

RICHMOND CITY COUNCIL

JANUARY 18, 2024

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, January 18, 2024. The meeting began at 6:30 P.M.; Mayor Paul Erickson was in the chair. The opening remarks were made by Amber Ervin.

The following Council Members were in attendance: Lyle Bair, Amber Ervin, Bryce Wood and Joel Draxler

City Treasurer HollyJo Karren, City Engineer Weston Bellon, and City Recorder Justin Lewis were also in attendance.

VISITORS: Cindy Allen, Leslie Erickson, Rhonda Davis, Craig Harris, Dave Cavanaugh, Brady Christensen, Morty Jenkins, Jenifer Lewis, Brock Meacham, Richard Carlson, Daryl Black, Sherylee Black, Ashlee Bair, Natalie Wood, Bryce Holt, Tamara Hardy

Council Members Joel Draxler and Bryce Wood took the Oath of Office at an open house held on Tuesday, January 16, 2024 at the Park Community Center.

MAYOR: I want to disclose that Council Member Joel Draxler works with me at Cache Valley Bank. I am the Chief Credit Officer and Joel is the Appraisal Manager. I have talked with legal counsel and there is not an issue with Joel being a council member and I the mayor even though we are coworkers.

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM DECEMBER 19, 2023.

A motion to approve the December 19, 2023 city council meeting minutes was made by Lyle, seconded by Bryce and the vote was unanimous.

Yes Vote: Bair, Ervin, Wood, Draxler

No Vote: None

DISCUSSION AND POSSIBLE VOTE ON THE MINOR SUBDIVISION REQUEST BY RICHMOND CITY, FOR A THREE (3) LOT MINOR SUBDIVISION LOCATED AT APPROXIMATELY 3 EAST MAIN. PARCEL NUMBER 09-055-0008. THE PARCEL IS APPROXIMATELY 1.25 ACRES.

JUSTIN: The city owns a parcel that includes the relic hall, post office, quonset, fire station and the building formerly called the relief society building. All of these buildings are located on one parcel, Cache County Parcel Number 09-055-0008. The proposal is to create two new parcels for a total of three parcels. One parcel would contain the post office. The eastern boundary would be on the east side of the pine trees which were recently removed. The second parcel would be the area where the relic hall is located. The boundary around the relic hall would be the roadway area. The relief society building, quonset and fire station would stay on the remainder of the parcel. This is considered a minor subdivision because it is four lots or less. The survey meets the current standards of the city code.

JOEL: The planning commission discussed the request and recommended approval.

MAYOR: The city has a portfolio of assets. Are these assets an asset to the city? The DUP (Daughters of Utah Pioneers) occupies the relic hall. The city owns the post office building and has leased the building to the postal service for decades. I made this request for this subdivision to be created. It is up to the council if they want to sell the parcels at a later date. I think neither parcel is vital to the city at this time.

BRYCE: If we take action tonight what is the end goal? What are we trying to accomplish by doing this?

MAYOR: At the December 19, 2023 city council meeting the city council voted to surplus the property where the relic hall is located. It is a three-step process. The council decides if the land is surplus. I requested the post office be included in this subdivision as well. My feeling is we don't need to own it for it to be part of the community. Most post offices are privately owned buildings. The lease is for around \$1,083 per month. We are not required to own the building to have a post office in the city.

JOEL: So, tonight is Step 2 of 3 in the process?

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MAYOR: Yes.

BRYCE: Will this limit our future growth for more buildings on our property long term in this area?

MAYOR: I think the relic hall will still be the relic hall in 50 years. It serves a purpose. There is a long-term lease on the building. It will be part of the community. The use of the post office could change over time. The county currently stages two full-time firefighters in our fire station Monday through Friday from 8:00 A.M. to 5:00 P.M. Mayor Young worked with others in the valley on creating a fire district long term. If that were to ever happen most likely our fire station would become part of the fire district. There is no current discussion on a fire district being created. The cost for improvements to the relief society building is over \$100,000. There is still a lot of undeveloped acreage on the parcel. We would still have access from the north and west like we currently do now. We are not required to sell any of the buildings even if we adopt the survey. The relic hall has had a historic use for many decades.

BRYCE: Is the hope to sell the relic hall to the DUP?

MAYOR: That has not been determined.

BRYCE: I am just trying to understand the steps in the process so I know what is going on and being considered.

MAYOR: If this request is voted down, we won't consider it in the future. We have not discussed the next step after this step.

AMBER: This is a hard agenda item for two new city council members who have not been part of previous discussions on this item. I have some different information about what can happen after the subdivision is approved. I am leaning toward withdrawing the subdivision application at this time.

