BENEFITS AND RESPONSIBILITIES OF ESTABLISHING A HISTORICAL COMMISSION BY ROGER ROPER OF THE UTAH STATE HISTORICAL SOCIETY

TUCKER: Scott Tripp previously asked us about forming a historical society again in the City. Roger Roper from the Utah Division of State History was going to attend this evening but a personal item came up and he cannot attend. Roger was going to explain the process to the council for creating the historical society and answer any questions we might have. Since Roger is not here this evening Scott Tripp will let us know what he has found out.

SCOTT TRIPP: I have a document from Roger I would like to present to the Council for review. It talks about advantages of a historic commission and the position of the State of Utah.

There is a book at the County that lists all of the historical barns in the valley and the Tripp Family barn is included. I want to restore my mother's house to the Victorian state from when it was built. I have been visiting with the State Historical Society since January. In order for my project to be able to apply for funding a certified local government needs to participate. The City had a historical society in the past but it is currently inactive. To reform the committee it requires a chairman and four residents to be appointed. I want to read some quotes from Roger in the email he sent to me. They are as follows:

Richmond's re-engagement with our Certified Local Government (CLG) program is an optional opportunity, not a rigid requirement. Richmond can always opt out at any point though we haven't seen that happen with any of our 95 local government partners. There is no threat to their autonomy and authority regarding historic properties.

In order to continue its CLG status and thereby be eligible to apply for our grants, the City simply has to appoint members to its historic preservation committee (as already established in its historic preservation ordinance).

Any protection of historic buildings is entirely at the discretion of the city.

Our goal, from the State Historic Preservation Office (SHPO) perspective, is to help your community make the most of its historic resources. We don't have any demands about "have-to" preservation outcomes. We just want to help your community make well-informed decisions when it comes to keeping or demolishing historic buildings. We have no authority in that regard.

Listing buildings in the National Register of Historic Places is a non-restrictive way for communities to make available tax credits and grant incentives for historic properties. There are no regulations tied to National Register listing at either the state or federal level, those only come with local regulations, which the city has entire control over.

Certified Local Government (CLG) status is nothing but a benefit to communities. Richmond is already a CLG but it needs to reconstitute its historic preservation committee in order to maintain its "active" status. By being "active", the community can qualify for the current grant from the SHPO. The SHPO is open to revising the current grant application so it meets community priorities grant requirements and doesn't compromise any conflict of interest provisions.

SCOTT: I talked to the State about Park Elementary School where the City will be taking over the building. I also mentioned the Relief Society building. Up to 20% of the restoration cost can be taken as a State tax credit. There is value. The State will also help with surveying and architectural design. They will do a pre-survey of Park School for free. When it comes to grant funding there is a cost share proposal. The City can contribute its portion with labor and in-kind funds. I don't see a down side. The City can opt-out at any time. For me, I want to restore my mom's home. I have removed the siding. The brick for the home was originally made in Smithfield. The lean-to on the north side of the house will be removed and a cottage drive-in will be created like when the home was built in 1900. The lean-to on the south end will be changed to an outdoor kitchen. The State is here to help. I know there were some problems with the local historic commission in the past. I have tried to explore those issues. I think there were

some personality and budgetary disagreements. In 2000, a plan was done for the City. Park School qualifies. The plan lists every single home on every single block that would qualify in the City. The State wants to see an active historic commission. The Council can activate the historic commission with a vote. There will need to be a chairman and four members approved by the Council. There is grant funding available this year. The grant funding comes from the legislature. There is not a down side for the City to apply. You can apply if you want or you can opt-out. The State is here to help.

MAYOR: My concern is that I have always been told once a home is on the historic register it is very limited in what can be done to the home after that point. There is a house by Maverik on the highway I have this concern about.

MARLOWE: Unless the rules have changed from 2000, we were told once the home is on the register you cannot destroy or make any major changes. The home must stay in its historical shape. From what Scott has presented that appears to have changed.

TUCKER: Is there a difference between the State and national register?

MARLOWE: Back in 2000 if you were on one, you were on both.

SCOTT: From what I have been told buildings can be changed.

MAYOR: The information Roger has provided says there are not any restrictions.

MARLOWE: We don't have a local registry and guidelines in town that we have created.

TUCKER: So if for some reason the City needed to remove a historic building we could?

SCOTT: I don't see any restrictions saying you cannot.

CHERYL: Who prepared this information?

