

**RICHMOND CITY COUNCIL**

**APRIL 14, 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, April 14, 2015. The meeting began at 7:05 P.M.; Mayor Michael Hall was in the chair. The opening remarks were made by Mayor Hall.

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 Treasurer Chris Purser and City Engineer Darek Kimball were also in attendance.

**APPROVAL OF CITY COUNCIL MEETING MINUTES**

\*\*\*A motion to approve the March 17, 2015 City Council meeting minutes was made by Paul, seconded by Jeff and the vote was unanimous.\*\*\*

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

No Vote: None

**QUARTERLY REPORTS**

**FIRE & EMT DEPARTMENT**

**FIRE CHIEF DENNIS WOOD:** The Department was quiet in the last quarter. There were 19 calls for service from January through March. Ten of the calls were medical related and the other nine were fire related. It is good for the community when we are slow. The Department is gearing up for Black & White Days and we will be ready.

**MAYOR:** Jeff, please update Chief Wood on Black & White Days.

**JEFF:** This year we are going to do a fireworks show in the tennis court area at the City park. I am concerned about the membrane roof on the LDS Stake Center located to the north. Can we have extra fire department personnel around that night? I am hopeful we can have a couple of guys on the roof with hoses; if necessary. I want to do this as a precaution. Do we need help from other communities? I am leaving this up to your experience and judgment.

**CHIEF WOOD:** It depends on how dry it is outside. I think a couple of guys on the roof would be appropriate. I would suggest some on the ground as well and have them situated based on the direction of the wind.

**JEFF:** We are going to need volunteers to help clean up properly as well.

**CHIEF WOOD:** When will the fireworks show be held?

**JEFF:** Friday night at dusk before the movie in the park.

**CHIEF WOOD:** I think this will work fine. The hamburger stand will be closed before the movie in the park starts.

**BRAD:** I think we need to make the decision to allow Chief Wood to decide on if the fireworks show is to go on based on the weather and climate on that evening.

**JEFF:** Agreed.

**CHIEF WOOD:** Smithfield and Lewiston will assist. Normally, our Department helps with the Logan fireworks show. We are well aware of the dangers involved.

**JEFF:** We will want to block off the church parking lot as well. There will be debris in the area.

**CHERYL:** Where will people park that night if the Stake Center parking lot is blocked off?

**JEFF:** I am still working on that. The parking logistics that night are a problem. The firework vendor knows the area that needs to be blocked off. They will block off the appropriate areas.

**PAUL:** What vendor is being used?

**MAYOR:** Troy Karren and Clark Gailey.

**JEFF:** They have done firework shows for 10 to 15 years. They are aware of the concerns and potential problems. I would like to have a meeting with them and Chief Wood before the event so everything can be planned.

**CHIEF WOOD:** It would be good to meet with them.

**JEFF:** I will ask for more police protection that night as well.

**PAUL:** Would it be better to have people gather on the soccer fields to the east to watch the firework show?

**JEFF:** The school buildings would block the view. We are going to use low aerials not the big high aerials. The entire community will not be able to see the show from their homes. People will need to be at the park to see the show.

**PAUL:** I think the school needs to be notified about the fireworks show.

**JEFF:** I will contact the school and LDS church to answer questions and explain what we are doing. We are responsible and will be cautious. I want this to be a fun event; not a tragedy.

**MAYOR:** Jeff will work with Chief Wood to make sure we have enough personnel and have them in the right places. Brad will check with the church personnel. Jeff please contact the school.

**JEFF:** A flyer will be distributed at the school informing everyone about the free fireworks show.

**PAUL:** I come home late on some Wednesday evenings and always see the Fire Department doing a drill. I think it is very important to be consistent and visible to the public to see what is going on. I want to thank the Department for the constant training they undertake and how visible they are in the City.

**CHERYL:** Chief Wood did you get the literature about an upcoming CERT management course that is four days long?

**CHIEF WOOD:** Yes, I received the information as well.

**CHERYL:** It is a free course. People need to register for the course beforehand. I won't be able to attend. Do you know of someone that could attend in my place?

**CHIEF WOOD:** It is hard for people to take four days off of work.

**CHERYL:** This course is two Friday evenings and two Saturday mornings.

**BRAD:** I would have Chief Wood ask the Department members if anyone wants to attend.

**CHIEF WOOD:** Members of CERT should be attending.

**CHERYL:** Do you want me to talk to Nancy LaMunyon who oversees the CERT program?

**CHIEF WOOD:** Yes. I am not aware of any Fire Department members that would want to attend.

**MAYOR:** Let's ask Nancy if any of the CERT members want to attend.

*\*\*\*The power went off in the City office building and the City Council meeting continued but could not be recorded After review; it was determined when the power outage occurred all of the recording before this point in the meeting was lost as well.\*\*\**

**MAYOR:** Chief Wood thank you for your service. Please thank all of the members of the Department for their service as well.

### **PROCLAMATION RELATIVE TO DAY OF PRAYER**

**MAYOR:** Governor Herbert has proposed that May 7, 2015 be “Day of Prayer in Utah”.

*\*\*\*Mayor Hall read the Day of Prayer in Utah Proclamation.\*\*\**

**MAYOR:** The governor has asked for support from the city councils in the state. A representative from the State came and introduced the topic at the monthly mayors meeting.