MAYOR: You can table it or withdraw the application.

AMBER: I also don't want to burden a new council member who has not yet been selected to have to explain why this happened and they were not even part of the process. It is not fair to that person or the two new council members.

LYLE: I think this needs further discussion if we are going to surplus the property. I have anxiety about this issue and how it could effect the city. I think we should table it for a month. There needs to be a discussion with the new city council members about this request. I recommend we table the request.

A motion to TABLE the minor subdivision request by Richmond City for a three (3) lot minor subdivision located at approximately 3 East Main was made by Lyle, seconded by Amber and the vote was unanimous.

Yes Vote: Bair, Ervin, Wood, Draxler

No Vote: None

DISCUSSION AND POSSIBLE VOTE ON THE REQUEST BY RICHMOND CITY FOR APPROVAL OF THE RON ANDERSON WEST STATE STREET SUBDIVISION, A FOUR (4) LOT MINOR SUBDIVISION LOCATED AT APPROXIMATELY 320 NORTH STATE STREET. PARCEL NUMBERS 09-046-0025 AND 09-046-0022. THE PARCELS ARE APPROXIMATELY 5.17 ACRES.

JUSTIN: As part of the General Plan process one of the biggest items of concern was the lack of access to the highway from State Street north of 100 North. The next natural location to access the highway from State Street is 300 North. There are three property owners who own land between State Street and the highway in that area. The Anderson, Glenn and Hendricks families. We met with the Anderson family about acquiring land from them as they own along State Street. The land we need from them would be 80 feet wide, which is enough for a single lane road going each direction plus a median. There would be enough room for a sidewalk on both sides as well. The city owns a parcel on the north side of the Anderson property. If the council grants this request the city would do a land swap with the Anderson family. The city would acquire 25,815 square feet from the Anderson family. In return, the Anderson family would acquire 27,227 square feet from the city. The parcel the Anderson family would get is labeled as Lot 2 or 353 North State Street on the survey. The city has had preliminary discussions with the Glenn family. If the council agreed to this request, we would approach them next.

JOEL: The planning commission approved the request with some corrections which were needed on the survey. The Glenn family access road is located on proposed Lot 1. The Anderson family gets more land than they give up. I think it makes sense.

MAYOR: When the city has a General Plan any city activity such as a road or park needs to be included. This road shows up in our plan. It is only proposed at this time and we do not have a current plan for it to be installed. We have no land or right-of-way at this time to get from State Street to the highway. This is the first step in the process.

LYLE: I think this is a good plan and we should move forward with it.

AMBER: Agreed.

A motion to approve the Ron Anderson West State Street Subdivision, a four (4) lot minor subdivision located at approximately 320 North State Street was made by Bryce, seconded by Lyle and the vote was unanimous.

Yes Vote: Bair, Ervin, Wood, Draxler

No Vote: None

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 2024-02, AN ORDINANCE AMENDING THE RICHMOND CITY MANUAL OF DESIGN & CONSTRUCTION STANDARDS, CHAPTER 2.0 “STREET DESIGN”, SECTION 2.01 “GENERAL”, CHAPTER 5.0 “CULINARY WATER SYSTEM DESIGN”, SECTION 5.01 “GENERAL”, CHAPTER 7.0 “SANITARY SEWER DESIGN”, SECTION 7.01 “SEWER MAINS” AND CHAPTER 8.0 “STORM DRAINAGE DESIGN”, SECTION 8.01 “GENERAL”.

WESTON: We don’t have anything in our construction and design standards regarding fire access roads. This has been an issue recently. We need to state in our code how these roads need to be constructed as these roads are required by the fire department. They would need to be asphalt with a base course. We would also include in our code that knuckles, eyebrows or corner cul-de-sacs are not permitted in the future. They pose a problem for snow removal. Developers like them because it typically gives them more frontage to add more building lots. The planning commission also mentioned it allows more speeding, as well, if they are allowed. The other additions to the standards proposed in this Ordinance are to make sure all infrastructure is installed in a public right-of-way. This would stop having infrastructure allowed on private property. This would stop allowing utilities in the backyards of new homes.

HOLLY: This is a big plus for the staff. As we see things like this as we continue to grow, we need to amend our code. We recently realized this was an issue with a subdivision which was approved because the stormwater pipe is across the backyard of two private residences.

JUSTIN: The Johnson View Subdivision has two lots with this issue. In the future this will not be allowed. This does not affect any project which is already approved or submitted. This would only affect new applications.

