RICHMOND CITY COUNCIL

SEPTEMBER 21, 2023

The regular meeting of the Richmond City Council was held at the Park Community Center located at 90 South 100 West, Richmond, Utah on Thursday, September 21, 2023. The meeting began at 6:30 P.M.; Mayor Paul Erickson was in the chair. The opening remarks were made by Mayor Erickson.

The following Council Members were in attendance: Lyle Bair, Kelly Crafts, Terrie Wierenga and Amber Ervin.

Tucker Thatcher was excused.

City Treasurer HollyJo Karren, City Engineer Weston Bellon, Public Works Director Jeremy Kimpton and City Recorder Justin Lewis were also in attendance.

VISITORS: Joel Draxler, Bryce Wood, Cindy Smith, Terri White, Ryan Busenbark, Alan Livingston, Jeremy Hunt, Rod Kearl, Janet Bair, Dave Cavanaugh, Alexis Riggs, Todd Beutler

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM AUGUST 17TH AND AUGUST 22ND, 2023.

A motion to approve the August 17, 2023 city council meeting minutes was made by Lyle, seconded by Terrie and the vote was unanimous.

Yes Vote: Bair, Crafts, Wierenga, Ervin

No Vote: None Absent: Thatcher

A motion to approve the August 22, 2023 city council meeting minutes was made by Lyle, seconded by Terrie and the vote was unanimous.

Yes Vote: Bair, Crafts, Wierenga, Ervin

No Vote: None Absent: Thatcher

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 2023-07, A RESOLUTION SUPPORTING THE BOARD APPORTIONMENT OF THE CACHE VALLEY TRANSIT DISTRICT IN COMPLIANCE WITH UTAH CODE 17B-2A-807 EFFECTIVE JANUARY 1, 2024.

TODD BEUTLER: I am the general manager of the Cache Valley Transit District. The state code was changed by the legislature earlier this year. The change affects the structure of the transit district board. This Resolution will help get us compliant with state code. The current board is who came up with the proposed recommendation. I want to thank Terrie for her time on the board. She is fantastic and a great advocate for the district.

A motion to adopt Resolution 2023-07, a Resolution supporting the board apportionment of the Cache Valley Transit District in compliance with Utah Code 17B-2a-807 effective January 1, 2024 was made by Terrie, seconded by Amber and the vote was unanimous.

Yes Vote: Bair, Crafts, Wierenga, Ervin

No Vote: None Absent: Thatcher

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 2023-10, A RESOLUTION APPOINTING ALAN LIVINGSTON AS TRUSTEE REPRESENTING RICHMOND CITY ON THE CACHE VALLEY TRANSIT DISTRICT BOARD OF TRUSTEES THROUGH DECEMBER 31, 2023.

MAYOR: Alan Livingston is willing to represent us on the board.

TERRIE: This Resolution is only for Richmond City and would expire on December 31, 2023. He would serve on the current board. I would have been done at the end of the year anyway where my city council term is expiring. CVTD (Cache Valley Transit District) is starting the budget process for the new year so it is a good time for Alan to be involved.

ALAN LIVINGSTON: I am an estate advisor for my career. I have had a CDL (Commercial Drivers License) in the past. I am happy to participate and help the community.

AMBER: Thank you for your willingness to serve. I have had a chance to visit with you in the past and I am happy you are willing to be involved.

A motion to adopt Resolution 2023-10, a Resolution appointing Alan Livingston as Trustee representing Richmond City on the Cache Valley Transit District Board of Trustees through December 31, 2023 was made by Amber, seconded by Lyle and the vote was unanimous.

Yes Vote: Bair, Crafts, Wierenga, Ervin

No Vote: None Absent: Thatcher

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 2023-08, A RESOLUTION APPOINTING ALAN LIVINGSTON AS TRUSTEE REPRESENTING RICHMOND CITY, SMITHFIELD CITY AND LEWISTON CITY ON THE CACHE VALLEY TRANSIT DISTRICT BOARD OF TRUSTEES EFFECTIVE JANUARY 1, 2024.

