

RICHMOND CITY COUNCIL

FEBRUARY 15, 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, February 15, 2024. The meeting began at 7:02 P.M.; Mayor Paul Erickson was in the chair. The opening remarks were made by Mayor Erickson.

The following Council Members were in attendance: Amber Ervin, Bryce Wood, Joel Draxler and Daryl Black.

Council Member Lyle Bair was excused.

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

VISITORS: Cindy Allen, Brock Meacham, Cache Christensen, Jay Bair, Leslie Erickson, Dave Cavanaugh, Matt Funk, Janet Funk, Sherrie Davis, Cortney Davis, David Bair, Nadine Bair, Rebecca Thatcher, Seth Tait, Carrie Funk, Abby Funk, Jenny Funk, Mandy Archibald

Note: A workshop with Seth Tait of Olson & Hoggan PC was held from 6:00 P.M. – 6:54 P.M. to offer land-use training for the city council and planning commission members.

The items which were discussed were as follows:

- The point and purpose of the planning commission
- Powers and duties of the planning commission and the interplay with the city council
- Administrative land-use decisions versus legislative decisions
- Changes in the subdivision process due to new legislation

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM JANUARY 18, FEBRUARY 1 AND 5, 2024.

A motion to approve the January 18, February 1 and February 5, 2024 city council meeting minutes was made by Bryce, seconded by Amber and the vote was unanimous.

Yes Vote: Ervin, Wood, Draxler, Black

No Vote: None

Absent: Bair

RECOGNITION OF JUDGE MATTHEW FUNK FOR YEARS OF DEDICATED SERVICE AS THE RICHMOND CITY JUSTICE COURT JUDGE.

MAYOR: Please tell us how long you served for the city and what your experience was like.

MATT FUNK: I have been with the city for 15 years. People want to be heard. I hope they had a good experience. We did a lot of good. We helped with things such as counseling and mental health issues.

MAYOR: When I was young, I received a speeding ticket and had to go before Judge Mauchley. He was fair and it taught me a good lesson. We are saddened the court is being dissolved. There is a provision in the law that if the justice court is dissolved it sends those people to the local First District Court. Is the process complete with the state?

JUSTIN: Not yet.

MAYOR: Per legislative rules we knew we could not get as good of a judge to replace Judge Funk. Matt is a certified public accountant by trade and not a lawyer. He is very skilled and great for the community. District Court also has access to state funding where we do not. We met as a city council and determined dissolving the court was the best step moving forward. We are currently seeking state approval. Thank you for your years of dedicated service to the community.

Mayor Erickson presented Judge Funk with a clock of appreciation for his years of dedicated service to the community.

RECOGNITION OF SHERRIE DAVIS AND NADINE BAIR FOR YEARS OF DEDICATED SERVICE OVERSEEING THE YOUTH COUNCIL.

MAYOR: Tell us how long you have worked with the youth council.

SHERRIE DAVIS: This is the fifth year we have been helping out.

MAYOR: Tell us some highlights you have experienced.

SHERRIE: We really weren't sure what we were doing when we started. We did a lot of programs. We built on the program Tamara Hardy had created. COVID-19 really hurt the program. We have had to rebuild it since that time and it is continuing to grow. The annual conference at Utah State University is the best thing we have involved the kids in. The kids always want to do fun stuff. We have been trying to get them to do more city-oriented items. They are working with The Park Bench and doing other projects. They want to learn how the city works. It is hard where the staff works during the day while the kids are at school to be able to have them get with everyone and learn. It was great working on the Veteran's Day Dinner which Texas Roadhouse helped us with.

NADINE BAIR: We have had some socially awkward kids who have really grown. We recently helped remove some graffiti at the request of the mayor.

SHERRIE: The kids gain confidence when they can help. My kids really enjoyed being involved.

MAYOR: I asked you to look up the average number of hours of service per year and it is around 1,800 from the youth council alone.

AMBER: I was talking to a resident and they mentioned the power of just one person. I have forgotten how much influence just one person can have. My hope is the program continues to grow. What we have seen from you two is you gave the kids someone they know and you did what was best for them and important to them.

MAYOR: We have a gift of appreciation we will get to you but they are not yet complete.

DISCUSSION ON THE POSSIBLE EXPANSION OF THE MAINTENANCE SHOP.