*\*\*\*A motion to adopt the proclamation making May 7, 2015 as a “Day of Prayer In Utah” was made by Brad, seconded by Paul and the vote was unanimous.\*\*\**

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

No Vote: None

### **BUSINESS LICENSE**

#### **EXTREME INK (dba: TOWN AND COUNTRY SHOWS)**

**DAVE GORDON:** I won't need to speak with the Council later in the evening about possibly using the City park for my rides. The agenda item in that regard can be cancelled. I have talked to Clair Webb about renting property he owns on the highway between the car dealership and the dentist office. I will have the same attractions as last year plus a few more since there is more room to operate there.

**MAYOR:** Isn't that area an open field?

**DAVE:** Yes.

**CHERYL:** Are you planning on cleaning up the area?

**DAVE:** Part of my agreement with Clair Webb is to mow the area and remove the middle fence. There is enough room for 70 parking stalls.

**CHERYL:** Have you talked to Cherry Creek Dental about being there?

**DAVE:** No.

**CHERYL:** Out of professional courtesy you should let them know.

**MAYOR:** Haven't you had a business license in the past or is this a new request?

**DAVE:** I had a temporary one in the past. I am hoping to operate in the City on a regular basis. I am hopeful we can review the agreement after the first week and see if there are any issues or concerns.

**JEFF:** You want to have the carnival open several times in the summer in Richmond?

**DAVE:** Yes, if the Council allows me too. When I have an open week in my schedule I would like to set up here. Clair will allow it if I meet his and your stipulations.

**PAUL:** How will you access the property?

**DAVE:** Through a gate on 100 South.

**MAYOR:** Basically straight south of the restroom facility at the City park.

**DAVE:** There will not be any highway access.

**CHERYL:** Is the area all dirt?

**DAVE:** My intent is to mow the area and just drive on the existing foliage. I will use orange paint to mark the parking stalls.

**JEFF:** Will Highway 91 be blocked off?

**DAVE:** Yes, with the carnival rides.

**PAUL:** Are you installing a fence?

**DAVE:** The rides will block off the area. The hard rides have gates and a fence around them. The inflatables will be back to the east away from the highway. The hard rides will be at least 70 feet from the sidewalk. I am planning to remove the middle fence that divides the property so I can access all of the property.

**CHERYL:** I am worried about kids going over there and looking and playing around during school hours.

**DAVE:** I will only be open from 5:00 P.M. to 10:00 P.M. during the week and 10:00 A.M. to 10:00 P.M. on Saturday. I will be closed on Sunday.

**MAYOR:** School will be out so there should not be any issues with kids being over there.

**CHERYL:** I am concerned about the kids going over there and looking around during the school day.

**DAVE:** When I had the rides setup right across from the school to the east there were only about five kids that came over during the week to look around. This area is farther away.

**BRAD:** What are you going to do for restroom facilities?

**DAVE:** I plan on renting two port-a-potties.

**BRAD:** Only two?

**DAVE:** Last year there were around 300 people that came to the carnival over four days. The port-a-potty company said only two would be needed and they would be serviced daily.

**BRAD:** How many cars can park there?

**DAVE:** Up to 70. Parking won't be an issue like it was setting up on the east side of the school.

**MAYOR:** My concern is the highway and having kids by it. I think some type of fence, even plastic, would be beneficial.

**PAUL:** Even some netting would work.

**DAVE:** I have 300 feet of cloth netting I can install on some "T" posts.

**JEFF:** I would feel a lot better about that.

**DAVE:** I don't want access to the highway either.

**JEFF:** I realize you are trying to contain everything in the area but there is still a possibility the kids could get to the highway.

**DAVE:** I have no problem installing the netting and enclosing the ride area.

**BRAD:** I don't want this to be an open ended agreement. This situation is different than the past since Dave wants this to be a reoccurring event throughout the summer. How often are you planning on operating in town?

**DAVE:** I just want the option to be able to do so when I have openings in my schedule.

**JEFF:** Right now is the only request for Black & White Days week?

**DAVE:** Yes and I am hopeful to do it more in the future.

**BRAD:** I have issues with an open ended agreement that makes this a permanent business. I think we need specific dates of operation.

**DAVE:** I am okay with the five days during Black & White Days week.

**PAUL:** We could stipulate he comes back before the Council if he wants to open on additional days.

**DAVE:** I don't have a problem with that.

**JEFF:** I liked that idea. That would give us a feeling of how things go for the first week. If the first week works well he can come back and request more days. We would then know if there are any issues or not. I think a temporary permit is appropriate.

**BRAD:** I would like Chief Wood to review the site plan and offer his thoughts. Are there any Fire Department concerns?

**DAVE:** The walkways will be 20 feet wide and the driveway for the cars will be 30 feet wide.

**CHIEF WOOD:** I don't see any access or parking related issues.

**BRAD:** On the business license application it states Extreme Ink.

**DAVE:** I wanted the business to be Extreme Inc. but I am licensed as sole proprietor and Inc. is not allowed and the State suggested I switch to Ink as I would have to completely restart my business application process with the State if I changed the name. I am not a tattoo parlor like most people think.

