

**RICHMOND CITY COUNCIL**

**MAY 21, 2019**

The regular meeting of the Richmond City Council was held at the Park Community Center located at 90 South 100 West, Richmond, Utah on Tuesday, May 21, 2019. 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 and Kelly Crafts.

Council Member Lyle Bair arrived during the meeting.

City Administrator Jeremy Kimpton, City Recorder Justin Lewis, and City Treasurer Christine Purser were also in attendance.

**VISITORS:** Terrie Wierenga, Justin Harris, Holly Jo Karren

**APPROVAL OF CITY COUNCIL MEETING MINUTES FROM APRIL 16, 2019**

\*\*\*A motion to approve the April 16, 2019 City Council meeting minutes was made by Paul, seconded by Cheryl, and the vote was unanimous.\*\*\*

Yes Vote: Erickson, Thatcher, Peck, Crafts

No Vote: None

Absent: Bair

**BUSINESS LICENSE REQUEST**

**RICHMOND LIQUOR AGENCY**

**JUSTIN HARRIS:** I need a business license for the liquor store. It has been shut down. I want to reopen it.

**MAYOR:** Tell us what happened. I saw the article in the newspaper.

**JUSTIN:** My uncle has been removed from the premises and no longer lives there. I am working on the paperwork to submit to the state. I want to operate the liquor store, and I will follow the rules.

**TUCKER:** What is the process you are going through?

**JUSTIN:** I have to obtain a city business license as part of the approval from the state. I am in the process of obtaining a tax ID number. I hope to open by July 1<sup>st</sup>. Others can apply for the license as well.

**MAYOR:** What is the time period for what you are doing?

**JUSTIN:** The bid process runs for a month, and it closes on May 31<sup>st</sup>. The state will select one of the applicants.

**MAYOR:** Is the intent for the license to stay in Richmond?

**JUSTIN:** Hopefully in the Richmond area. I own the building and I have not been approached by anyone who wants to rent the building.

**PAUL:** Would you sell liquor only?

**JUSTIN:** Yes.

**PAUL:** I think part of our approval would be that you obtain approval from the state.

**CHERYL:** What happened to the inventory in the store?

**JUSTIN:** DABC (Utah Department of Alcoholic Beverage Control) cleaned out the store. All of the inventory is gone. If I receive the contract, they will then bring an inventory back to the store.

**PAUL:** I read the newspaper article. What contributed to the loss of the license?

**JUSTIN:** The condition of the store was a major factor. Myself and a part-time employee would manage the store in the future. I plan to get an identification scanner as well, so there is no question about the person's age.

**PAUL:** I think we can issue the license, but it would be conditional upon state approval. If the state does not approve the license, we would rescind the business license.

**MAYOR:** What is the timeframe of the license from the state?

**JUSTIN:** The license is good until it is revoked. I have to mail the application in by this Friday. The bid process ends on May 31<sup>st</sup>. The state will review the applications. The commission meets on June 10<sup>th</sup> to make a decision. I hope to be open by July 1<sup>st</sup> if approved.

**TERRIE WIERENGA:** I don't think you need to include restrictions in the business license approval. It is just a regular business license because if the state does not approve the request, he cannot open the business.

**TUCKER:** You will need to renew the business license from the city on a yearly basis and pay the fee.

**JUSTIN:** Understood.

**CHERYL:** What happened to the dog that used to be at the store?

**JUSTIN:** It is gone. I was concerned about liability and other issues, so it is no longer at the store.

\*\*\*A motion to approve the business license request for Richmond Liquor Agency (Justin Harris) was made by Tucker, seconded by Paul, and the vote was unanimous.\*\*\*

Yes Vote: Erickson, Thatcher, Peck, Crafts

No Vote: None

Absent: Bair

**DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 2019-02, A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION ON CERTAIN REAL PROPERTY UNDER PROVISIONS OF SECTIONS 10-2-406 AND 10-2-405, UTAH CODE ANNOTATED. THE PARCELS BEING CONSIDERED FOR ANNEXATION ARE LOCATED AT APPROXIMATELY 150 NORTH 200 WEST. THE PARCELS NUMBERS ARE 09-046-0013 AND 09-051-0011 AND TOTAL APPROXIMATELY 16.45 ACRES.**

**MAYOR:** Lee's Marketplace is requesting the parcel they own on the highway be annexed into the city.

**PAUL:** Gary Spackman's parcel to the south of the Lee's parcel would be included as well.

**MAYOR:** Tonight is the initial step in the process. The timeline starts after the Resolution is approved. Justin, how long will this process take?

