

**RICHMOND CITY COUNCIL**

**May 18, 2004**

The regular meeting of the Richmond City Council was held at the Community Building on May 18, 2004. The meeting began at 7:00 p.m. Mayor Kip Panter was in the chair and the opening ceremony was conducted by Boyd Lewis.

The following members were in attendance: L.D. Bowcutt, Leslie Erickson, Cordell Johnson and Terrie Wierenga.

The minutes of the previous meeting were read and approved.

**BLACK AND WHITE ESSAY CONTEST WINNERS**

**TERRIE:** Lora Smith from the Library Board is here to run the program tonight.

**LORA:** I would like to thank everyone for coming tonight. The winners are here and they will read their essays. Jessica Garlick, Katelyn Reese, Cantrall Davis, Stephanie Peterson, and Kaden Spackman.

**MAYOR:** We want to thank everyone who has helped Black and White to be as successful as it is. Thanks for coming.

**MAYOR:** Cache County, Box Elder County, and Rich County are in the process of putting together a Federal Disaster Mitigation Plan. The BRAG office is doing this for each community in each county and I have the proposed plan for Richmond here tonight. The Richmond plan needs to be adopted and signed tonight so the county wide plan can be adopted by November 1, 2004. The plan will be no cost or minimal cost to the communities as it has predominantly been funded by a FEMA grant. It is important that we pass it tonight making it retro active to May 14<sup>th</sup> as disaster funds when needed will be determine by who has a plan in place and who has not. The plan is straight forward and nothing I read would be contrary to the needs of Richmond. After November 1, 2004 the Hazard Mitigation Grant Program will be only available to communities in states that have approved mitigation plans.

The Council voted unanimously to adopt the Federal Disaster Mitigation Plan as prepared for Richmond City.

**RESOLUTION 2004-5**

**MARLOWE:** I held onto this hoping for further results and information from Tim Beavers, which we did not get. We are required to file an annual report with the Division of Water Quality.

- \*\* A motion to adopt Resolution 2004-5 which says:
1. The City of Richmond hereby informs the Water Quality Board the following actions were taken by the Richmond City Council:

- a) Reviewed the Municipal Wastewater planning Program Report for 2003 which is attached to this resolution;
  - b) have taken all appropriate actions necessary to maintain effluent requirements contained in the UPDES Permit (if applicable);
  - c) are actively working in cooperation with the Division of Water Quality to bring the system back into compliance with the issued permit..
2. This resolution will automatically become historic on the first day of July, 2005." was made by Cordell, seconded by Leslie and the vote was unanimous.

### **RESOLUTION 2004-6**

**MARLOWE:** Resolution 2004-6 is "An Ordinance establishing a tax on the gross receipts of telecommunications service providers; setting the rate for such tax; and establishing the effective date of the tax.." The text of this ordinance is compliments of the Utah League of Cities & Towns. The past legislature invalidated our current tax and put a 4% cap on the new tax. The league feels however that it will be about a wash since the scope of the ordinance was broadened.

- \*\* A motion to adopt Resolution 2004-6 which is an Ordinance establishing a tax on the gross receipts of telecommunications service providers; setting the rate for such tax; and establishing the effective date of the tax.." was made by Terrie, seconded by Cordell and the vote was unanimous.

### **UNIFORM INERLOCAL AGREEMENT**

**MARLOWE:** This is the implementation document for the Utah State Tax Commission to collect the tax approved by Ordinance 2004-6. This also came from the League of Cities & Towns to help insure uniformity throughout the state.

- \*\* A motion to adopt the Uniform Interlocal Agreement between the Utah State Tax Commission and a municipality that has imposed the Municipal Telecommunication License Tax was made by Terrie, seconded by Leslie and the vote was unanimous.

**TERRIE:** The Library is going to have an open house for Chris Nickle, who is retiring effective July 1, on June 10 from 6 to 7:30 p.m. We will have cake and ice water. Juliene Parrish has accepted the Librarian job effective July 1.