**BRAD:** What are you doing for permanent or off season storage of your rides?

**DAVE:** I have rented property from Brian Fife.

**PAUL:** I am not sure if you are aware but Brian is not the owner of the property. Scott Fife is the owner of the property. So you are aware, parking on City streets is allowed overnight in the summer months for only one night. Other arrangements need to be made long term. No overnight street parking is allowed in the winter months per City ordinance.

**BRAD:** I am the City Council member in charge of the nuisance committee. I want to avoid any potential nuisance complaints from you parking your rides next to the City office building in the park strip area.

**DAVE:** I have secured a yearly lease on Brian Fife's property.

**PAUL:** Complaints will come. I am over the City street department and anything that obstructs the park strip or City right-of-way is not allowed. I see travel trailers parked on the side of the road on occasion and they are allowed for one night but not long term.

**DAVE:** I am putting stuff at least 35 feet from the middle of the road at Brian's place. All of my equipment is parked behind a row of trees. I leased more property from Brian so not all of the equipment is crammed in a small area. I have a van, truck and bus that I use on a daily basis that are parked at my house.

**BRAD:** Thank you for securing long term parking. Are the neighbors aware of what you are doing? This is a residential area.

**DAVE:** The car dealership is happy. I am not sure about the dentist office.

**BRAD:** I would ask that you notify the three homeowners to the east as well.

\*\*\*A motion to approve the business license request for Extreme Ink, DBA: Town and Country Shows (Dave Gordon) was made by Jeff, seconded by Paul and the vote was unanimous.\*\*\*

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

No Vote: None

\*\*\*A motion to approve the temporary permit for Extreme Ink, DBA: Town and Country Shows (Dave Gordon) to operate a carnival at approximately 150 South 200 West from 5:00 P.M. to 10:00 P.M., Wednesday through Friday and 10:00 A.M. to 10:00 P.M. on Saturday for the period of May 11<sup>th</sup> through May 18<sup>th</sup>, 2015 was made by Brad, seconded by Jeff and the vote was unanimous.

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

\*\*\**The power to the City Office building was restored and the recording of the Council meeting was reestablished at 7:48 P.M.*\*\*\*

### **PRESENTATION AND POSSIBLE APPROVAL OF THE RICHMOND CITY – CACHE COUNTY SHERIFF’S OFFICE LAW ENFORCEMENT AND ANIMAL CONTROL CONTRACTS FOR FISCAL YEAR 2016**

**MAYOR:** At the last Council meeting we discussed the police protection and animal control contracts. They were not a formal item on the agenda and since finances are involved we have included the approval on this agenda to be legal.

\*\*\*A motion to approve the animal control contract and police protection contract between the Cache County Sheriff’s Office and Richmond City Corporation was made by Paul, seconded by Jeff and the vote was unanimous.\*\*\*

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

### **PRESENTATION AND POSSIBLE APPROVAL OF CHANGE ORDER #1 FOR THE CHERRY CREEK WELL EQUIPPING PROJECT – EXTENSION OF TIME DUE TO MATERIAL RECEIPT PROBLEMS**

**MAYOR:** A change order request is being made by the contractor for the Cherry Creek Well Equipping Project. The contractor is asking for the deadline to be extended by two weeks. I have written documentation of the request and the reason for the request.

**DAREK:** By contract, substantial completion of the project was to be done by April 16<sup>th</sup> and the entire project completed by April 30<sup>th</sup>. The reason for the request is there has been a delay in receiving the materials. I have a detailed letter from the contractor explaining why the request is being made. The way the contract reads we could start charging \$300 per day for a penalty since the deadline is not going to be made.

**PAUL:** The only request is for time, not any additional money?

**DAREK:** Correct. There are not changes in the monetary portion of the contract. The contractor has been working hard on the project and is waiting for the equipment to arrive to finish the project.

\*\*\*A motion to approve change order request #1 by MW Construction on the Cherry Creek Well Equipping Project by changing the substantial completion date from April 16, 2015 to May 5, 2015 and the final completion date from April 30, 2015 to May 19, 2015 was made by Brad, seconded by Jeff and the vote was unanimous.\*\*\*

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

No Vote: None

## **DISCUSSION OF CULINARY WATER RATE FEES AS CONTAINED IN ORDINANCE 2012-2**

**MAYOR:** We need to review the commercial water rates that the City charges. The residential rate can be reviewed but I would like to focus on the commercial rate. The rates were established in Ordinance 2012-2. I think the rates for five hundred thousand gallons per month and one million gallons per month need to be reviewed. There is a big focus on water conservation at this time. Changes to the high use rates will not affect very many users. I want to make sure the City is fairly compensated. Right now commercial water use of five hundred thousand gallons to one million gallons per month is charged at \$1.25 per one thousand gallons used.

**JUSTIN:** Richmond is unique in how we charge our water monthly fee. Most cities charge a base fee plus a fee for every gallon used. We charge a base fee but the base fee includes up to ten thousand gallons per month before an additional amount is charged.