**JUSTIN:** Typically around three months if there are not any protests.

**CHERYL:** Will they be required to have city services on the parcel when they develop it?

**MAYOR:** Yes. They will pay for the cost of getting the services to the parcel.

**KELLY:** So, each parcel is partly in the city and partly in the county?

**MAYOR:** Yes.

**CHERYL:** Why would we say no to the Resolution?

**MAYOR:** There is no reason to. This is just the initial step. There will a public hearing and vote of the council at a later date after all the appropriate advertising has been done. The parcels would be zoned as A-10 (Agricultural 10-Acre) if they are annexed into the city. A rezone request would need to be made if the parcel owners want to develop the parcels. A conditional-use permit might be required depending on the business going on the parcel. There are many months and steps involved in this process.

**TERRIE:** A letter of protest could slow down the process. If approved, this would be good for the city as it would add to our tax base.

**PAUL:** One reason an annexation request might be denied is if the city cannot supply city services to the parcel.

\*\*\*A motion to adopt Resolution 2019-02, a Resolution accepting the Petition for Annexation for Parcel Numbers 09-046-0013 and 09-051-0011, located at approximately 150 North 200 West, was made by Paul, seconded by Cheryl, and the vote was unanimous.\*\*\*

Yes Vote: Erickson, Thatcher, Peck, Crafts

No Vote: None

Absent: Bair

**DISCUSSION AND POSSIBLE VOTE ON AMENDMENTS AND APPROVAL OF THE RICHMOND CITY MANUAL OF DESIGN AND CONSTRUCTION STANDARDS, THIRD (3<sup>RD</sup>) EDITION, APRIL 2019.**

**JEREMY:** We were supposed to update our standards about two years ago and send to the State of Utah but we never did. We were notified this needed to get completed in January of this year. There was a list of compiled changes and suggestions from the staff and council included. Last month this was a discussion item, and tonight the council could vote on the changes.

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**PAUL:** Does the change to irrigation system requirements need to be in a separate ordinance?

**JUSTIN:** No, they are included in the design and construction standards.

**JEREMY:** There is an ordinance in place which refers to these standards.

**PAUL:** Are we ready to take action on the proposed changes?

**MAYOR:** Yes. It fits with what we have talked about in the past.

**TUCKER:** I have a concern where it says one acre foot of water will be required per platted acre.

**PAUL:** Have we converted any irrigation shares to culinary use in the past?

**TERRIE:** No.

**MAYOR:** Legally, we can now require an irrigation system in a subdivision if this is approved.

**PAUL:** I am not comfortable with the section "Secondary Irrigation." I want to know what other cities are doing in this regard.

**TUCKER:** I think it needs to include metering as well.

**JUSTIN:** The changes to state code now make it mandatory, so it does not need to be included where it is a state statute.

**PAUL:** The state is now requiring irrigation water to be metered?

**CHERYL:** Yes.

\*\*\*Council Member Lyle Bair arrived at the meeting at 7:26 P.M.\*\*\*

**PAUL:** I notice several clerical recommendations made by the staff and engineering firm.

**JEREMY:** The staff and engineering firm came up with a proposed list of changes, but the council must approve them. Darek has reviewed and approved all of the changes and made sure they ensure state compliance.

**TUCKER:** I think we approved minor changes not too long ago.

**TERRIE:** There is an ordinance already in place referencing the standards. The state code is referenced where possible. The standards can be easily modified when needed.

**PAUL:** Has anyone talked to the Richmond Irrigation Company about what we are proposing to do?

**TUCKER:** Yes. I discussed with the board at one of their meetings.

**PAUL:** I know the irrigation company charges a connection fee of a few hundred dollars. Who would pay this fee? What is the fee structure for the irrigation system?

**TERRIE:** The bylaws of the irrigation company and their fee structure would be followed.

**PAUL:** I don't want the city paying these fees.

**JUSTIN:** The homeowner will pay the fee to the city if we have to pay a connection fee.

**PAUL:** The fees should be listed in this section.

**JUSTIN:** Fees are listed separately in the Prevailing Fee Schedule. They are not included in the standards.

**PAUL:** Our fee schedule does not include any fees for irrigation water.

**MAYOR:** Once this requirement is put in place, we will need to implement the fees in the fee schedule. We need to find out from the irrigation company how they will handle connection fees, and we will adopt that fee in our schedule. There will be the cost of the meter and other fees the resident has to pay for to access the irrigation system in a city owned irrigation system.