**PUBLIC HEARING – REZONING OF 5 ACRES FROM A-10 to RE-1.**

Those in attendance were: Dallas Spackman, Kip Panter, Cordell Johnson, L.D. Bowcutt, Terrie Wierenga, Chris Purser, Marlowe Adkins, Leslie Erickson, Boyd Lewis

**MARLOWE:** Planning and Zoning has discussed this rezone request for Dallas Spackman and voted to recommended approval by the city council. The description of the property is a parcel of ground located in the Northeast Quarter of Section 34 and the Northwest Quarter of Section 35, Township 14 North, Range 1 East of the Salt Lake Base and Meridian described as follows: commencing at the Richmond City Centerline Monument found at the intersection of Highway 91 and 200 South Street in Richmond City, Utah, from which the centerline monument found at the intersection of State Street and 200 South Street bears South 88 Degrees 58 Minutes 20 Seconds East (basis of bearing) 1,515.39 feet; and running thence South 66 Degrees 45 Minutes 50 Seconds West 1,450.04 feet to the true point of beginning, a point located in the East right of way line of 400 West Street at a point located South 01 Degrees 30 Minutes 13 Seconds West (South by record) 25.00 feet of a point described of record as being South 30 rods and West 46.5 rods of the Southeast corner of Section 27, Township 14 North, Range 1 East of the Salt Lake Base and Meridian; and running thence South 88 Degrees 41 Minutes 41 Seconds East 343.09 feet; thence South 01 Degrees 30 Minutes 13 Seconds West 253.82 feet to a point on grantors South property line; thence North 88 Degrees 42 Minutes 16 Seconds West (West by record) along grantors South property line 343.09 feet to a point on the aforementioned East right of way line; thence North 01 Degrees 30 Minutes 13 Seconds East (North by record) along said right of way line 253.88 feet to the point of beginning. Containing 2.00 acres more or less. Added to this is a parcel of ground located in the Northeast Quarter of Section 34, and the Northwest Quarter of Section 35, Township 14 North, Range 1 East of the Salt Lake Base and Meridian, described as follows: commencing at the Richmond City Centerline Monument found at the intersection of Highway 91 and 200 South Street in Richmond City, Utah, from which the centerline Monument found at the intersection of State Street and 200 South Street bears South 88 Degrees 58 Minutes 20 Seconds East (basis of bearing) 1,515.39 feet; and running thence South 66 Degrees 45 Minutes 50 Seconds West 2,450.04 feet to the true point of beginning, a point located in the East right of way line of 400 West Street; and running thence South 88 Degrees 41 Minutes 41 Seconds East 343.09 feet; thence South 01 Degrees 30 Minutes 13 Seconds West 253.82 feet; thence South 88 Degrees 42 Minutes 16 Seconds East (East by record) 909.07 feet to a point on the West right of way line of State Highway 91; thence North 00 Degrees 57 Minutes 55 Seconds East (North by record) along said West right of way line 278.67 feet (280.50 feet by record) to a point in an existing fence line at a point described of records as being South 30 rods and East 29 rods of the Southeast corner of Section 27, Township 14 North, Range 1 East of the Salt Lake Base and Meridian; thence North 88 Degrees 41 Minutes 41 Seconds West (West by record) along said fence line 1,249.54 feet (1245.75 feet by record) to a point in the West right of way line of 400 West Street at a point described of record as being South 30 rods and West 46.5 rods of the Southeast corner of said Section 27; thence South 01 Degrees 30 Minutes 13 Seconds West (South by record) along said East right of way line 25.00 feet to the point

to beginning, containing 6.01 acres more or less. Of the second parcel described above, a portion consisting of 3.0 acres abutting the easternmost border of the first parcel described and extending eastward between the described north and south boundary lines will be included in the re-zoning request to comprise the total 5 acre re-zone request, with the balance of the second described parcel remaining within the current A-10 zone.

**CORDELL:** Dallas Spackman would be responsible for digging the trench and laying the pipe and Richmond City will purchase the 8" pipe. The pipe is being expanded to 8" to plan for future growth in this area and is the reason Richmond City is buying the pipe as has been done in other circumstances. The 8" water line will come from the stub at approximately 400 South to the end of Dallas' property on the east side of the road. Two fire hydrants will be installed by Richmond City at the City's expense at locations to be determined at the time of the water line installation. Dallas will be responsible for pressure testing, disinfecting, and sending a sample for disinfection results to Bear River Health, with the results being returned to Richmond City. Dallas will put in a septic tank system as the topography is not conducive to gravity flow for a sewer system and a pump station for that area is too expensive for the City at this time. Dallas is aware that at such time when a sewer main is installed on 4<sup>th</sup> west, he may be required to connect at his expense. Dallas also understands that he will be required to pay impact fees.