**CHERYL:** Do we have very many users that use over one million gallons per month?

**MARLOWE:** Mainly dairy farmers and one business.

**MARLOWE:** What section of the rates does a farm fall under?

**MARLOWE:** Section "C".

**CHRIS:** Businesses are "C" and farms are "D".

**BRAD:** There are only a few that fall under the one million gallons per month plus category. I would like to see the rate doubled or tripled for those using over one million gallons per month.

**MAYOR:** Do we have any businesses that use over one million gallons per month?

**CHRIS:** Yes.

**JEFF:** What is a comparable use of one million gallons of water for commercial versus residential?

**JUSTIN:** If each connection in the City used ten thousand gallons per month the entire City would use seven million five hundred thousand gallons per month. Most residential users use less than ten thousand gallons per month.

**JEFF:** Anyone using that much water should bear a higher cost.

**MAYOR:** We could add a Section "E" for those using more than two million gallons per month.

**PAUL:** Or even one million five hundred thousand gallons per month.

**TUCKER:** I work for the company that uses a significant amount of water. To some degree I think the current rates are fair. When it comes to distribution how much does the water cost for the more that is used? There are varying opinions on that.

**CHERYL:** If the water rate is increased how will your work be affected?

**TUCKER:** We have no choice but to pay the fee. We are not going to stop production because of the cost of water. We conserve as much as we can already for economic reasons.

**MAYOR:** I would propose we add a Section “E” to the rate schedule and make the change in that section.

**BRAD:** Our proposed changes will only affect the high consumption users.

**TUCKER:** I am not opposed to a small rate increase.

**MARLOWE:** Are you wanting to add a one million five hundred thousand section and a two million gallon section as well?

**JEFF:** I think two million is fair. We need to be prepared for one million gallon and two million gallon users.

**BRAD:** I agree. Two million gallons would be a good new section. The entity has decided the City water is cheaper than drilling a well if they use that much water. The cost of \$1.50 per one thousand gallons over one million gallons of use is cheap in my opinion. I would like to see a small increase to the one million gallon rate and a major increase for two million gallons and above. We need to review the rate structure not the names of the users.

**JEFF:** What rate are you recommending for two million gallons and above?

**BRAD:** I would like to see a slight increase to the section of over one million gallons. I would like to add a new section for over two million gallons per month and have a significant charge such as \$5.00 per one thousand gallons of water used.

**CHERYL:** What alternatives does a business have?

**BRAD:** It is up to each entity but they can develop their own source.

**MAYOR:** I would not be opposed having the one million gallon to two million gallon rate be \$2.00 per one thousand gallons used and add a new rate of over two million gallons cost \$4.00 per one thousand gallons used.

**BRAD:** Twice the use should be twice the cost.

**JEFF:** How many businesses are affected?

**BRAD:** Not many at this time but there is the potential down the road for more.

**CHRIS:** We have a couple of users that consistently use over two million gallons per month. There are places they could conserve. They water during the day on a regular basis.

**MARLOWE:** In December, we did our water conservation plan. We need to take a look at any residential user using over one hundred thousand gallons per month.

**JEFF:** That makes sense.

**MARLOWE:** One hundred thousand gallons per month at a residence is a lot.

**PAUL:** This is an important revenue source and we need to review carefully.

**MARLOWE:** I would suggest adding new Sections “D” and “E” in the residential section of the ordinance as well.

**JUSTIN:** I think it would be better if I compiled some numbers and brought them back to the Council for review so we can see how many places are in this category and how much they are using.

**BRAD:** We need to evaluate the rates for the future.

**MAYOR:** I think tonight was a good initial discussion and we can evaluate again next month at Council meeting.

**JUSTIN:** I will get some comparables and provide to the Council for review.

**DAREK:** Be careful when comparing other communities’ rates as they factor in infrastructure and the infrastructure costs and number of users varies from city to city.

**DISCUSSION OF INFORMATION PROVIDED BY THE RICHMOND IRRIGATION COMPANY RELATIVE TO PLACING CANAL FLOW INTO PIPES WITHIN THE RICHMOND CITY LIMITS AND ANY REQUIRED DECISIONS BEING MADE THROUGH OFFICIAL VOTE**

**MAYOR:** We are waiting for the irrigation company to bring us the final plan for the piping project. Tucker has emailed each of you a copy of the current plan. Eventually, the irrigation board will come before the Council with their final plan. I would like Darek to lead the creation of the joint maintenance agreement for the canal. The agreement needs to be reviewed and approved by the county, city and irrigation company. The agreement can be reviewed and modified and then formally approved by the council in the future.

**BRAD:** What happens if the canal is filled in at certain areas?

**DAREK:** The agreement won't be stopped. We can define the limits of the system.

**PAUL:** I know the irrigation company would like to fill in the canal below the Timothy Christensen home. We need to review the topographical map of that area.