SCOTT: Roger Roper. He is over the CLG for the state.

PAUL: Do you know if the function or use of a building can change after a grant has been received to help with renovation costs?

SCOTT: Not that I am aware of. On my mom's home we removed the siding. We are putting in different windows and the State is fine with that. I want to maintain as much of the Victorian look as I can.

PAUL: If the City were to apply for and receive a grant and years down the road wanted to remove the building are there any restrictions?

SCOTT: I don't think so.

MAYOR: Park School is coming over to the City later this year. It makes sense for us to relocate down there. What about the library? What do we do? The Carnegie library is not handicapped accessible and cannot be expanded. It will be a future discussion point. It is a conversation we need to have in the future. If the library relocates down there how do we preserve the Carnegie library? I think in that case it would fall to something like this. I know it will put people's minds at ease if they know we are going to preserve the Carnegie library building.

TUCKER: And stay within the budget of what the City can afford.

MAYOR: Historical societies in towns can be controversial. Committee members are bent on doing things a certain way and won't listen to anyone else. I have talked to other mayors about this issue. Then a Council considers disbanding the society and it becomes an emotional and complicated issue.

SCOTT: The committee is picked by the Council, so pick who you want.

MAYOR: It can be done properly. New generations do not appreciate historical buildings or preservation. I admit there is a generational gap in this regard. As a council we need to represent

both sides and consider all generations. There needs to be a proper balance. I am not opposed to recreating the historical society.

LYLE: I want to see their actual regulations and terminology. I am open to considering the request. I don't want any restrictions on property.

SCOTT: I can call Roger and we can address all of these items in the future. I will get the responses to your questions and send to Tucker and he can forward to the council for review.

CHERYL: I want to see where in the State regulations this information is coming from.

MAYOR: Tucker please reach out to Roger with our concerns and questions.

MARLOWE: Keep in mind what we are doing only applies in the City limits. The Council only controls what is within the City limits not what is in the County.

SCOTT: The CLG covers the Cemetery District as well and that includes my area.

MARLOWE: The Council does not dictate what happens outside of the City.

TUCKER: I will make sure to clarify that item specifically.

SCOTT: I live in the County and asked that specific question.

MAYOR: Tucker will follow through on our questions. We need someone on the Council to head this up. Tucker do you want to be the Council member over this area?

TUCKER: I can but the Council will need to decide by formal vote if we are going to move forward or not with this.

PAUL: We need some answers and can discuss again at a future Council meeting.

MAYOR: The Cemetery District covers Richmond and Cove. If we are including the boundaries of the District we should get people on the committee from the entire area not just the city. We can discuss this again next month and vote on the request.

PAUL: I will be absent from the council meeting in May and would like to be in this discussion in the future.

TUCKER: We can review and vote in June.

PAUL: That would be great, thanks.

MARLOWE: We need to understand our liability issues if this extends outside of the City. I am concerned. I have never heard about this before. I have never heard a City can have any control over an area in the County.

JUSTIN: I wonder if the State thinks the City and the Cemetery District are the same. If they think the board members and Council are the same people. This might be a Cemetery District issue not a City issue.

MAYOR: Let's put this on the June agenda to discuss and vote.

TUCKER: I will get some answers. I will make sure to thoroughly research the out of City limit issue question and concern.

<p>CITIZEN PRESENTATION AND DISCUSSION RELATIVE TO NEW CONSTRUCTION OBSTRUCTING RESIDENTIAL VIEW AND POSSIBLE DEVALUATION OF AN EXISTING RESIDENCE AT 14 NORTH 400 EAST.</p>

LESLIE BRIGGS: We moved to the City nine years ago. We were told at that time the small section of land across (west) from our home belonged to the HOA (Homeowners Association) and nothing could be built on there. It was a determining factor in why we chose to buy the house. We were surprised when two years ago a shed was built across the road and blocked our view. We are upset. I cannot understand why they built a shed there. The shed should have been built to the south on Kim Christensen's property by his barn. Our home has been devalued. We

now have to pay mortgage insurance because we are below the 80/20 threshold. We have lost tens of thousands of dollars because of the shed. We don't think we have any recourse. We don't know when the project is going to end. Recently, we see new curved piping coming out of the ground and last week a six foot tall power transformer was installed. Now power poles are being installed and they are not attractive. Where does this end? We want to know if the City can do anything to beautify this area? I don't know why we were told the HOA owned this property.