JOEL: The planning commission recommended approval. I think it makes sense for what we are doing. We need to clean up our code. It was something we learned is an issue and now we are fixing it. These are the types of things we can change and make better for the future.

LYLE: I think it will save the city money in the long term as well. There are always problems when having to go on private property with these types of issues. I think this Ordinance makes sense.

MAYOR: The state recently changed the law on subdivision approvals as well. The city council no longer has any say on a single-family subdivision moving forward. If it is not in our code then what someone wants to do is allowed.

AMBER: I appreciate Weston putting this together. We have a trust factor in those we employ. I am not an engineer and trust what he has to say. We don’t want to be caught with this issue again. I appreciate this being done and think it is a necessary improvement.

A motion to adopt Ordinance 2024-02, an Ordinance amending the Richmond City Manual of Design & Construction Standards, Chapter 2.0 “Street Design”, Section 2.01 “General”, Chapter 5.0 “Culinary Water System Design”, Section 5.01 “General”, Chapter 7.0 “Sanitary Sewer Design”, Section 7.01 “Sewer Mains” and Chapter 8.0 “Storm Drainage Design”, Section 8.01 “General” was made by Lyle, seconded by Amber and the vote was unanimous.

Yes Vote: Bair, Ervin, Wood, Draxler

No Vote: None

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 2024-01, AN ORDINANCE AMENDING THE RICHMOND CITY MUNICIPAL CODE, TITLE 12-000 “LAND USE, DEVELOPMENT AND MANAGEMENT (LUDMO)”, CHAPTER 12-2000 “SUBDIVISION REGULATIONS”, PARTS 12-2002-3 “AUTHORITY”, 12-2003-1 “APPLICABILITY”, 12-2003-2 “PRE-APPLICATION MEETING”, 12-2003-4 “FINAL PLAT PROCESS”, 12-2003-5 “COMBINED PRELIMINARY AND FINAL PLAT PROCESS” AND ADDING IN ITS ENTIRETY PARTS 12-2003-10 “ADMINISTRATIVE LAND-USE AUTHORITY” AND 12-2003-41 “FINAL PLAT PROCESS”.

JUSTIN: In the 2023 legislative session a bill was passed that changes how single-family home subdivisions are reviewed and passed. They no longer go before the planning commission and city council. They are now approved administratively. This does not include commercial, industrial, manufacturing, condominium, mixed-use or multi-family developments. They will still come before the planning commission and city council. Townhomes are considered single-family. The state references an Administrative Land-Use Authority so we are using that verbiage as well. We reviewed this Ordinance extensively with the planning commission and they made some changes. The Administrative Land-Use Authority will consist of the City Engineer, Public Works Representative, Fire Department Representative, and Chief Administrative Officer. The final review will be by legal counsel. The mayor and city council are not allowed on the authority. Members of the planning commission would be allowed on the authority but the planning commission saw no need for this. They felt they need to review and amend the code rather than focus on a subdivision that is mainly being reviewed to make sure all of the boxes are checked. The Administrative Land-Use Authority only has four review cycles they are allowed to do on each subdivision. Each review cycle will be overseen by HollyJo. The City Engineer and all others involved will provide their comments on each review to HollyJo and then she will submit them all at once to the developer. Each review cycle can be no longer than 15 business days. Each department will not send their reviews to the developer on their own as that could be considered a review cycle all by itself. The mayor, city council, planning commission and staff do not like this Ordinance but we must comply with a state mandate. This Ordinance is far from perfect and will most likely need to be amended after the first couple of projects work their way through. We needed a starting point in this regard and this is where we are tonight.

JOEL: The planning commission had quite a discussion and recommended approval with some changes. I recently listened to the Utah Speaker of the House complaining about federal overreach. I think this is blatant overreach by the state. I think it is a terrible idea. I think it is good for developers and bad for communities. We need to make sure our code is up to par more now than ever before. I wish the city council could be more involved in this process but we are not allowed to be.

MAYOR: What would happen if this Ordinance were not adopted?

JUSTIN: We have been told the state could hold back sending us our sales tax revenue and Class “C” Road fund distributions.

LYLE: The state should be held liable when this doesn’t work out.

MAYOR: I was involved when LUDMO (Land-Use, Development and Management) was adopted in our code. It required many municipal code changes. We have tried to update LUDMO as needed. Our code is good in most regards. Our City Engineer is always helping us to make changes. Recently we added the ribbon curb to our code which adds a cement edge along new asphalt roads. We will continue to amend the code as needed.

AMBER: It is unfortunate we have been told what we have to do. Every city in the state is different. I appreciate the staff’s help on this.