**BRAD:** I know there is a swell in that field.

**PAUL:** Part of the field is in the County and part of the field is in the City.

**DAREK:** There will be a water flow map. The runoff from that area will go north.

**PAUL:** I would like to see the map of that area and how the canal runoff water will run north and south.

\*\*\*A motion to approve J-U-B Engineers to oversee the creation of a maintenance plan agreement between Richmond City Corporation and the Richmond Irrigation Company for the maintenance of the irrigation water canal was made by Paul, seconded by Jeff and the vote was unanimous.\*\*\*

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

No Vote: None

**DISCUSSION AND POSSIBLE DECISION ON STEPS TO BE TAKEN RELATIVE TO PLACING BEFORE RICHMOND CITIZENS THE PROPOSED CACHE COUNTY WATER CONSERVANCY DISTRICT**

**MAYOR:** We have only received workshop information to this point. The issue will come back to the Council at a future time. Marlowe and Brad will continue to work on this issue. The County will lead the way on this project.

**BRAD:** I think the only opposition to the project will be uninformed people. A new entity will be created and there will be a cost involved. Residents will be concerned it is just another government body taking money from the residents. We need to educate and inform people of the importance of the District and the water rights in the valley. We need to explain why a water district is needed. It is our job to educate and inform the local residents. I think this issue will be on the ballot eventually.

**MARLOWE:** Will this be a discussion item at the next Council meeting?

**MAYOR:** No.

## **DEPUTY REPORT**

**DEPUTY BRAD NELSON:** We are getting ready for Black & White Days. The parade assignments have been made. There will be a presence by the deputies in town on Friday and Saturday night. We are getting some new equipment in our office here in the building, mainly a new computer.

**MARLOWE:** Governor Herbert will be in attendance at Black & White Days on Friday. I would assume his office will notify the Sheriff's office.

**DEPUTY NELSON:** I have not been made aware.

**MARLOWE:** Governor Herbert will be attending the cow show.

**JEFF:** We will be doing a fireworks show on Friday night. We need to have a containment area. I need a police presence for crowd control.

**DEPUTY NELSON:** Will you be blocking traffic?

**JEFF:** We will block off one road.

**MAYOR:** It is the road on the south side of the City park and elementary school.

**JEFF:** We need to block off an area and keep people behind the fireworks. There could be people watching from the road area. I would prefer the road is blocked off so people don't get hurt.

**DEPUTY NELSON:** I will make sure we have two or three officers on hand that night.

**BRAD:** Be advised there is going to be a carnival on the south side of the park for five days.

**MAYOR:** We want you to be aware there will be a carnival from May 11<sup>th</sup> through the 18<sup>th</sup> between the dentist office and the car dealership on the highway.

**JEFF:** I don't think we need anything specific we just want the officers to check the area when they drive through.

**CHERYL:** Be aware there will be children in that area.

**MAYOR:** The carnival operator is going to block access to the highway. Please make sure you and the other deputies in the Department attend the breakfast on Saturday morning during Black & White Days.

**JEFF:** Also, be advised the annual citywide cleanup is on Saturday, May 2<sup>nd</sup>. Lunch will be served at the City park for those deputies that can stop by.

**PAUL:** We will start cooking lunch at 11:00 A.M. for those that can attend.

**JEFF:** I just wanted to make sure you were aware there will be people walking around town cleaning up garbage as we get ready for Black & White Days. I anticipate a big crowd for Black & White Days since this is the 100 year celebration.

**DEPUTY NELSON:** Deputy Keller and I will be in attendance almost all day on Saturday.

**MARLOWE:** I believe the Governor will be here at 11:00 A.M. on the Friday of Black & White Days.

## **PRESENTATION, DISCUSSION AND POSSIBLE PASSAGE OF RESOLUTION 2015-2, "A RESOLUTION RELATIVE TO CERTAIN FEES ASSOCIATED WITH THE CUTTING OF THE SURFACE STREETS AND ROADS WITHIN RICHMOND CITY BY OTHERS THAN RICHMOND CITY EMPLOYEES OR CONTRACTORS HIRED BY RICHMOND CITY".**

**PAUL:** I would like to thank Marlowe and Bruce Jorgensen for their time in putting this together. My initial conclusion after reviewing the resolution is I did not provide all of the

pertinent information for the resolution. There are four things I would like to accomplish. One; cutting a road significantly reduces the life and serviceability of the road. Two, future costs associated with maintenance of the cut area are unknown. Three, the City is looking at a way to require a reasonable fee for future maintenance costs for the cut area. Four, the fee is not a warranty but a fee and no amount paid will be refunded to the contractor.

**MARLOWE:** The fee is non-refundable.

**PAUL:** All of this talk centers around wanting people to bore the road rather than cut the road. The City will always prefer a road to be bored. In some areas of town this is not feasible. The south end of town has several of these areas. I think the fee being based on the square footage is reasonable.

**JEFF:** The average road cut would cost how much?

**PAUL:** Ben, how long and wide is the cut by the new home at the south end of town? The width and length of the cut.

**BEN LUNDGREEN:** It is four feet wide and 24 feet long. The cut done by the irrigation company crossing the road in the north end of town is about the same size.

**PAUL:** A set fee had been discussed but wider cuts mean more cost. I think the fee should be based on the number of square feet times the actual cost of the material. Let people know that if the road is cut they will owe a fee equivalent to the square footage of the cut times the material cost.

**JEFF:** How is this calculated?

**PAUL:** This is just the initial discussion tonight. Our construction standards already deal with how a road should be repaired. This is a maintenance fee to preserve the road after the cut is made.