**PAUL:** So, we will be the caretakers for our portion of the system?

**TUCKER:** Yes. The land is already being irrigated, and we are going to keep irrigating it.

**PAUL:** The irrigation water section of the proposed changes concerns me.

**TERRIE:** There is already an ordinance in place regarding fees.

**PAUL:** The irrigation system is not part of our infrastructure.

**TUCKER:** It will be since we are installing the system.

**JUSTIN:** The city would own that section of the system and be required to maintain and repair as needed.

**PAUL:** I don't agree. I don't want us to assume liability on this issue. I am concerned about this section of changes. I would like to speak with legal counsel and get their opinion.

\*\*\*A motion to adopt the Richmond City Manual of Design and Construction Standards, Third (3<sup>rd</sup>) Edition, April 2019 with the condition Chapter 12-2004-3 "Required Improvements", Section K "Secondary Irrigation" not be included in the standards was made by Paul, seconded by Tucker, and the vote was unanimous.\*\*\*

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

No Vote: None

**PUBLIC HEARING, NO SOONER THAN 7:30 P.M., FOR THE PURPOSE OF DISCUSSING AMENDMENTS TO THE FISCAL YEAR 2019 BUDGET (JULY 1, 2018 THROUGH JUNE 30, 2019).**

**JUSTIN:** The budget was adjusted in February, and we will adjust this month and again in June as the budget year comes to a close. Proposed adjustments to the General Fund total \$83,297. The main increases coming from fire department revenue, baseball registration fees, the monthly garbage collection fee, RAPZ tax collected, Black & White Days Sponsorship fees, property tax, interest earned, and a transfer-in from the Capital Projects Fund. The only decrease is to revenue from fines. Statewide fine revenue is dropping in the court system. This year, fines collected are lower which also results in a decrease in expenses for the amount paid to the state as well as the amount paid to the prosecutor. I will review the main changes to the expenses in the General Fund. The Administration Fund would increase \$4,720 for engineering and office expense. The Building Fund would increase \$1,966 mainly for an increase to the Utilities Expense line item. A decrease of \$6,266 to the Public Safety Fund. The main changes being decreases in the amount paid to the state for fines collected as well as the amount paid to the prosecutor. Streets would increase \$36,076 mainly for Class "C" Road Fund expenses as well as garbage service fees paid to Logan City. The biggest increase would be to the Parks Fund in the amount of \$47,424. The vast majority of the increase going to the 300 East Trail project. The Fire Department will decrease by \$9,797. The Smithfield contract is in place and we are starting to get a better feel of what Richmond will pay for and what Smithfield will pay for. The Library budget would increase \$9,174 mainly for wages and insurance. Water Fund revenue would increase \$10,689 for impact fees and interest. Water Fund expenses would increase for travel and training as well as engineering. Sewer Fund revenue would increase \$75,074 with \$71,636 being for the monthly utility fee. We have not adjusted this line item since the budget was approved. It is hard to gauge the monthly revenue from one large commercial user, so we budget low and adjust when needed. Interest revenue is increasing as well. Sewer Fund expense would increase for wages, travel and training, maintenance and repair, and utilities expense. The wage increase is for the amount of overtime paid as well as the assistance of a helper at the MBR plant when needed. No changes to the Cub River Sports Complex Fund. The Capital Projects Fund would show an increase in revenue for Interest Earned and an increase in expense for an amount transferred to the General Fund.

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

Yes Vote: Erickson, Thatcher, Peck, Bair, Crafts  
No Vote: None

The public hearing opened at 7:41 P.M.

There were not any comments or questions.

\*\*\*A motion to close the public hearing and reopen the regular council meeting was made by Tucker, seconded by Lyle, and the vote was unanimous.\*\*\*

Yes Vote: Erickson, Thatcher, Peck, Bair, Crafts  
No Vote: None

The public hearing closed at 7:42 P.M.

**DISCUSSION AND POSSIBLE VOTE ON ADJUSTMENTS TO THE FISCAL YEAR 2019 BUDGET.**

\*\*\*A motion to approve adjustments to the Fiscal Year 2019 budget was made by Tucker, seconded by Lyle, and the vote was unanimous.\*\*\*

Yes Vote: Erickson, Thatcher, Peck, Bair, Crafts  
No Vote: None

**BUDGET ADJUSTMENTS**

**GENERAL FUND**

REVENUE	\$83,297
EXPENSES	
ADMINISTRATION	4,720
BUILDING	1,966
PUBLIC SAFETY	(6,266)
STREETS	36,076
PARKS	47,424
FIRE DEPT	(9,797)
LIBRARY	9,174
TOTAL	83,297