A motion to adopt Ordinance 2024-01, an Ordinance amending the Richmond City Municipal Code, Title 12-000 “Land Use, Development and Management (LUDMO)”, Chapter 12-2000 “Subdivision Regulations”, Parts 12-2002-3 “Authority”, 12-2003-1 “Applicability”, 12-2003-2 “Pre-Application Meeting”, 12-2003-3 “Preliminary Plat Process”, 12-2003-4 “Final Plat Process”, 12-2003-5 “Combined Preliminary and Final Plat Process” and adding in its entirety Parts 12-2003-10 “Administrative Land-Use Authority” and 12-2003-41 “Final Plat Process” was made by Bryce, seconded by Joel and the vote was unanimous.

Yes Vote: Bair, Ervin, Wood, Draxler

No Vote: None

PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING ORDINANCE 2024-03, AN ORDINANCE AMENDING THE RICHMOND CITY MUNICIPAL CODE, TITLE 3-000 “MUNICIPAL GOVERNMENT”, CHAPTER 3-400 “ORDINANCES AND RESOLUTIONS”, PART 420.040 “APPEAL”, CHAPTER 3-500 “ADMINISTRATION”, PART 3-565 “APPOINTMENT OF CITY RECORDER, CITY TREASURER AND CITY ADMINISTRATOR”, TITLE 9-000 “LICENSING, CONTROL, AND REGULATION OF BUSINESS CONSTRUCTION”, CHAPTER 9-600 “OTHER BUILDING OR CONSTRUCTION CODES”, PART 9-658 “PRE-OCCUPANCY CHECKLIST”, TITLE 10-000 “FIRE, HEALTH, SAFETY AND WELFARE”, CHAPTER 10-500 “NOISE CONTROL”, PART 10-530 “POWERS OF MAYOR, CITY ADMINISTRATOR OR DESIGNEE”, AND PART 10-540 “PROHIBITED ACTS”, TITLE 12-000 “LAND USE, DEVELOPMENT AND MANAGEMENT (LUDMO)”, CHAPTER 12-700 “SIGNS”, PART 12-704 “ENFORCEMENT”, AND PART 12-705 “BUILDING PERMIT REQUIRED”, CHAPTER 12-1000 “OVERLAYS”, PART 12-1030-7 “ACCESSORY DWELLING UNIT”, CHAPTER 12-2000 “SUBDIVISION REGULATIONS”, PART 12-2004-5 “ESCROW FOR CHIP-SEALING”, TITLE 13-000 “POLICE DEPARTMENT”, CHAPTER 13-200 “ANIMAL CONTROL”, PART 13-261 “DEFINITION AND ESTABLISHMENT”, TITLE 14-000 “UTILITIES”, CHAPTER 14-200 “SEWER”, PART 14-215 “PRIVATE WASTEWATER DISPOSAL” AND CHAPTER 14-500 “FINANCE, FEES, AND CHARGES”, PART 14-521 “SHUT-OFF AND TURN-ON FEES AND ACTIONS”.

JUSTIN: I was asked to draft an Ordinance to remove the City Administrator from the code where we no longer have a City Administrator and have department heads instead. The code can then be amended down the road if the council chooses to have a City Administrator or City Manager.

MAYOR: The mayor is the Chief Executive Officer of the city. Down the road we might go to a professional manager. At that time, we would amend the code as needed. Our previous City Administrator had many public works certifications. We replaced the City Administrator position with the Director of Public Works position. The Chief Administrative Officer is Holly. Justin is the Director of Finance. We also have a Public Works Director and Library Director. We hope to fill the Public Works Director position soon. They all report to the mayor.

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

Yes Vote: Bair, Ervin, Wood, Draxler

No Vote: None

The public hearing opened at 7:16 P.M.

RHONDA DAVIS: So, the only change you are making is to strike out the City Administrator and add the Mayor in those places?

MAYOR: Yes, it will say Mayor or designee. If I am out of town, it would be the senior council member or whomever I designate.

A motion to close the public hearing and reopen the regular council meeting was made by Amber, seconded by Bryce and the vote was unanimous.

Yes Vote: Bair, Ervin, Wood, Draxler

No Vote: None

The public hearing was closed at 7:17 P.M.

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 2024-03.

LYLE: What is the appeal being referenced in 420.040 “Appeal”?

JUSTIN: I am the certified records officer of the city. If I deny a GRAMA (Government Records and Management Act) request the requestee has a right to appeal my decision. Currently, the appeal would go to the City Administrator. As written, it would go to the mayor whom I would expect would work with legal counsel to approve

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or deny the appeal. We have to have someone in place because the requestee is allowed to appeal my decision if I deny their request.