MAYOR: This is the same as the Resolution we just adopted other than Alan would be the representative for Richmond, Smithfield and Lewiston for 2024 and 2025. Will this Resolution need to be adopted by the other two cities as well?

JUSTIN: Yes.

A motion to adopt Resolution 2023-08, a Resolution appointing Alan Livingston as Trustee representing Richmond City, Smithfield City and Lewiston City on the Cache Valley Transit District Board of Trustees effective January 1, 2024 was made by Terrie, seconded by Lyle and the vote was unanimous.

Yes Vote: Bair, Crafts, Wierenga, Ervin

No Vote: None Absent: Thatcher

MAYOR: Terrie thank you for all of your service over many years. I have talked with Mayor Monson of Smithfield and Mayor Hall of Lewiston about this appointment and they were supportive of it.

DISCUSSION AND POSSIBLE VOTE ON THE REQUEST BY RKF PROPERTIES, LLC FOR A CONDITIONAL-USE PERMIT TO OPERATE A DOLLAR TREE STORE AT 215 NORTH 230 WEST. PARCEL NUMBER 09-154-0002. ZONED HC (HIGHWAY COMMERCIAL).

ALEXIS RIGGS: I am the development manager for RKF. Our proposal is to build a 10,000 square foot building which Dollar Tree will occupy. It will be a noncombustible block building. At the planning commission meeting they discussed reducing the ten-foot setback on the south end of the building. They voted to reduce the south setback to help limit access, address concerns with cleanliness and other items. They voted to reduce the ten-foot requirement down to four feet contingent upon egress requirements being met. The building will be located on the north side of Lee's Marketplace. There will be parking on the east. Delivery drivers will have access on the west. LYLE: Why are you making the request to reduce the ten-foot setback?

ALEXIS: Your code requires ten feet unless the planning commission and city council allow it to be reduced.

TERRIE: Our code allows us to have discretion on the setbacks in this zone. We can reduce the ten-foot requirement.

ALEXIS: The parcels are separate lots so we cannot connect to the Lee's Marketplace building. We need room to excavate for our proposed building. We feel ten feet is too much.

MAYOR: Lee's is a cinder block building and you would build a cinder block building four feet away from it?

ALEXIS: Correct. We also modified our plan to move a door we had on the south side of the building.

LYLE: Could some fascia or something be installed so it looks like a continuous building. I hate the look of an alleyway.

TERRIE: A small gate could be installed to limit access. Then people could still get out in the event of an emergency.

ALEXIS: We just built a new store in Roy with a 4 ½ foot setback. There is not that much room for anything to happen. It does work well for emergency purposes. There is a rear door on the back of the building as well.

LYLE: Does the fire department have any issue with the four feet request?

JEREMY HUNT: We don't have an issue with it. There is access on all four sides of the building. The firewall will last for more than three hours. There are no concerns from the fire department.

MAYOR: Weston do you have any concerns?

WESTON: In regard to engineering all of the code and requirements have been met.

AMBER: The planning commission wished the building could abut the Lee's building but since that is not possible, they were comfortable with four feet. They recommended approval of a reduction to four feet. I have had a dozen community members reach out to me on this request. It has been an interesting discussion. Two people supported the request. One person was indifferent. Nine people were against the request. I wanted to know why they were opposed. Will there be video cameras on the outside of the building? The biggest concern people have is crime. A new store in a small community brings concerns. I wanted to share the concerns of the community. We are excited for this store. The seniors are happy to hear it is coming. It is good to know the fire department does not have any concerns with the reduced setback.

TERRIE: I know a lot of people who are looking forward to purchasing things close by. This will be a great addition to the city. The city is growing. Business is needed to help support growth. We need businesses to survive. **KELLY**: I am excited for it.

A motion to approve the conditional-use permit request by RKF Properties, LLC to operate a Dollar Tree Store on Cache County Parcel Number 09-154-0002 with the condition the south setback can be reduced from ten feet to four feet was made by Terrie, seconded by Kelly and the vote was unanimous.

Yes Vote: Bair, Crafts, Wierenga, Ervin

No Vote: None Absent: Thatcher

MAYOR: What is your timeline to start the project?