**JEFF:** I see your point of introducing this fee. I see several cuts in the roads in Logan.

**PAUL:** This standard would set what fee is collected by the City. This is not income to the City but a fee collected to help pay the maintenance costs of the road cut.

**BRAD:** The bare minimum maintenance cost would be crack sealing.

**PAUL:** Chip sealing may be needed as well.

**BRAD:** This situation does not happen very often. The first option is always to bore.

**JEFF:** Who decides if a road is cut or bored?

**BRAD:** A road will always be bored unless there is no other choice.

**MARLOWE:** Who will accept the application to cut the road and make the decision if the cut is allowed?

**MAYOR:** No road cuts will be approved without the consent of the City Council. The Council was notified of the issue at the Raymond Smith home and his area is extremely rocky and could not be bored. We gave permission to cut the road.

**BRAD:** In the past, Robert Rhoten tried to bore the road and the trench collapsed and the road had to be cut.

**MARLOWE:** How many cuts have we had in recent years?

**BRAD:** Probably around a half dozen in 10 years.

**MARLOWE:** I will work on something to present in the future. I realistically don't see this issue being a problem.

**MAYOR:** I don't agree with that. Everywhere there has been a cut; we notice it every time we drive over a road cut.

**JUSTIN:** A resolution does not require a public hearing but our City Attorney has recommended we have a public hearing since a fee will be approved.

**MARLOWE:** I have double checked this with Bruce Jorgensen and he agreed a public hearing is not required but suggests we have one.

**MAYOR:** I don't want this issue to be bigger than it needs to be. I want something simple that the Council reviews and approves the fee based on a simple formula. I don't want this to be a large document.

**MARLOWE:** I will put this on the next Council agenda.

**BRAD:** Whether a cut is allowed or not will not be determined by a single Council member.

**MARLOWE:** How do we handle the fee? Is it going to be based on the square footage with material four inches thick?

**PAUL:** It will be the square footage times the current cost of the material.

**BEN LUNDGREEN:** The State just informed me the material to repair the cut on the State Road by Maverik was \$14.50 per square foot. That material is six inches thick.

**MARLOWE:** Asphalt is \$55.00 per ton right now.

**PAUL:** This fee will help to pay for chip sealing, crack sealing and edge repair in the future.

**BEN:** The area might have to be redone if done poorly by the contractor as well.

**JUSTIN:** What do other cities do in this circumstance?

**PAUL:** I have no idea but I am willing to research it.

**MAYOR:** I think this is a good initial discussion. I would like to see what other cities do. I want Brad, Marlowe and Paul to review and tweak the resolution and then the Council can review next month. I want this resolution dealt with before the irrigation company requests cutting several roads.

**DAREK:** Logan charges an encroachment permit fee.

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

**JUSTIN:** Class "C" Road Funds collected in March totaled \$18,246 with a year-to-date total of \$66,465.

**PAUL:** When does the new \$0.05 per gallon gas tax kick in?

**JUSTIN:** I believe it is January 1<sup>st</sup>. The Fire Department and EMT Department each received a donation of \$50. Black & White Days sponsorship fees collected in March total \$1,950. There will be significantly more sponsor funds collected in April and May.

**MAYOR:** Justin and Jeff have collected a substantial amount of money from sponsors this year above and beyond what the other groups normally collect.

**JUSTIN:** We have secured sponsors for the fireworks show, movie in the park, parade, two sponsors for the Cow-A-Bunga race, and one for each of the horse pull classifications. All of the city suppliers I contacted were more than willing to donate this year because it is the 100 year celebration and the City is focusing on family activities with a minimal cost. The annual budget will be adjusted in May and again in June. The new budget is almost complete. I am just waiting to finalize a couple of items such as if we are granted any RAPZ tax funding. I still feel really good about the bounced checks line item. It is significantly less than last year. Chris and Marlowe have done a great job. The LED street lights have been purchased and paid for. Marlowe will prepare the paperwork for Rocky Mountain Power so we can get our rebate from them. The total paid for the LED lights was \$12,556. The Library received a grant from the State of Utah in the amount of \$5,002. I have talked with Juliene and we will adjust the Library budget and add in the grant expense at the May public hearing. Northern United Soccer paid the

Cub River Sports Complex for the use of the soccer fields. It will show up on the financials next month. Paul, do you think we can finish up the RAPZ tax project at Cub River this year? It would be nice to have the project finalized in this budget year.

**PAUL:** I will make sure it gets completed. We are going to use the remaining funds to install a fence around the playground area.

**JUSTIN:** A water and sewer impact fee was collected in March. I would like to take a minute and discuss the vote by mail proposal. I very much support the idea of a vote by mail as it is proven that vote participation will be higher. At this time; I cannot recommend the City go to a vote by mail for financial reasons. On an average election the City spends \$500 to \$1,000. For the vote by mail the cost would be two to three times more and the City does not have the budgetary funds to do this. I feel it would be better to put those funds into other projects. The prices I have obtained would be \$1.40 for the envelopes, ballot, and instructions. This does not include the postage of \$0.49 each. There are approximately 1,200 voters in town and so just the ballot printing cost and postage would increase the budget cost by at least 100%. The Legislature in the last session did make it so that the resident mailing the ballot back in would have to pay the postage or drop off the ballot at the City Office. I support the vote by mail concept but cannot justify the expense at this time. Cache County Corporation and Logan City are going to do the vote by mail this year but none of the other smaller communities have been able to find the finances do to the vote by mail election at this point.