JOEL: How much more responsibility is being put on the mayor than you already have? Is this creating a greater time commitment for the current mayor and future mayors?

MAYOR: We have been functioning this way since August. It is successful because of our staff. I am more involved in some things than in the past. I think some of that will change when the Public Works Director is in place. Our department heads are easy to work with. I meet with all of the department heads and city engineer every other Friday. I don't think it is an added burden to what I have been doing. This is something a future mayor and city council might want to change. In a few years as the city grows the city will need a City Manager. Logan City has a full-time mayor and no manager. I think things are working well right now. I was the one who asked Justin to draft the Ordinance as written.

AMBER: I want our employees to have the tools they need to succeed. Are we going to replace the Chief Administrative Office title? I hear people coming into the office wanting to speak to the boss. We don't have one if that person cannot get hold of the mayor.

MAYOR: I can designate assignments as needed. Holly will never oversee the other department heads as the Chief Administrative Officer. We have been doing this since August. Most of the local cities are a mayor only with no City Administrator. Holly is the first point of contact in the office. Holly is not an administrator.

JOEL: Should all of this heavy lifting be done by the staff or mayor?

MAYOR: Holly is our administrative designee.

JOEL: I can understand the need to make changes but I am struggling to understand this proposal. I realize I am new to this. I am not sure we should be shifting responsibility away from the staff to a part-time mayor.

AMBER: I think we should table this. It is not fair to our employees.

BRYCE: Mayor Erickson is a good executive. He has the ability to get things done. In Franklin, Idaho there was a situation with a mayor and no professional staff. The mayor was not as serious about his job as were the elected officials. I am worried about having a mayor who is not as serious as you are in the future.

JOEL: I think we should table this for a month to allow us to better understand the request.

A motion to TABLE Ordinance 2024-03 was made by Lyle, seconded by Bryce and the vote was unanimous.

Yes Vote: Bair, Ervin, Wood, Draxler

No Vote: None

MAYOR: We need a better structure in place in our code than we currently have.

STAFF REPORTS AND MONTHLY FINANCIAL REVIEW. RAPZ TAX APPLICATIONS
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WESTON: The 400 West road project is currently out to bid. Five contractors attended the pre-bid meeting. The bids will be open on February 2nd.

MAYOR: We have the cost estimate back on the Black & White Days pavilion building expansion. The cost is ten times more than the original estimate. The cost to expand the maintenance shop is about the same cost as the Black & White Days building project.

WESTON: The bid opening will be at 3:00 P.M. on February 2nd. It is an opening meeting and usually the contractors will attend.

MAYOR: We received approximately one million dollars in grant funding for the project.

HOLLY: Phases 2 and 3 of the Richmond Village are ready to record. The Johnson View Subdivision, formerly known as Johnson Cove, is ready to record as well. They could be recorded as early as next week. The Park Bench is now hosting evening card groups three times per week. We have a lot of people coming and going from the building at all times. The buildings are rented almost daily from 3:00 P.M. to 10:00 P.M. The new pavilion is going to be called the Star Pavilion for rental purposes. We have received a dozen calls recently from people wanting to reserve the pavilions. We received around a dozen phone calls from the last snowstorm and two of them were people actually calling to say thank you. We are short staffed right now. I did try and call back all of the people that left negative voicemails. We simply cannot plow how they want the city plowed. The new sidewalk clearing machine, a Ventrac, is a great machine and does a great job.

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AMBER: If we get contacted about snow removal on sidewalks or roads, who should we tell them to contact?

HOLLY: It will fall under the Public Works Director once that person is on board but for now have them call me.

MAYOR: I was contacted. I sent the issue to Holly. Holly got the issue resolved. We have an effective process of how to resolve issues.

JUSTIN: We adjusted the budget last month so in January you will see some transfers and other items that were approved. We typically receive the vast majority of our property tax revenue in December and January. In December we received \$229,070 out of approximately \$320,098 for the year. Our sales tax revenue this month was not as good as previous months, it was \$51,153. We received our second allocation of Class "C" Road Funds for the fiscal year in the amount of \$26,486. The cemetery district paid the city for the burials for July through December which totaled \$5,500. The youth council did a small activity that generated \$247 in donations. We update our depreciation schedule in December and June of each year. Depreciation Expense in the water fund totaled \$98,766 and \$181,112 in the sewer fund for the first half of the fiscal year. The new park pavilion is now completed to this point. We might add some electrical later on but for now we are not adding any electrical as we don't encourage anyone to be in the park after dark. This is a RAPZ Tax project and is Phase 1 of 3 in the project. A new restroom facility will be Phase 2. We will be filing for a RAPZ Tax reimbursement once all of the paperwork has been finalized on the new pavilion. We intend to plant some trees on the east side and are looking at some shade structures for the west side. Originally, the structure was going to be built out of cinder blocks and run east and west. We got the bids back and they were 200-300% more than we had budgeted for the project. We found a state contract on pavilion structures and so we went that route to be able to still build the pavilion and stay on budget. It is now time to apply and submit our 2024 RAPZ Tax application. It is now an online process to submit the applications. I need to know what the council wants to do. There has been talk about Phase 3 of the park project, pickleball courts as well as a Black & White Days building expansion project.