ALEXIS: We need to get zoning approval which will take a few days. We are hoping to get the building permit soon. I would hope we can start in mid-October. We want to build during the winter months.

MAYOR: Has the contract been awarded to a contractor?

ALEXIS: We are our own contractor.

DISCUSSION AND POSSIBLE VOTE ON THE "AGREEMENT FOR STAFFING FIREFIGHTERS IN THE RICHMOND FIRE STATION".

ROD KEARL: I am the Assistant Fire Chief for the Cache County Fire District. I am here to answer any questions if you have any.

MAYOR: We have seen this agreement and discussed it many times. I attended the Smithfield City council meeting where they voted to support the request.

JEREMY: I don't have any concerns.

MAYOR: The basics of the agreement are the county will provide and fund two full-time firefighters in our fire station, Monday through Friday from 8:00 A.M. to 5:00 P.M. We will continue to own the building and pay for some of the costs such as utilities. We will work on building improvements as we can. It will be a huge benefit to the city to have two full-time professionals in the city during the day.

TERRIE: Will they staff the fire station on normal holidays?

ROD: No. They will have standard holidays like Memorial Day and Labor Day off. They won't be working the traditional 48/96-hour shift.

A motion to approve the Agreement for Staffing Firefighters in the Richmond Fire Station was made by Amber, seconded by Lyle and the vote was unanimous.

Yes Vote: Bair, Crafts, Wierenga, Ervin

No Vote: None Absent: Thatcher

MAYOR: When will they be here? Have the employees been hired?

ROD: They have been interviewed but not hired. We could not hire anyone until the agreement was approved. Chief Hammer is out of town for two weeks. Once he gets back, they will be hired.

MAYOR: I am grateful for this agreement and appreciate the county council approving the funds.

ROD: You will now have two full-time firefighters that you know will be in the city.

MAYOR: I talked with the mayors of Mendon and Hyrum and they have nothing but praise and gratitude for their arrangement with the county fire department.

ROD: We will be working closely with the Smithfield Fire Department. If I understand correctly, most of the employees who will cover shifts here are Smithfield City Fire Department employees. It is a good partnership for all involved.

MAYOR: On a side note. Chief Jeff Peterson of Smithfield was recently appointed as full-time fire chief. He had been serving as interim fire chief.

CONTINUED DISCUSSION AND POSSIBLE VOTE ON THE REQUEST BY RYAN BUSENBARK FOR APPROVAL OF THE FINAL PLAT FOR THE JOHNSON COVE SUBDIVISION, AN (11) LOT/UNIT SUBDIVISION LOCATED WEST OF APPROXIMATELY 250 SOUTH 300 EAST. ZONED RMD (RESIDENTIAL MEDIUM DENSITY).

RYAN BUSENBARK: I don't have anything new to report.

MAYOR: We received a report from our city engineer stating all of the requirements have been resolved.

TERRIE: I am still bothered by the dead-end street. It is not in our long-term plan. I understand why it is designed this way. I am not comfortable with it. It is nothing but an attraction for tumbleweeds, dirt and other broken things.

AMBER: We have been working on this request for a long time.

A motion to approve the Final Plat for the Johnson Cove Subdivision, an (11) lot/unit subdivision was made by Lyle, seconded by Amber and the vote was unanimous.

Yes Vote: Bair, Crafts, Wierenga, Ervin

No Vote: None Absent: Thatcher

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 2023-12, AN ORDINANCE AMENDING THE RICHMOND CITY MANUAL OF DESIGN & CONSTRUCTION STANDARDS, CHAPTER 8.0 "STORM DRAINAGE DESIGN", SECTION 8.01 "GENERAL" AND CHAPTER "SUMMARY OF AMENDMENTS TO THE "MANUAL OF STANDARD PLANS"".

JEREMY: This is something we discussed last month. We would add a cement ribbon curb along the edge of the asphalt. A new drawing has been created for this by the city engineer. The planning commission reviewed the Ordinance this month and recommended approval.

MAYOR: I think it is a great idea. We have previously discussed this. This will only affect new applications?

JEREMY: Correct. This only applies to new requests.

AMBER: I think it is a great addition.