**WATER ENTERPRISE FUND**

REVENUE	10,689
EXPENSE	2,871

**SEWER ENTERPRISE FUND**

REVENUE	75,074
EXPENSE	46,471

**CAPITAL PROJECTS FUND**

REVENUE	3,000
EXPENSE	43,804

<b>MONTHLY FINANCIAL REVIEW WITH DISCUSSION AND DECISIONS AS NECESSARY.</b>
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**JUSTIN:** The current budget will be adjusted in June, and the new budget approved in June as well. The city received a TAP Grant in the amount of \$1,094, and it is to be used for safety items such as vests, glasses, ear plugs, and steel-toed boots. Clint and Leslie Ward and their assistants have been doing a great job getting kids to sign up for baseball and ponytail softball. So far, registration fees total \$4,215. We received \$5,009 in RAPZ tax for our 2018 population-based assessment. This allocation was used towards the trail project on 300 East. Black & White Days sponsor fees totaled \$1,600 through the end of April, but I would expect when they are all collected, they will exceed \$4,000. We have created a new line item called “Income – Planning Fees”. This line item will be for fees such as annexations, conditional use permits, and sign permits. The fire contract with Smithfield has been paid-in-full through June 30<sup>th</sup>. The total amount paid to Smithfield this fiscal year is \$17,214. This includes part-time coverage for July through March and full-time coverage for April through June. I was contacted by representatives of Lewiston City, and they would like to purchase the new lawnmower for the sports complex in the new fiscal year, not the current fiscal year. They are going to send us \$2,000 in this fiscal year to add to the fund balance, and we will match it. The expense of purchasing the lawnmower will be in the new fiscal year. One water impact fee was collected in April. The total amount of water impact fees collected in the fiscal year totals \$26,384. These fees are used to pay towards the water tank project. One sewer impact fee was collected in April. The total amount of sewer impact fees collected in the fiscal year totals \$29,939. The sewer impact fees are used to pay on the MBR plant bond payment.

**COUNCIL MEMBER REPORTS**

**CHERYL:** The library received a coding grant. The CLEF grant is being used to purchase ten new Chromebooks. There will be an after-school coding club. Terrie is working on redoing the website. It is estimated to take 15 to 20 hours to complete the changeover. Helping adults read is a service which is being offered. If any of you know of someone who could benefit from this, please contact Lora at the library. Some of the staff members attended the Utah Library Association Conference. The staff thanked the council and mayor for their continued support of the library. Lora has been doing some training as well which is required as part of our state recertification.

**MAYOR:** All of our data is being migrated over to [www.richmondutah.org](http://www.richmondutah.org). All of the email addresses have already been changed. Now, the domain is being done. The website [www.richmond-utah.com](http://www.richmond-utah.com) will go away eventually. The library website is being combined with the city website as well. This will help with the SEO rating and other search items on the internet. This will take a period of time to complete, and Terrie is overseeing the project and doing the work.

**TERRIE:** I am working on it and will do the background testing as well before it goes live. There should only be about 30 minutes of downtime when the transition is made from one web address to another. If the transition goes smoothly. By making this change, fewer fees will be paid in the future as well.

**MAYOR:** Terrie, thank you for your insight and help on this project, especially when the library website went down.

**MAYOR'S REPORT**

**MAYOR:** There are many different things happening on the trail project on 300 East. We will deal with issues as they come along. We have a deadline we have to meet. Thanks to Paul and Jeremy for their help on this project.

**PAUL:** And Curtis Dent who is overseeing the project.

**MAYOR:** There is a lot of work to be done on this project, but the residents of the city will benefit long term. The residents will appreciate the trail when it is complete. Special thanks to Kelly for all of the work she did for Black & White Days. Having the Highpoint Clydesdales was a really cool way to start the parade.

**PAUL:** How many entrants were in the parade?

**CHERYL:** There were 48 who filled out entrance forms but I think more just showed up and participated.

**TERRIE:** Only about 2/3 of those who come register. Where a fee is not charged to participate, participation is always good.

**JUSTIN:** Some places like Utah State University charge a fee to be in the parade.

**MAYOR:** The breakfast was good and well done by the council. The council does an amazing job participating in different activities throughout Black & White Days. The June city council meeting will be rescheduled from June 18<sup>th</sup> to June 11<sup>th</sup>. The election signup period is June 3<sup>rd</sup> through the 7<sup>th</sup>. The city council seats held by Paul, Kelly and Tucker are the seats included in this election.

**TUCKER:** Are the terms of all three seats four years?

**JUSTIN:** Yes.

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

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

No Vote: None

Adjournment at 7:56 P.M.

**RICHMOND CITY CORPORATION**

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Jeffrey D. Young, Mayor

**ATTEST:**

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Justin B. Lewis, City Recorder