MAYOR: We have committed to the Black & White Days committee we would apply for building improvements this year. We cannot do the building expansion they want because of the cost. There will be some RAPZ Tax funding as well as funding from the city. We might need to do the expansion over a couple of years due to the cost.

CRAIG HARRIS: The expansion is adding a 25-foot lean-to and it needs to be done all at once.

MAYOR: Are there any other permanent improvements such as lighting or concrete work that are needed?

CRAIG: No, the lean-to is the most important project.

MAYOR: So the building expansion is your number one project?

CRAIG: Yes.

MAYOR: It might have to be pushed back due to the cost. The estimated cost of just the building is over \$300,000.

CRAIG: I think the cost needs to be reviewed. I know engineering is needed. The prices I received are 10% of that amount.

MAYOR: Your estimate was not based on an engineered drawing either. This is your chance to get some funding. We have pickleball courts and other projects we want to apply for.

CRAIG: Our project cannot be done in pieces or in halves.

AMBER: What is the measurement of what you want done?

CRAIG: We simply want to add two beams and come out 25 feet off of the current building.

AMBER: Can this project be done in sections?

WESTON: There will be a greater cost to do it in sections. The cost estimate I was told to obtain was for an additional 40 feet not 25 feet. So, it will be cheaper for 25 feet than the 40-foot estimate.

MAYOR: I still recommend we apply for a Black & White Days project.

AMBER: The Lions Club has an interest in updating the Nature Park. The library and other auxiliaries use that area as do the residents. They even have some concept plans. The pond that is there is infested with mosquitoes. I am not sure if this is a RAPZ Tax project or not.

MAYOR: The restroom that is located there was a RAPZ Tax funded project.

AMBER: We may need to add some funding to the budget for the Nature Park.

MAYOR: The pond cannot be changed until it is engineered. It holds runoff water which then runs into an irrigation canal. The main request we keep receiving is for pickleball courts.

BRYCE: I think Black & White Days projects are a good investment in the community.

JOEL: I am okay with a Black & White Days project application. It is part of the community and will help keep them going.

LYLE: They are all good projects. I think we should ask the residents what they want. The residents might have different priorities than we do.

MAYOR: Time is of the essence to get this year's application submitted.

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JUSTIN: Whatever project you want to pursue will need to have bids obtained and the application submitted no later than March 1st.

AMBER: I think doing a survey is a good idea. I love Black & White Days as well.

MAYOR: This year let's proceed with a Black & White Days project and then do a survey for what the residents want in 2025 and beyond.

COUNCIL MEMBER AND MAYOR REPORTS

Bryce, Joel and Lyle did not have any additional items to report.

AMBER: Gary Dent resigned from the irrigation company board. Tucker Thatcher was voted in. There is now a board representative over each lateral. If a person has an issue with their lateral, they need to call that person. Projects still need to be approved by at least two board members. John Gilbert is retiring on June 1st. They hope to leave on a church mission around September 1st. Kurt Nalder is the new water master. He is working with John now to learn the system. It is a hard position to hold. Kurt is from Lewiston. I talked to a representative from North Logan City about our senior center. It was nice to hear what they were hearing. Last week was sad as one of our regular participants passed away. There are always emotions and tears when someone passes away. We are grateful for the opportunity to love them. I have heard from several children after their parents have passed away. We have made a difference and I am not sure we realized it. There were 200 lunches served last month. One hundred eleven people utilized the food pantry and 812 food items were dispersed. The new commercial grade oven is here and working. Kassy is doing well. A family Christmas party donated 110 bags of food. It is not just a bag of food for the seniors, it means more than that to our seniors.

MAYOR: I have been approached by the mayor of Lewiston. Lewiston City wants to participate and they are willing to contribute financially. Word is spreading about the good things that are happening. The mayor is the executive authority. The mayor cannot manage the city without help. The mayor may designate people to do certain things. We will be doing this at the February council meeting after all of the new council is seated. Once the responsibility is given that person oversees that item in its entirety.