JEREMY: It will help with drainage issues as well.

AMBER: I was shown the ribbon curb that is along the edge of the parking lot for the Park Community Center parking lot. It is not 18 inches wide but it is a good example to see.

MAYOR: Will this apply to Ryan Busenbark's project? **JEREMY**: No, where he applied before this was approved.

A motion to adopt Ordinance 2023-12, an Ordinance amending the Richmond City Manual of Design & Construction Standards, Chapter 8.0 "Storm Drainage Design", Section 8.01 "General" and Chapter "Summary of Amendments to "The Manual of Standard Plans'" was made by Lyle, seconded by Kelly and the vote was unanimous.

Yes Vote: Bair, Crafts, Wierenga, Ervin

No Vote: None Absent: Thatcher

DISCUSSION AND POSSIBLE VOTE ON THE RICHMOND CITY TRAILS MASTER PLAN UPDATE.

MAYOR: Terrie has been working on this for a very long time. Many hours and time have been spent on this by many people. There has been a lot of interaction and feedback. Terrie, thank you. I have reviewed the plan and you and others have done great work.

TERRIE: This process started in early 2021. There was a lot of public input. There was an online survey with around 400 responses. We did very well per capita in the number of responses we received. I would like to mention something Justin pointed out at the planning commission meeting this month. This plan was created by the residents not by the mayor and city council. The plan is based off of resident input and ideas. We held open houses, public hearings, sent out surveys and had many other discussions. I think this is an excellent road map for the future. Many different trail options are suggested from motorized, non-motorized and other options. Funding and design options are included. This has been a long time coming but it really slowed down last year when three of the four steering committee members accepted employment elsewhere. I am happy with the final draft.

AMBER: The consensus of the planning commission was the plan is easy to review and comprehend. It has some really good information for us for the future.

A motion to adopt the Trails Master Plan Update was made by Terrie, seconded by Lyle and the vote was unanimous.

Yes Vote: Bair, Crafts, Wierenga, Ervin

No Vote: None Absent: Thatcher

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 2023-09, A RESOLUTION THAT CANCELS THE RICHMOND CITY NOVEMBER 21, 2023 MUNICIPAL ELECTION AND CERTIFIES THAT THE NUMBER OF CANDIDATES DOES NOT EXCEED THE NUMBER OF OPEN AT-LARGE MUNICIPAL OFFICES.

JUSTIN: The candidate signup period for the upcoming municipal general election was June 1st through the 7th. We have three city council seats to fill. Only two candidates signed up to run for office: Joel Draxler and Bryce Wood. Council Members Tucker Thatcher, Kelly Crafts and Terrie Wierenga's terms expire at the end of December. Where we have fewer candidates than open seats, we must adopt a Resolution to cancel the 2023 general election in the city. The third open seat will be filled by the city council in January. An advertisement will go out in December and the council will do interviews and select a candidate to fill the open seat for a period of two years. Once this Resolution is adopted, Joel and Bryce are considered elected and will start serving in January.

LYLE: We are saving a lot of money by not having to have an election. I wish we had more people running for office.

MAYOR: Joel and Bryce are both in attendance this evening.

A motion to adopt Resolution 2023-09, a Resolution that cancels the Richmond City November 21, 2023 Municipal Election and certifies that the number of candidates does not exceed the number of open atlarge municipal offices was made by Amber, seconded by Kelly and the vote was unanimous.

Yes Vote: Bair, Crafts, Wierenga, Ervin

No Vote: None Absent: Thatcher **MAYOR**: The process to fill the open seat is quick. At the January 2024 city council meeting there will be short interviews and a new council member will be selected. An executive session is no longer allowed; it was many years ago. The entire process is very open and transparent. I hope we get several applicants to apply.

OPEN AND PUBLIC MEETINGS TRAINING.

JUSTIN: We will have to hold this item at a future meeting date because the entire council and mayor must be in attendance per the audit requirement.

STAFF REPORTS AND MONTHLY FINANCIAL REVIEW.