PAUL: Did you build your home?

HAL BRIGGS: No, it was previously built.

PAUL: You were told the land where the shed is belonged to the HOA?

HAL: Yes, we were told Bret Christensen did not turn over the land to the HOA as promised. Now three new power poles are being installed and our neighbors to the north are getting concerned as well. Right now around the building is nothing but gravel and dirt. The builder starts working as early as 6:00 A.M. and sometimes works as late as 10:00 P.M. We have lost our neighborhood.

PAUL: An appraiser actually told you that your house was devalued?

LESLIE: The appraisal came in \$15,000 below where we expected.

HAL: Is more still going to be built? There is always something new being installed. Is the area going to be beautified so it is just not gravel and mud?

LESLIE: At least some grass and a berm could be installed.

HAL: We love our home. If we want to sell it there will be a problem. We have a power substation to the east of us. Most people think it is a health issue but it is not. People need to do their homework to understand that. I am worried.

MAYOR: The power plant was there long before the entire subdivision.

HAL: We are worried about issues on both sides of our house.

TUCKER: Have you talked to the irrigation company or owner of the property about your concerns?

LESLIE: Why would we do that?

PAUL: Because it is on private property. It is considered a utility building and has a unique set of allowances.

HAL: I was told this might not be a City issue. Anthony Lyon told me Bret Christensen told him there would be grass in the area. I want it to look reasonable.

MAYOR: You need to have a discussion with the irrigation company. This is not a City issue. We are not involved in this project.

LESLIE: I was not aware of that.

MAYOR: There is a love hate relationship with private property. There is a very fine line. Across the road from your home is a beautiful agricultural field and realistically long term it will be turned into a subdivision full of homes. The City is not involved in this matter and cannot help you out.

PAUL: We sign off on the building code and setbacks. The City does not have a view ordinance. We don't have one so we cannot control what is built next to you as long as it meets City ordinance.

HAL: What is done is done. We wish we would have known about this at the beginning. We didn't find out until after construction had started. Every other week something new is being built. When will the entire project be done? We were told it was an irrigation control system building with a pump system.

MAYOR: Have you not talked to the irrigation company at all about this?

LESLIE: No. Why would they help us?

TUCKER: They don't have to tell you when something is being built on property they own or have right to build on. Notification is not required.

MAYOR: This building is considered a small shed and notification to surrounding neighbors is not required. As long as people conform to City ordinance they can build on their property. It would be against the law for us to go against our own ordinance. There are many sheds in your area. This is not the only one. I wish you would have been notified from the beginning but you weren't.

LESLIE: Why would they answer to us? We cannot go to the irrigation company and say fix this, you screwed up. We were ill informed. Why do we have to advocate for ourselves?

HAL: Who is the irrigation board?

MAYOR: They have a board similar to the Council. Tucker is the City representative that works with them on City related issues.

TUCKER: They meet on the second Thursday of each month.

LESLIE: Their answer will be, it will cost money and they won't do anything.

HAL: Is the project going to continue to grow? Is there a way to make it nice? How many more transformers or power poles are they going to install? How can we stop them from working late at night or early in the morning? What is the limit on what they can do?

PAUL: You need to approach them. The City cannot approach them with your concerns.

HAL: They won't change anything.

PAUL: You don't know that until you approach them.

MAYOR: The irrigation board has made many changes to this project. The building you mention has been discussed many times at many different meetings. That shed can be built about anywhere in the City.

TUCKER: You need to chat with the HOA about this. I heard about this concern about 18 months ago. I heard some property was supposed to be deeded to the HOA and it was not. This is not a City issue. There is no protection for the HOA if the property was supposed to be deeded over and was not.

HAL: Leslie saw them starting the project and asked them to move the building eight feet to the south.

LESLIE: I did ask them. We needed to be approached about this project.

HAL: How do we live with this? What are their plans for the future?

MAYOR: We have no idea. We are not involved in this project. The City is not involved in the HOA. You were told something that was not followed through on by the HOA. If the HOA would have followed through on this there would not have been a problem.

LESLIE: I talked to Bret and he stood on my front porch and decided where to put the building.

MAYOR: You need to go to the irrigation board with your concerns.

HAL: We don't know who to talk to.

MAYOR: You need to work with them, not the City. In the future we will try and be better and tell you at the start who you need to deal with on issues like this.

HAL: Who do we contact?