**JEFF:** I respect Justin's opinion and perspective on this. I know he wants to do the election as a vote by mail but is also looking at the cost factor and doing what is best for the City.

**CHERYL:** Having to come in and vote shows people have initiative and want to vote.

**PAUL:** Maverik is opening on April 29<sup>th</sup>.

**JUSTIN:** I have been surprised and happy that our sales tax revenue has not taken an extreme hit while they have been closed.

**BRAD:** The new building will be open 24 hours per day.

## **COUNCIL MEMBER REPORTS**

**PAUL:** On occasion we have a homeowner that wants to get into their new home and needs an extension of time to get the new sidewalk installed. I have a standard escrow agreement form that I propose we start using. I would like the entire Council to review it. This is the exception to the rule but on rare occasions this scenario comes into play.

**MAYOR:** Title companies use this type of form all the time. It specifies the time allowed to complete the project and the amount due to be escrowed. The escrow amount the City will require is 150% of the bid cost for the project. We need to decide the allowable timeframe as well. The industry standard is to allow those moving in during the winter months to have until June 1<sup>st</sup> to complete the work but we can use a deadline of "X" number of days if we want too. I don't want one person in the City being responsible to make the decision if an escrow agreement is necessary. I want to have at least two people signing off on the need for an escrow agreement and it will be the Mayor and the Council member who is over that area of responsibility. The agreement will be drawn up and the Council member, Mayor and homeowner will all sign the agreement. A check will be held by the City until the project is complete or the date of completion has passed. The City will have the funds on hand if needed to complete the project.

**CHERYL:** Will we require a certified check?

**PAUL:** No.

**MAYOR:** If the City has to complete the project the person signing the escrow agreement will only be refunded the difference between the escrow amount and the actual project cost.

**PAUL:** A citizen has contacted me and requested to remove some trees on Main Street that are in the City owned park strip area. The homeowner wants to replace the maple trees with willow trees. Do we have an ordinance in this regard?

**MARLOWE:** No.

**MAYOR:** We need to provide the homeowner a list of allowed trees.

**MARLOWE:** Willow trees grow fast and are bad for visibility issues; especially on a corner.

**PAUL:** I will get with Brad Deffinger and Jared Gillman of A & D Landscape and come up with a list of acceptable trees.

**MAYOR:** I don't see a problem allowing the homeowner to remove the trees at his cost and put in new trees at his cost.

**CHERYL:** Do you know why the homeowner wants to plant willow trees?

**PAUL:** I did not ask. I know the intentions of the homeowner are good. I will make sure he plants compatible trees.

**MAYOR:** In regards to the escrow agreement for sidewalks, I think this situation has only happened about two times in ten years. It does not happen often but we need to have a set procedure for when it does happen.

**JUSTIN:** Will this change be incorporated in the form of a resolution?

**MAYOR:** Yes.

**MARLOWE:** The escrow agreement will be added to our occupancy check off list ordinance.

**MAYOR:** This will be an item for discussion and approval at the May council meeting.

**CHERYL:** There were 12 people interested in serving on the Library Board. The Library Board met and selected two residents. I would like to present them to the Council for approval. Aaron Curdy and Rose Ann Anderson were selected by the Board to serve.

**MAYOR:** Who is being replaced?

**CHERYL:** Anna Marie Isaacson and Bryan Dayton. Their terms have expired.

\*\*\*A motion to appoint Aaron Curdy and Rose Ann Anderson as members of the Richmond City library board was made by Cheryl, seconded by Paul and the vote was unanimous.\*\*\*

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

No Vote: None

**CHERYL:** Is the Youth Council in conjunction with the Library going to do an end of summer movie?

**JEFF:** I like the idea. Please get with Suzi Barrett, who oversees the Youth Council, and work out the details.

**CHERYL:** I attended an emergency preparedness expo last week and was provided some information on a federal surplus website. I was told that municipalities only pay about 30% of the retail cost of emergency preparedness materials on this website. Should I sign up and look at the website?

**MAYOR:** Yes.

**CHERYL:** I will obtain the food handlers permit for the citywide cleanup as well as the Black & White Days breakfast. Do we have confirmation of the Grand Marshal for the parade?

**MAYOR:** I have not heard back yet if we are allowed to announce it. Zelda Stoddard is 100 years old and resides in the City. Curtis Dent asked her to be in the parade and he would take her through the parade with his horse and buggy.