\*\* A motion to rezone the 5 acre property from A-10 to RE-1 for the property referenced above was made by Cordell, seconded by Leslie and the vote was unanimous.

## **PUBLIC HEARING-NEW BUDGET**

**BOYD:** I have prepared the new proposed budget for the July 1, 2004 to June 30, 2005 period. The General Fund would be \$637,200. The Water Enterprise Fund would be \$260,700. The Sewer Enterprise Fund would be \$195,825. The Special Revenue Fund would be \$7,500. I have figured a 3% salary increase for most of the employees. I also have the following proposed changes to the existing budget.

### **Additions & Deletions General Fund**

#### Revenue

Library State Grant	3,877.00
4 Lane Right of Way	925.00
Fire Dept Activities	4,611.00
EMT Activities	18.00
Fire Dept Grant	5,345.00
911 Tax Collected	1,215.00
Donation Historic Commission	675.00
Donation Library	220.00
Donation Fire Dept	175.00
Donation EMT	25.00

Donation Black & White	(250.00)
Transfer from Capitol Projects Fund	47,468.00
<b>Total</b>	<b>64,304.00</b>

Expense

Adm-City Party	677.00
Bldg-Sub & Memberships	317.00
Bldg-Plaster Foundation	(3,000.00)
Bldg-Snow Blower	698.00
Public Safety-911 Tax	1,215.00
Streets-Wrought Iron Fence	(4,181.00)
Streets-300 East Drain	31,977.00
Parks-Pruning Trees	1,365.00
Parks-Baseball Uniforms	(1,500.00)
Fire Dept-Brush Truck Repair	8,406.00
Fire Dept-Firehouse Payment	24,453.00
Library-Grant Expenses	3,877.00
<b>Total</b>	<b>64,304.00</b>

- \*\* A motion to reopen the current budget for all funds was made by Leslie, 2<sup>nd</sup> by Cordell, and the vote was unanimous.
- \*\* A motion to adopt the preliminary budget as presented for the year July 1, 2004 to June 30, 2005 was made by Cordell, 2<sup>nd</sup> by Terrie, and the vote was unanimous.
- \*\* A motion to adopt the changes as presented to the current budget was made by Leslie, 2<sup>nd</sup> by Terrie, and the vote was unanimous.

**CITY MANAGER REPORT**

MARLOWE: In the March meeting, the McRae's came to the City Council to ask if the City would snowplow in front of their home which is located down by the old cheese factory. They are the first home on the North. Their son needs special medical attention and the FEDEX company will not deliver unless it is cleared. Also, the little boy needs to be picked up by a 44 passenger school bus and the Cache School District wondered what was there to accommodate the bus. This is all private property and I don't think we are responsible at all. It is like any other private drive. We would be liable if anything went wrong. I have taken pictures, copies of which are before you, that show the different widths and what is there currently. The pavement is very thin and broken up with a large number of chuck holes. There is not much room between the retaining wall and the garage wall. There is an unpaved access lane coming off Main Street entering the old plant and homes. There is no access available coming from the west and only on an angle from the east.

**TERRIE:** If we were to do anything on that private property, the city would be liable. I don't think we can take that chance.

\*\*The Council agreed that the City could not plow the street on private property for liability reasons and suggested that the McRaes' contact some neighbors with tractors and ask if they could help with snow removal during critical times.

**MARLOWE:** We have had a request to advertise in the city newsletter. Are we ready to accept advertising in *The Richmond Record*?

\*\* The Council decided no.

**MARLOWE:** I have 4 applications turned in that could help us during the summer. I would like members of the City Council to assist in interviewing these four people. We need to run a new 8" water line from 600 South (by North Cache) to Lowers to fulfill an agreement we made with the County Fire Chief over a year ago to provide fire protection service. We agreed to do that with Lowers once their new expansion building was complete. I would recommend that we run an 8" water line all the way down to the south end of Lowers property to make future development and expansion much easier.