TUCKER: For informational purposes we provide the contact information for the irrigation board on our website.

MAYOR: This is a big project they are working on and I believe cost over \$5,000,000. The shed has been on the plans since the start.

HAL: We just don't want people there early in the morning.

TUCKER: You need to realize right now is construction season. They are currently working on two buildings right now.

MAYOR: When do they normally put water in the line?

JUSTIN: Anytime in April but usually around the 15th.

MAYOR: They have a sense of urgency to get the project completed so water can be put in the line. The City has a PRV building on 300 East at about 50 North on the west side of the road. It is an odd looking building in an odd place.

TUCKER: There is another of this type of building on 600 South as well that is used for metering purposes.

MAYOR: The location is not random for this building. It is a hydro-electric building that was built with specific specifications.

HAL: Did the City know about this project before our house was built?

MAYOR: No, this project has been in the works for three or four years, if I recall correctly.

LESLIE: We will go meet with them.

TUCKER: You need to make a request to be on their agenda. Just don't show up to the meeting and expect them to listen to you.

PAUL: Ask them to put down some grass. Tell them your concerns.

HAL: Right now the entire area is ugly.

MAYOR: It is more than fair to tell them about your concerns.

TUCKER: We can ask people to inform their neighbors when projects will be built but they are not required to do so.

MAYOR: This was a good discussion but we need to be better about non-City items and putting them on the agenda. We need to better inform people like the Briggs this is not a City issue.

PAUL: I appreciate them being respectful in this conversation tonight.

MAYOR: We need to provide better information in the future. People can ask to be on the agenda if they want to. Justin remind me of the process of being placed on the agenda.

JUSTIN: Anyone can make a request to be on an agenda but the request does not have to be granted. The process should be that the City Manager or City Recorder is contacted with a request. First, the City staff member should see if they can resolve the issue or if the issue is simple and can be resolved outside of a Council meeting. If there is a question about the issue the Mayor should be contacted or the Council member who would oversee the concern and see if they feel it is appropriate to be on the agenda. The Council and Mayor get final say on what does or does not go on an agenda. Richmond is fortunate in that the City is still small and can hear concerns like this. In a larger City this item would never be on the agenda. If non-City related matters were allowed on an agenda in a big city it would result in dozens of requests to be on an agenda and meetings would be continuously held with nothing getting accomplished. The intent for an agenda is to work on the budget, land use issues and other important City related matters. Non-City matters should not be on an agenda but the Mayor and Council have the right to include them at their discretion.

MAYOR: I have given the agenda process some thought. If for some reason an item is not allowed on the agenda the Mayor and Council all need to be notified of the concern and why it is not an agenda item. I allowed this request on the agenda even though I knew it had nothing to do with the City. It has been a good conversation. I think if we provided them more information beforehand it would have helped them out. People need to exhaust all other resources before coming to us. We are still small enough we have the luxury of being able to hear items like this. We are fine with our current process but need to be better at providing people information. As a

small community we have options. Exceptions are hard but we will handle these types of cases on a case by case basis.

INITIAL INQUIRY BY A CITIZEN RELATIVE TO POSSIBLE DISCONNECTION OF APPROXIMATELY TEN (10) ACRES OF LAND WITHIN RICHMOND CITY AT THE NORTH END OF THE CITY.

JUSTIN: Jared Gillman approached me and asked the process to disconnect a parcel of land located within the City limits. Jared would like to purchase ten acres of property from Gary Gibbons. Gary owns land at the north end of town out by Petty Lane. I suggested before a survey is completed and a purchase agreement made that Jared make an initial inquiry with the Council to see if they are favorable or not to a request to disconnect the parcel from the City. There is no reason for Jared or Gary to work out a purchase agreement if the request cannot take place. Gary owns Parcel Number 09-041-0001 which is 120.83 acres and Parcel Number 09-041-0002 which is 40.00 acres. The intent would be to do a boundary line adjustment and decrease Parcel Number 09-041-0002 from 40.00 acres to 10.00 acres. In return this would increase Parcel Number 09-041-0001 from 120.83 acres to 150.83 acres. Before an official request can be made to the Council a survey would need to be completed, new legal description created and the boundary line adjustment recorded by the Cache County Recorder's Office. There is a ravine that separates the parcel Jared would like to purchase from the rest of the Gibbons parcel. In reviewing a map it would be approximately 1.55 miles to run the culinary water service line along the road from the Kevin Forsgren home to this parcel. It would be approximately 1.86 miles to run the sewer service line from State Street in the City to this parcel. The request would be the exact same process as the City just went through with Corey Anderson.