EXECUTIVE SESSION TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL. UTAH CODE ANNOTATED 52-4-205 (1) (A).

MAYOR: To be clear, this executive session has nothing to do with the council member applicants or open council member seat.

A motion to close the regular council meeting and open the executive session was made by Bryce, seconded by Amber and the vote was unanimous.

Yes Vote: Bair, Ervin, Wood, Draxler
No Vote: None

The executive session opened at 8:06 P.M.

Those in attendance: Mayor Erickson, Lyle Bair, Amber Ervin, Bryce Wood, Joel Draxler, HollyJo Karren and Justin Lewis

A motion to close the executive session and reopen the regular council meeting was made by Lyle, seconded by Amber and the vote was unanimous.

Yes Vote: Bair, Ervin, Wood, Draxler
No Vote: None

The executive session closed at 8:42 P.M.

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 2024-02, A RESOLUTION AUTHORIZING THE APPOINTMENT OF TEMPORARY JUSTICE COURT JUDGES.

MAYOR: Per Utah law if running for a public office if the person is a judge when they apply to run, they can no longer be a judge. Our judge, Matthew Funk, had to resign from the position as he is running for the position of Cache County Auditor. We must appoint a temporary judge. We now have three options with our justice court. Sign an interlocal agreement with another city. Hire a full-time judge or dissolve the court. In order to dissolve the court, it requires state and local approval. If we decide to dissolve the court, Senator Chris Wilson would represent us in the legislature. Long term this would mean those with citations would go to district court in Logan. The State of Utah has been giving us guidance of what we can or cannot do and how to do it.

AMBER: Currently, we need a temporary judge to oversee our court.

BRYCE: Multiple judges are listed in the Resolution in case one of the judges is not available to serve at a particular time.

A motion to adopt Resolution 2024-02, a Resolution authorizing the appointment of temporary justice court judges was made by Joel, seconded by Lyle and the vote was unanimous.

Yes Vote: Bair, Ervin, Wood, Draxler

No Vote: None

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 2024-01, A RESOLUTION AUTHORIZING THE DISSOLUTION OF THE RICHMOND CITY JUSTICE COURT.

AMBER: This is a sad day for the city. It is unfortunate for the city. I appreciate the amount of time spent on this by the staff to provide us with options and formulate a plan moving forward. A lot of time has been spent on this. This is not a light decision.

JOEL: This decision is not made lightly. There are a lot of things out of our control in this situation.

BRYCE: I have asked Justin to pull up the revenue and expenses for the court for the last three years.

Fiscal Year 2023 – Loss of \$47,348

Fiscal Year 2022 – Loss of \$33,279

Fiscal Year 2021 – Loss of \$36,168

BRYCE: Hyrum and Wellsville are about the only remaining places with a justice court in place. All the others have closed or are in the process of closing. If we closed our court, we would send people to Logan as that is the closest court. Hiring a new judge has a high cost. Right now, it is a big financial loss to the community on a yearly basis. The costs of the court will continue to increase. Matt Funk has been a great benefit to the community.

AMBER: State law requires all new judges to be attorneys. We only have limited involvement in hiring a new judge.

JOEL: The judge would rule over the court and the council would have no say. They have complete control over how the court operates. It could be at a much higher cost than today.

BRYCE: The current staff is a concern of the council as well. If we make a change, we will work with the current staff members. There will be a lot of questions. An online portal will be available for people to make payments. We want to make it as easy on the community as possible if we make a change.

LYLE: If we don't act now, we can still act later but we would have to pay out the judge for the remainder of his/her term. The legislature must approve our request as well. The time to close it is now or we cannot close it until a year from now as the next closest time.

A motion to adopt Resolution 2024-01, a Resolution authorizing the Dissolution of the Richmond City Justice Court was made by Bryce, seconded by Joel and the vote was unanimous.

Yes Vote: Bair, Ervin, Wood, Draxler

No Vote: None

INTERVIEWS WITH APPLICANTS APPLYING TO FILL THE MID-TERM VACANCY COUNCIL MEMBER SEAT THROUGH DECEMBER 31, 2025.

MAYOR: The reason there is a council member seat available is because we had three seats up for election in 2023 and only two applicants. By law, the city council appoints a person to fill the vacancy until the next election cycle in two years. We have five applicants here this evening. The person who is selected will serve for two years and then can choose to re-run for the seat if they want to.