\*\* The Council o.k.'d this.

## **DEPUTY REPORT**

**BRANDON DOUGLASS:** I don't have much except Richmond has had traffic problems since the start of the new construction project. People bypass the main road and go on the side road pretty fast. I felt that Black and White went pretty well. We picked up a person who was driving under the influence of alcohol.

## **COUNCIL REPORTS:**

**CORDELL:** I have been thinking about the possible sluffage from the road into the drainage gully problem by Louie Hoppie. We need to extend both lines that come beneath 400 West and into the drainage gully by 8 ft and I think that would solve it. We have the people coming who provided the UV treatment the first of June. I think its time we made an incremental fee increase in the sewer fee like we do the water fee. Maybe \$1.00 increase a year for the next 4 years.

**LESLIE:** Black and White went very well. We will come up with a check lists for our next Black and White. I think we need a lock on the door outside the restrooms so we can protect the area we just finished remodeling at the B & W building. We fertilized and put humate on the parks. I am finishing up the Arbor Day Grant. That was a really neat and Park School was really receptive on getting the word out.

**MAYOR:** I would like the vehicles owned by the City to have a City logo on the sides. Marlowe and I talked about one like on our City letterhead. I don't want it to be a large obvious sign or name but just something signifying the vehicle is city owned.

The following bills were presented for payment.

Advanced Heating	1565.00
Alert-all	896.55
Allen Rock	99.17
Al's Trophies	661.00
Angie Hatch	222.00
Aqua Engineering	1078.75
AT&T	112.33
ATCO International	108.00
Badger Screen Printing	33.00
Bear River Health	90.00
Beazer	6.00
Bennetts Glass	30.93
Brent Webb	5609.00
Brodart	104.11
Cache Chemical	355.37
Cache County Service Area	11105.88
Cache Valley Insurance	2808.00
Chemtech-Ford	230.00
Cherry Creek Soap	168.00
Chris Purser	369.35
Christensen Const	260.00
Clark Security	678.52
Clints Bed & Breakfast	60.00
Coats Rooter	700.00
Curtain Call Plays	101.00
Denny's	224.17
Ecosystems	315.00
Every Bloomin' Thing	70.60
Ferguson Enterprises	173.45
Foremost promotions	802.30
Galls Inc	1030.75
Gloria Larsen	300.00
Hach	300.00
Hall Oil	32.08
Heart to Heart	40.00
Holland Equipment	2500.00
Holophane	82885.77
Home Depot	485.60
Industrial Tool	445.9
Intermountain Farmers	434.04
Intermountain Traffic	449.50
Itty Bitty	935.72
Jardine Petroleum	301.28
JUB	8622.27
KAPS	50.57
Kathy Schultz	150.00
Kids Discover	19.95
Kings	87.96

Kings	98.11
LD's Café	337.55
Lee's	331.65
Lora Smith	55.00
Metrocall	9.96
Modern Display	137.28
Moore Medical	996.32
N.C. Vet	143.20
National Waterworks	748.96
Northwood Rentals	75.00
Olson & Hoggan	888.30
PC's Unlimited	33.90
Pete's Repair	132.00
Pioneer Drama	23.84
Questar	518.86
Qwest	619.61
Owest Internet	72.38
Randys Texaco	155.90
Robertson Manufacturing	1525.00
Safety Supply	283.92
Shell Fleet Plus	781.85
Six Star	45.96
Smithfield Blue Sox-S. Smith	35.00
Smithfield Impl	498.83
Square One	341.10
Standard Plumbing	90.91
Staples	131.65
Terri Jones	81.00
Thatcher	555.92
The Greenhouse	109.21
The Herald Journal	76.5
Theurers	94.48
Thomson Electric	117.11
Time Rental	147.59
Tony's Grove	65.51
Upstart	11.50
Utah Local Governments Trust	1310.03
Utah Power	2044.58
Verizon	30.97
Walden Book	336.10
WR White	506.01
Zoobooks	20.95

A motion to pay the bills was made by Leslie, seconded by Terrie and the vote was unanimous.

A motion to adjourn was made by LD seconded by Allen and the vote was unanimous.  
Adjournment at 10:55 p.m.

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Mayor Kip Panter

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Boyd Lewis, City Recorder