JUSTIN: Line Item 4289 shows \$15,900. This is for the installation of the new furnace and air conditioning units in the north end of the Park Community Center. I know The Park Bench patrons appreciate them. The RAPZ Tax pavilion project will show up in Line Item 4597. So far, the cement pad has been completed. The pavilion should arrive and be installed in October as well as the tables. So far, this fiscal year we have collected \$172,516 in Water Impact Fees and \$117,210 in Sewer Impact Fees. There are a lot of years we don't collect this much in an entire year. The majority of this has been paid for by the new townhome project. Interest revenue is also up. In the General Fund we budgeted \$33,000 for the year and in the first two months we collected \$14,635. In the Water Fund we budgeted \$60,000 and in two months have received \$19,357. The Sewer Fund budgeted \$26,000 and received \$9,563 in the first two months.

MAYOR: I know we are working on the annual audit as well as I was contacted today.

JEREMY: All of the loose gravel chips from the chip seal have been picked up in the areas I am aware were a problem. We are preparing for winter. We are waiting on the new dump truck to arrive. It is in Salt Lake getting the snowplow and sander installed.

MAYOR: When will our next truck purchase be?

JEREMY: We have two new trucks. I am hoping they will last 20 years. The two older trucks we have are over 20 years old. I think if we properly maintain them and keep the salt off of them, they will last over 20 years. We did install a stainless-steel bed on this truck. Long term we should consider purchasing a street sweeper. We try and change out one of the pickup trucks each year. The mini-x will be changed out next year. We purchased the frontend loader last year which would have been purchased this fiscal year but when it became available the council approved moving that purchase up a year.

MAYOR: Is garbage service going well?

JEREMY: Yes.

MAYOR: Are we getting many calls for replacement cans?

HOLLY: Rob replaces the cans as work orders are submitted. The phone calls are slowing down on the confusion from the changeover. We have had a lot of questions on the color of the cans and if that is a factor. Right now, we are getting around two phone calls per week regarding garbage service.

JEREMY: We are working on getting some salt delivered soon for the upcoming winter months.

MAYOR: Are we still receiving new building permits?

HOLLY: For some garages and other minor items. Three buildings have now been approved in the Richmond Village.

MAYOR: There is still not power to any of the project.

HOLLY: The number of permits is slowing. Jason Rock is working with us on finishing up some sidewalk projects before winter. A few of them are projects we have escrow funds on that were never finished. We are finishing them because they are so old and then we will use the escrow funds to pay the cost.

MAYOR: The grounds looked great for the city party.

MAYOR: Weston, please update everyone on the applications we have submitted.

WESTON: The application for the 400 West Road project has been submitted. The COG (Council of Governments) is in the review process now. We are hoping to get funding for the project. We are answering some questions they have. I don't know their timeline of when they approve things.

MAYOR: I know they will meet next month. The recommendations of the mayors are then submitted to the county council for final approval. The 500 North Road project was submitted by the county a few years ago. It still has not

started. It was approved in 2018. I am not sure what is happening there. Matt Phillips, Cache County Public Works Director, represented our project at the COG public hearing. Some of the road is in the county so they are involved in the project. We have agreed to push the snow on the county section of road if the project is completed. The project is to redo the dirt road on 150 North from the edge of the Lee's Marketplace parcel to 400 West and then replace the road from 150 North 400 West going south back to Main Street. Sidewalk would be installed as part of the project. We would do some water and sewer infrastructure work as well.

WESTON: Swales will be installed; there is not curb and gutter being installed as part of this project.

MAYOR: We were asked how many cars use this road per day. Where it is a dirt road that is not something we can track. There is around seven million dollars in COG funding. About 80% of it goes to the bigger cities for large projects. The remainder of the funds is put into a rural set aside for the smaller cities. Last year there was around one million dollars for the smaller cities. If the county is willing to approve the project but doesn't want to fund it all in one year, we would split it over two years.

COUNCIL MEMBER AND MAYOR REPORTS

AMBER: Cindy Smith and Brock Meacham were involved in their first official planning commission meetings. Holly and I toured the Pepperidge Farms facility. There were representatives from the governor's office, as well as Senator Mike Lee and Senator Mitt Romney's offices.

MAYOR: Was there a big list of invitees?