**JEFF:** I had talked to him about transporting the other Grand Marshal as well.

**MAYOR:** I believe Curtis has room for both Grand Marshals but we need to confirm.

**CHERYL:** What about the color guard?

**TUCKER:** I need to know of some other veterans we can get involved. Justin is your grandpa interested?

**JUSTIN:** I will talk to Loyd Lewis and Rex Thompson about being in the parade.

**TUCKER:** I would like to get some other veterans involved; if possible.

**JUSTIN:** Gale Alvey served.

**CHERYL:** The book mobile will have an entry in the parade this year.

### **MAYOR'S REPORT**

**MAYOR:** The next Council meeting will be on May 19<sup>th</sup>. The new Maverik store will be opening on Wednesday, April 29<sup>th</sup> from 4:00 P.M. to 8:00 P.M. and the City staff, Council and residents are invited to attend.

**PAUL:** I need to be excused from the Council meeting on the 19<sup>th</sup>; I will be out of town.

**MAYOR:** We received our annual notice from the State of Utah regarding the wage that is required to be paid to our Justice Court judge. We are in compliance and have reported the information to the State as required.

**JEFF:** I have one more item I need to discuss. The sponsors that donated \$500 or more; I would like to see them at the front of the parade behind the city vehicles. We need to figure out a spot where they can line up.

**JUSTIN:** I will work with you and Cheryl and send you a map of where I think we can line the sponsors up.

**JEFF:** Darek, what time do you want the Council to arrive for the breakfast?

**DAREK:** The Council normally arrives at 6:00 A.M. since the breakfast starts at 7:00 A.M. Brad and myself will arrive at 4:30 A.M. to start getting the grills warm. I will provide the assignments to the Council in the next couple of weeks. I will be working with Ben and Rob to have the cookers and stuff setup beforehand. Last year we planned for 500 to attend and the food we had was about spot on. How many should we plan on this year?

**BRAD:** Last year was perfect in how we ordered the breakfast items.

**JEFF:** We can always add more fruit.

**MAYOR:** I would plan on more people this year since it is the 100 year anniversary.

**JEFF:** I will continue to update the Council over the next month as we finalize plans for the celebration.

**BRAD:** Where are we going to have the horse trailers park?

**JEFF:** Along the south side of the road on the south side of Park Elementary.

**JUSTIN:** The entrance area for the carnival will need to be blocked off.

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

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

No Vote: None

|                            |          |
|----------------------------|----------|
| A.A. Hudson                | 575.00   |
| Aflac                      | 228.18   |
| Al's Trophies              | 135.70   |
| Altius                     | 2437.60  |
| APGN, Inc                  | 836.19   |
| Bear River Health          | 40.00    |
| Beeline Digital            | 23.00    |
| Big J's                    | 27.61    |
| Brent Webb Excavating      | 1050.00  |
| C.V. Insurance             | 1965.60  |
| Cantwell Lumber            | 648.11   |
| Century Link               | 237.67   |
| Coca Cola                  | 216.61   |
| Comcast                    | 228.21   |
| Consumer Reports           | 64.00    |
| Country Roots Construction | 2172.00  |
| Custom Fence               | 2317.13  |
| Ecosystems                 | 686.05   |
| ERA                        | 394.54   |
| Every Bloomin Thing        | 40.00    |
| Frank Edwards              | 234.58   |
| Hall Oil                   | 26.28    |
| IDEXX                      | 478.21   |
| IFA                        | 1587.4   |
| Industrial Tool            | 26.34    |
| Interstate All Battery     | 113.80   |
| IPACO                      | 729.00   |
| Jr Library Guild           | 329.40   |
| JUB                        | 14713.99 |
| Lee's                      | 20.54    |
| Les Olson Company          | 147.11   |
| Logan City                 | 15851.95 |
| Maverik                    | 187.45   |
| Micromarketing             | 133.33   |
| Morgan Pavement            | 8730.15  |
| Napa                       | 389.61   |
| Oldcastle                  | 674.52   |

Richmond City Council Meeting Minutes, April 14, 2015

|                            |         |
|----------------------------|---------|
| Olson & Hoggan             | 603.75  |
| PEHP                       | 171.66  |
| Pitcher Propane            | 2140.30 |
| Questar                    | 1775.15 |
| Randy's                    | 202.9   |
| Readers Digest             | 15.98   |
| Renegade Rentals           | 250.00  |
| Ritewood                   | 200.00  |
| Rocky Mountain Power       | 9078.80 |
| Rocky Mtn Landscape        | 600.00  |
| Smithfield Imp             | 50.58   |
| Staples                    | 254.59  |
| State of Ut Dept of Health | 50.00   |
| Stotz                      | 892.39  |
| Tamara Hardy               | 160.08  |
| Tess A. Davis              | 660.00  |
| Thatcher                   | 976.5   |
| The Book Table             | 15.98   |
| The Clean Spot             | 89.58   |
| The Herald Journal         | 34.36   |
| The Home Depot             | 470.02  |
| UEN                        | 65.70   |
| Ut Local Gov Trust         | 51.15   |
| Utah Water Users           | 100.00  |
| Verizon                    | 249.69  |
| Watkins                    | 139.95  |
| Wex Bank                   | 137.55  |
| Wheeler                    | 1356.25 |
| Wilson Motor               | 661.16  |
| Ytech                      | 554.00  |
| Zions Visa                 | 446.32  |

Adjournment at 9:25 P.M.

**RICHMOND CITY CORPORATION**

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

**ATTEST:**

\_\_\_\_\_  
Justin B. Lewis, City Recorder