MAYOR: We talked as a Council when the request by Corey Anderson was made about what we would do if we receive another request like this for parcels in this area. We have projected growth in the City in this area. We have factored growth into our calculations for the new water tank and MBR plant. No new parcel would be created in this request just like with the Corey Anderson request. It is a hard decision. It appears to make sense. It does not make sense to spend millions of dollars to run water and sewer service for one home. The original intent when the four parcels were annexed into the City was they would be developed and there would be subdivisions throughout all of the Gibbons four parcels. That did not happen. What stops another request after this one from being made? Do we allow this request? On Corey's request it was similar to this request as a boundary line adjustment was done and no new parcel was created. We granted the request for Corey and this request is identical in nature.

PAUL: What is the depth of the ravine?

JARED GILLMAN: Gary and I walked the property about three weeks ago. The ravine is about 80 feet deep.

PAUL: The City owns the road on the west parcel and the County owns the road on the north side of the parcel you are proposing to purchase. If a city road went in front of the parcel you were going to purchase I would be against the request you are making. The parcel you are requesting is not touched by the City. There are not any City services to the parcel. I think your request makes sense.

MAYOR: I want to emphasize this request could happen again in the future. All of the outskirts of town are open to this request. The majority of the town, except to the east, is relatively flat. The Gibbons parcels are not and that is why there were some major sections of open space in his

concept plan for all of the parcels. I don't think we can deny this request where we just approved another one just like it.

TUCKER: I don't have a problem with this request. It is similar to what we have already done. I wish Gary would approach the City about his plan moving forward with the other two parcels.

JARED: I have a copy of Gary's proposed plat. Gary is still planning on developing the other two parcels.

TUCKER: I think you are okay to proceed with your request.

PAUL: We need to be very concerned about these requests. We have water and sewer infrastructure we have planned for with growth and cost factors and these requests affect that.

MAYOR: What was legal counsel guideline on a disconnect request?

JUSTIN: I visited with City Attorney Miles Jensen of Olson & Hoggan. Miles stated there is only one time a disconnect request should be granted and that is when a City cannot reasonably supply City services to a parcel. It is up to the Council to determine what reasonably supply means but I would think this case would qualify where services are over a mile away.

LYLE: It appears if Jared purchases this parcel there will be eight less homes than on the concept plan.

JARED: The deepness of the ravine was not taken into account on the concept plan and it would not be possible to have that many homes there unless additional driveways were granted going onto Petty Lane. I wanted to talk to the Council before getting a survey and starting this process. If you were against the request I would stop the process.

MAYOR: We appreciate you coming in beforehand as that did not happen with the last request. Boundary lines were changed and the transaction was complete before the request was even made to the Council.

JUSTIN: Since the consensus of the Council is to allow Jared to proceed I will work with him on the process. Jared will first have to get a survey completed and new legal description for each parcel. The County will need to record the new legal descriptions. After that point Jared can make his official request to the Council. Some advertising will take place and eventually a public hearing and vote of the Council will occur.

BUSINESS LICENSE

LINDSEY BODILY LMT

LINDSEY BODILY: I do out call massage. I don't do anything at my home. I go to the client's home. I just take a table with me. It is a simple business. I do a massage and leave.

LYLE: Does this require State licensing?

LINDSEY: Yes, I am licensed in Utah and Idaho. Most of my work will be in Cache Valley. I want to stay nearby.

TUCKER: You just need a business license at an address to operate from?

LINDSEY: Yes.

A motion to approve the business license request for Lindsey Bodily LMT (Lindsey Bodily) was made by Paul, seconded by Tucker and the vote was unanimous.