AMBER: Yes. It was enlightening to see the employees working and the equipment running. All of their equipment comes from Denmark. We saw some robots in action as well. We saw the plan for the new flour mill. We also talked to a member of the governor's communication staff. They told us about some grant opportunities. Pepperidge is willing to help as well. The Park Bench is doing great. Karyn is doing a fabulous job and is staying in budget. It is impressive to see them progress. They will be hosting a community Halloween carnival next month and it is open to the entire community. Youth groups want to donate and be involved. We served 162 lunches, had 63.5 volunteer hours, and distributed 726 items from the food pantry. Seven new faces showed up to today's luncheon. Good things are being done. People are fed well and happy. Spartan is amazing. They volunteer to help each week. We have received so much support from the community and others. The seniors are working together as well. The level of care is exceptional. Alan Lower donated the meat for the city party. The remainder of the meat was donated to The Park Bench. I encourage everyone to take the opportunity to be involved because it is something cool.

TERRIE: I am finally done with all of my planning projects. As a city we have done a lot. We just redid the General Plan and now the Trails Plan is complete. We are now working on new water and sewer models. Things are happening. I have been involved in the Cache County General Plan update as well as the CVTD (Cache Valley Transit District) long range planning. It has been an intense year or more. The restructuring of the CVTD board will be a positive moving forward. It has always been a no fare system. I attend the monthly irrigation board meeting. This year they have not implemented reducing watering turns for the residents or the farmers. This usually never happens. We have received over an inch of rain today.

KELLY: The city party was awesome. There was good food, fun and it was well attended. What happens with the school bond where there is not a local election?

JUSTIN: The residents will vote on the school bond but there won't be any council members from Richmond City on the ballot. I would expect it will be a single item ballot as I am not aware of any other items on the ballot.

KELLY: Please vote yes to the bond.

MAYOR: How much is the property tax increase?

JUSTIN: They are stating there is no increase as proposed. We are sending out a message through Parlant on behalf of the school district advertising a meeting where representatives of the school district will be in attendance to discuss the bond and answer questions.

MAYOR: Where are the new schools being built?

KELLY: Hyde Park and Nibley.

MAYOR: Any effects to our local schools?

TERRIE: The sixth grade will move from White Pine Elementary to North Cache Middle School.

LYLE: Fizz Bodily who is on the Lewiston City council contacted me. A vendor sold some concessions at the concession stand at the Cub River Sports Complex. They want to donate their profit to the complex. On the

southeast baseball diamond there is a request to redo the dugouts. Ducworks would donate the materials and the labor would be done by volunteers. There would not be any cost to the two cities.

MAYOR: Great idea.

LYLE: There are a lot of local youth involved in soccer, baseball and other sports.

TERRIE: I have attended some youth leagues and it is fun to watch the kids participate.

LYLE: A semi-pro baseball team is coming to Providence. There are other semi-pro men's and women's sports coming to the valley as well.

AMBER: There is also the new straw maze at the north end of town. I had fun at their soft grand opening.

MAYOR: Are they doing a haunted theme?

AMBER: Yes, on Saturdays in October. There are many different items out there to do.

KELLY: What is the cost?

AMBER: It is \$10, Monday through Thursday for ages four and older. Three and younger are free. Friday and Saturday are \$12. The haunted maze is \$20. They have other activities like a corn cannon and slides. It is so much fun.

MAYOR: Weston at our October council meeting can you provide an update on our water and sewer plans. WESTON: I can actually do it right now because not much will change between now and then. The sewer plan is ready to start. It is for the collection system. The funding was awarded from the CIB (Community Impact Board). On water, we won't start it until we find out if we receive the Bureau of Reclamation grant. We should know in November if that grant is approved.

MAYOR: Our next council meeting is on October 19th.

A motion to adjourn was made by Kelly, seconded by Terrie, and the vote was unanimous.

Yes Vote: Bair, Crafts, Wierenga, Ervin

No Vote: None Absent: Thatcher

Adjournment at 7:41 P.M.

RICHMOND CITY CORPORATION

Paul J. Erickson, Mayor
ATTEST:
Justin B. Lewis, City Recorder