JUSTIN: We will ask each of the applicants to take up to three minutes to tell us about themselves, why they want to serve and we would ask each of them to state whether or not they would be willing to serve on another committee such as the planning commission if they are not selected tonight. In the order of how they applied we will call each of them forward.

RICHARD CARLSON: I grew up in Richmond. I moved back later in life to take care of my mom. I am glad to be back. I love the city and want to help in any way I can. I have expertise as a graphic artist. I don't have any political experience but have filled a lot of positions and had a lot of responsibilities over time. I enjoy being able to serve. My main concern is having someone on the city council with a senior mentality as well as on a fixed income. I am already on the library board and not sure if I have time to serve elsewhere.

DARYL BLACK: I grew up in southern Idaho. I have lived in the city for 35 plus years. My wife has loved it from day one and it took me about ten years to get comfortable. My family lives here. I am concerned and care about the community. I served on the planning commission from 2006 through 2012. I own a business in the city. I have been in business for over 20 years. I worked on the master plan. I am involved with the Lions Club. Everyone has something good to bring to the table. I have expertise in many areas. I have done construction and road work. I have been a logistics coordinator. I have good things I can bring to the table. I would be willing to serve where needed.

TAMARA HARDY: A person cannot complain if they are not willing to serve. I operated a daycare facility in the city for 17 years. I served on the library board. I oversaw the youth council for four years. I give 150% when I am involved in something. I am willing to learn.

BROCK MEACHAM: I am new to the city. I have family roots here. L.D. Bowcutt is my grandfather-in-law. They turned me onto the city. I have a passion for the city. I worked for Hyrum City after high school as a grunt laborer. Over time I became a water department and road crew asset. I helped in the parks for a period of time. It was one of my favorite jobs. I like seeing the community work together. I am a business owner who knows how to deal with people. I have a financial background. I am levelheaded and work to resolve problems. I am currently a member of the planning commission.

RHONDA DAVIS: I have lived in the city for sixteen years. I hope you read my application so you know why I want to serve. I have the opportunity to see schools throughout the country. Community involvement is hard to replicate. We want students to struggle but learn and grow as well. Growth is coming. We cannot stop growth. We can define the process. As we struggle with growth we need to grow and learn from our mistakes. We need to have a growth mindset. As a council member I would be open-minded. We need diversity and inclusion. We are going to need it more as we grow. We need to embrace diversity and include everyone. I have tried to learn and be involved. I set a resolution each year. This year it is the power of yes. I am willing to serve in other capacities. I have loyalty to the city and residents.

MAYOR: You are currently involved with the dairy princess program?

RHONDA: Yes, and I have helped with the royalty for ten years.

DISCUSSION AND POSSIBLE APPROVAL OF A NEW CITY COUNCIL MEMBER TO SERVE THROUGH DECEMBER 31, 2025.

MAYOR: If selected, the new council member will immediately take the Oath of Office.

AMBER: You answered a lot of our questions already in your applications. You are willing to serve.

BRYCE: I want to emphasize you all would do well. I appreciate your willingness to serve. I appreciate all who applied. It is a hard decision.

MAYOR: I know all five who applied and I am grateful they applied. It is not easy to apply.

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JOEL: I was not wanting to be here. I cannot complain if I am not willing to be involved. If not selected, don't bow out and be willing to try again. Apply in the future. We need more community involvement. Bryce and I were discouraged we did not have anyone to run against.

LYLE: I want to say thank you. I was the fire chief. I watched the system fall apart because of a lack of volunteers. I was disappointed we did not have enough applicants to hold an election. We need more volunteers. The volunteers make us who we are as a city.

MAYOR: We are in need of people to help with the youth council. The current leaders have been doing it for five years. They have done incredible things. As a point of clarification, if someone is selected and the vote is a tie, the mayor cannot vote in this instance. It is a hard decision that has to be made tonight.

A motion to appoint Daryl Black to fill the open city council member seat through December 31, 2025 was made by Joel, seconded by Lyle and the vote was unanimous.

Yes Vote: Bair, Ervin, Wood, Draxler

No Vote: None

Justin administered the Oath of Office to Daryl Black.

MAYOR: I want to express my appreciation this evening. There was a serious event at our home that affected Leslie and I. We have received my great blessings from medical professionals and the residents of this city. Thank you for your love and support.

A motion to adjourn was made by Amber, seconded by Lyle, and the vote was unanimous.

Yes Vote: Bair, Ervin, Wood, Draxler, Black

No Vote: None

Adjournment at 9:11 P.M.

RICHMOND CITY CORPORATION

Paul J. Erickson, Mayor

ATTEST:

Justin B. Lewis, City Recorder