Yes Vote: Erickson, Thatcher, Peck, Bair, Crafts

No Vote: None

MONTHLY FINANCIAL REVIEW WITH DISCUSSION AND DECISIONS AS NECESSARY

JUSTIN: We purchased a used 2014 Ford F150 for the water department earlier this month and Jeremy is driving it. Other than the older Ford Escape that is having transmission problems we are in pretty good shape in regards to vehicles. I have provided you a copy of the proposed fiscal year 2018 budget. It is almost complete. Right now we are not including any amount for RAPZ tax revenue or expense as the official approval or denial has not yet been completed by the county. The library staff and Fire Department submitted their requests and we were able to include some of them but not all of them. We will adjust the current budget in May and June. The new budget will be approved at the June Council meeting. In the past we have done cost of living adjustments to the employee wages. This year it is different. We have new employees and some employees have been promoted or had changes made during the year. There won't be a standard increase for everyone. There will be a 3% increase for some employees. The rental house remodel has started and will hopefully be completed during this budget year. Jay Bair secured a donation for \$1,599 for a pitching machine for the youth baseball program. The expense of purchasing the machine was also \$1,599. Jenny Bair and her assistants do a great job on a volunteer basis running the youth sports programs. The Cemetery District is going through its annual yearly audit. The Cemetery District budget is on a calendar year basis and the audit must be completed and submitted to the state no later than June 30th of each year.

MAYOR: Are we paying the sports committee members with the proceeds we are sent from Northern United Soccer?

JUSTIN: I have no idea what you are talking about as I am not aware of paying them in the past.

MAYOR: Northern Utah United sends the City \$2.00 per player of the registration fee collected to be disbursed to the committee members of each participating city.

JUSTIN: We have not done this in the past that I am aware of.

MAYOR: Lori Durrant was paid when she was in charge.

JUSTIN: I am looking back at old records and as far back as my records go I don't ever show a payment to Lori.

MAYOR: We need to check into this as we are supposed to be paying them.

CHRIS: I have never been told this and always recorded the receipts as use fees for the fields at Cub River.

MAYOR: We are paid a field use fee as well of I believe \$3.00 per player.

LYLE: Do we know if the other cities are paid as well?

MAYOR: I would assume Lewiston is paid as well.

CHRIS: For 2016, we received payments of \$70 of which was 35 participants at \$2.00 each. A second payment of 126 participants at \$2.00 each and a third payment for 155 participants at \$3.00 each. All of this was recorded as use fees at Cub River.

MAYOR: These fees are for separate uses. Lyle please contact Northern Utah United and find out what is paid for field use and what is supposed to be paid to the committee so we can properly take care of this in the future.

JUSTIN: Patricia Forsgren contacted us and asked if the City would be willing to pay for three young ladies to attend Girls State as normally the City pays for two to attend. Patricia felt all three were deserving so we paid for all three to attend. For some reason last month we had more

checks returned for insufficient funds, totaling \$832.65, than in the last several months combined.

MAYOR: Is it usually the same people?

JUSTIN: I would say around 75% of the returned checks are from the same people.

MAYOR: Moving forward as soon as the same person submits two bad checks to the City we will no longer accept a check from them anymore. They will need to pay by cashier's check, money order, cash or credit/debit card.

CHRIS: What if someone puts a check in the night drop and they are on the list of people we don't accept checks from?

JUSTIN: We will notify the person and inform them we cannot accept the check and they will need to pay by other means. I will handle all of these issues with returned checks so Marlowe and Chris don't have to. Paul after including the current crack seal invoice that will be paid tonight there has been \$127,656 spent in Class "C" Road Funds this year. We will adjust the baseball budget line item next month to include the addition of the new pitching machine.

LYLE: Where do we want to store the pitching machine?

JUSTIN: I would think we would store it in the Cub River complex during the season and at the maintenance shop or other City building during the off season.

MAYOR: We need to make sure the sports committee works to schedule the use of the machine. I don't want to see issues where more than one team wants to use the pitching machine at the same time and there is an argument over who gets to use it and when.

JUSTIN: Mayor Field of Lewiston contacted the Mayor and me. The golf cart with a utility bed on it that is utilized at Cub River is broken and too expensive to repair. The Lewiston City staff is looking at the possibility of purchasing a used side by side for out there or another golf cart. The reason they would go away from a golf cart and to a side by side is a golf cart cannot pull around and move the soccer goals. With this purchase it will require an additional contribution to the Cub River Sports Complex budget from Richmond and Lewiston. So far water impact fees collected this budget year total \$65,886 and sewer impact fees total \$84,893. These are paid against the MBR plant and water tank project.

COUNCIL MEMBER REPORTS

LYLE: Soccer season has started. Baseball signups are being held right now. There is an ongoing discussion of starting a pony league team.

PAUL: I would like to see that happen but it is a big commitment.

LYLE: It is something that will continue to be discussed. It could happen for a year or two as there is a coach and team that want to do it for a couple of years. A trailer hitch has been ordered for the Ford Escape and some transmission work will be done as well. We are working to get it safety inspected. If we cannot get it to pass the emissions test we can get a two year exemption if needed. As reported by Chief Hooley the Fire Department is doing well.

MAYOR: In the future, when the older Ford Escape is not cost effective to use any longer I think we take the newer Ford Escape and give it to the parks department and then purchase a small commuter car the City Manager or other staff members can drive when needed.

KELLY: Did anyone see any issue with the Cow-A-Bunga race crossing Main Street?

PAUL: I ran the race and don't think it is an issue.

KELLY: Larry Liebes will drive the Grand Marshal in the parade. The Grand Marshal this year is Mayor Mike Hall.

CHRIS: I will order the parade candy like normal, unless I am told different.

KELLY: Do I need to make arrangements for a vehicle for the Council to ride in?

MAYOR: I believe Lower's Foods was going to provide a vehicle they are refurbishing for us to use.

TUCKER: I think it will be ready.

PAUL: My truck is available if needed.

KELLY: I will be meeting with Roger Priest about getting the booth spaces marked out.

MAYOR: I want the stage area marked out as well. I want the stage put up early.

KELLY: When do you want it ready?

MAYOR: Early in the week. I also want a different sound system as we keep moving ours from place to place. Contact Trevor Jackson and have him work with you on it. We also need to find a better place to store the sound system in the future. On the stage in the theatre is not working. There is over \$3,000 worth of equipment and I don't want it damaged.

PAUL: There will be ample places to store items when we make the transition to Park School within the next year.

MAYOR: The speakers are large and hard to transport.

KELLY: I know we need the sound system for the horse pulls and family activities but where else?

MAYOR: A sound system is needed for the movie at the park on Friday night. The speakers need to be covered in case of rain.

DAREK: Brad Jensen is willing to help with the sound system as well.

KELLY: When do we want the flyer to mail?

JUSTIN: I would mail it at least one to two weeks before the event so people can plan.

MAYOR: I would like it mailed the first week of May.

CHRIS: Are we mailing to residents of Lewiston as well?

KELLY: Richmond, Lewiston and Cove. Darek do you need any help with the breakfast?

DAREK: We are going to do the same as last year. There will be three fruit trays and hash browns plus all the other regular items.

MAYOR: When do you need the milk trailer?

DAREK: We will need it Friday night. I will send out a spreadsheet to everyone with their assignments. Maverik will supply the coffee as we have struggled in this regard in the past. I will be working closely with Kelly as we get closer to the event. I will be helping with the hamburgers and hot dogs for the movie in the park as well.

PAUL: I am willing to be in charge of the food for the movie in the park if needed.

DAREK: We will work together on it. We will start preparing the items at 5:00 P.M. on Friday.

MAYOR: We need to make sure and get a Coke trailer for the youth council to sell out of during the movie in the park.

CHERYL: I will get the required food permits as well.

MAYOR: We will have ice cream from Casper's to hand out at the end of the parade. We expanded the pulling area for the horse pulls a few years ago. They are asking for the field to be expanded again as the new pulling distance is 27 feet not 22 feet as in the past. They are trying to keep the area as safe as possible. They would like to remove an additional 10 to 15 feet of grass and put in sand like the rest of the area. I don't think an extra 10 feet of grass will be

missed at the fields. I told them they cannot go past the fence area as the entrance needs to be grass.

JUSTIN: Who is paying for this and when will it be done?

MAYOR: The City will pay for it and the staff will take care of it.

JUSTIN: It is not just a matter of tilling up some grass. The grass and dirt has to be cut out and removed and sand brought in and put down.

MAYOR: We will take care of it for them for next year.

MAYOR'S REPORT

MAYOR: I need to turn some time over to Justin to talk about the new business license legislation that was recently passed.

JUSTIN: There was some concern that recent legislation would make a big impact on business licenses. I attended some recent training and only a couple of the many proposed changes were implemented. The City cannot require a youth to have a business license. It does not matter if it is for a lemonade stand or a lawn mowing business or anything else youth owned and operated. A City cannot require a business license. Non-profit organizations are not required to pay for a business license but must comply with any City standards or guidelines. Another change was on home based businesses. A business owner can come before the Council and request for a business license fee to be waived on a home based business if the person feels there is no impact to the City or their neighbors. For example, a person might have a home based business where they do accounting work and it is all done at home and there is not any traffic, people coming to the home or packages delivered. The impact to the area would be considered zero so the person can ask for the fee to be waived and the Council would have to approve or deny the request. Another example was given where a person assembles items at their home. They go and purchase the items elsewhere and deliver the items to the end customer. The Council can decide to charge the fee or waive the fee but the feeling was the fee would be charged since a product is made and sold. The Council could waive the fee if they so wanted. There were also changes to portable businesses like the taco bus. In the past, a business license was required in each City the taco bus went to and sold product. Now the portable vendor just needs one business license in any of the cities they go to.

MAYOR: I think requests will be minimal and I am comfortable with our \$25 per year fee.

PAUL: We are only charging for the cost of regulation.

MAYOR: We need to reschedule the June 20th Council meeting as the majority of the Council will be out of town that week. We would leave the May meeting on May 16th which is during Black & White Days week. I would propose we change the June 20th council meeting to June 27th.

JUSTIN: If you are going to do that we would need to approve the new budget at the May Council meeting since it must be approved before June 22nd.

CHRIS: If you move the June meeting to the 27th are you still going to have a year end invoice paying meeting?

JUSTIN: No, just the meeting on the 27th.

MAYOR: Let's adopt the new budget in May and reschedule the June meeting from the 20th to the 27th.

MARLOWE: Has there been any thought on selling the small sliver of land at Cub River that an inquiry was made on?

PAUL: I am not in charge of Cub River any more but will visit with Lyle about our previous discussion. There are some mitigating factors we need to discuss.

MAYOR: Right now Casper's and Fat Boy Ice Cream are going through a very large building project. They don't want to review or consider this request until their project is done and they have time to evaluate this request.

PAUL: The section of land in question is not usable at the sports complex. Since the land was donated we want the blessing of the donor before we consider selling it.

MAYOR: I have the proposed wildland fire agreement. Right now there is not an agreement in place. If a wildfire started in the City limits and spread outside of the City, the City would be responsible for the entire cost of the fire. This cooperative agreement would limit our liability as we would be participating with many other local municipalities and the County. Our Fire Department would have things to do like keeping down weeds along the canal and other items. It is an agreement we need to participate in. I will sign and we will get it submitted.

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

Yes Vote: Erickson, Thatcher, Peck, Bair, Crafts

No Vote: None

A-1 Uniforms	70.88
Advanced Heating	2415.00
Aflac	110.44
Airgas	27.88
Alltech	1030.00
APGN	415.00
Badger	1112.46
Bear River Health	100.00
Bluestakes	47.21
Brown Monument	95.00
C.V. Insurance	165.60
Cache Chemical	312.96
Century Link	246.16
CNH Capital	71.65
Cody Stokes Plumbing	1310.00
Comcast	347.69
Demco	86.87
Denny's	282.53
Ecosystems	2715.13
Everlasting Engraving	107.50
Ferguson	2142.87
Glenn's Electric	58.12
Intermountain Hydraulics	9.58
Intermountain Workmed	67.00

Richmond City Council Meeting Minutes, April 18, 2017

Itty Bitty	3703.63
Johnson Welding	250.00
JUB	64943.59
L.D.'s	155.68
Lewiston City	30.75
Logan City	17539.24
Maverik	85.13
Maverik Cemetery	230.59
Maverik Fire	142.99
Micromarketing	145.98
Moore Medical	214.28
Morgan Pavement	28080.00
Mountain Peak	885.00
Mtn Peak Builders	12977.00
N.C. Vet	85.00
NAPA	387.35
Olson & Hoggan	4347.35
Peterson Plumbing	839.01
Questar	176.03
Remote Control Systems	1660.00
Scholastic	98.99
Smithfield Imp	62.72
Square One	260.40
Staples	6.00
Stotz	1126.57
Sunrise Environmental	312.96
Symbol Arts	34.45
Thatcher	1487.20
The Clean Spot	154.03
The Home Depot	4.48
USA Bluebook	178.87
Utah Education Network	271.21
UV Doctor	1543.18
Verizon	323.26
Watkins Printing	297.00
Weidner	2221.13
Wex Bank	58.00
Zions Visa	2349.54

Adjournment at 9:50 P.M.

RICHMOND CITY CORPORATION

Jeffrey D. Young, Mayor

ATTEST:

Justin B. Lewis, City Recorder