WESTON: I was asked by the mayor to work on an expansion plan for the maintenance shop. Currently, some equipment is being stored outside in the elements. The intent is to be able to park all of the equipment in the building. A wash bay and other amenities would be added. The proposed expansion is 80 feet wide and 50 feet long. It is the same width as the current building. It is a prefabricated building and will cost approximately \$275,000.

MAYOR: Where is the wash bay? Is it built inside the building?

WESTON: It would be inside the building. Half of the cost is the building and the other half is electrical, concrete, etc.

MAYOR: How will the wash bay look?

WESTON: We need to meet with the staff and discuss that.

DARYL: You don't want the steam bay inside the shop. There is no way to control the mess. It needs to be a separate structure. It is a constant fight. There is too much condensation from a wash bay. What about installing a lean too instead? Just have a shaded area to park the equipment under. Then make a separate wash bay.

WESTON: We need input from the staff. I don't know their exact needs. I was simply told to design an extension of the building by the mayor. We can look at all options.

DARYL: If we are just trying to store equipment, we don't need a heated area.

MAYOR: What did you do in this regard at your business?

DARYL: I built a separate building.

MAYOR: The total cost is \$275,000?

WESTON: Yes.

MAYOR: The proposed expansion would be heated. We could put a lean to on the west side of the building as that area is open.

WESTON: I am not aware of any concerns in expanding to the west. The proposed expansion would simply remove the north wall and add new beams and girders going north.

DARYL: Is there a wash drain now?

HOLLY: There is not a drain there now.

MAYOR: Is there city water and sewer service at the maintenance shop?

WESTON: Yes.

MAYOR: What about a storm drain system?

WESTON: That is something I am unsure of.

MAYOR: We received three bids?

WESTON: The quotes we received are for the prefabricated building only. We did cost estimates on the rest of the project.

MAYOR: Could we add a wash bay to the west?

DARYL: A wash bay can be added anywhere. It is quite a process to get the correct type of drain installed.

AMBER: We are talking about a lot of money. What is really needed and why needs to be determined.

WESTON: The proposed cost of the expansion is around \$30 per square foot, which is a reasonable price I think.

DARYL: If just space is needed, I think there are better ways to address this. There are certainly different options than this if just storage is needed.

AMBER: We need a better assessment of what is needed. We need to meet our needs but not be excessive.

BRYCE: Is our current space well managed?

JUSTIN: Yes, we are storing equipment as tight as possible in every building we own.

HOLLY: Our equipment is really crammed into the maintenance shop.

MAYOR: What is the size of our current shop?

WESTON: It is approximately 80 feet wide by 100 feet long.

MAYOR: I think we really need to consider a wash bay. It helps stop corrosion on our equipment, especially the snowplow trucks. We have no way to wash off the salt currently. We have no way to wash our trucks when done for the day. We want to keep them clean and in a building. I think a wash bay is more important than expanding the building.

WESTON: I was asked to gather the information which was presented tonight. I don't have an opinion on what is actually needed that needs to come from the staff.

MAYOR: One thought we previously had was to sell this parcel and then build a new shop at the MBR Plant when the plant is expanded. The cost is too great to do that. I want the council to be involved in this process as we move forward.

AMBER: I think we need to discuss with the staff what is really needed.

MAYOR: We don't have a timeframe on this project but I would like a decision to be made in the next couple of months.

STAFF REPORTS AND MONTHLY FINANCIAL REVIEW.

WESTON: We opened the bids on the 400 West road project. The engineering estimate was approximately \$1,250,000. The low bid was \$864,035. It was quite a bit under the engineering estimate which is good because we can add more sidewalk and do a few other things on the project. I have a Notice of Award prepared if you are ready to award the project. They should be able to start working on the project in a month or so.

MAYOR: Can you please provide the background on the bid review process.

WESTON: The contractor submits a bid. We check three things during the bid opening. We check for the total project cost, make sure the bid bond is included and make sure they acknowledge the addendums. It is just a quick review. The apparent low bidder is then announced. After that I then go line by line to make sure their tabulation is correct. In this case everything checked out. Staker Parson Company is the low bidder. They are a very competent contractor. I have worked with them on several projects. I don't have any concerns with them doing the project or work. We are excited to proceed with this project.

MAYOR: Holly, do you have any concerns?

HOLLY: No.

MAYOR: We do have a project cost match of eight percent on this project.

JUSTIN: Also, the water and sewer portions of this project are not part of the grant and will be paid for 100% by the city plus our eight percent grant match.

MAYOR: We are having an open house on Thursday, March 21st at 5:00 P.M. for those affected by this project. Weston and the contractor will be in attendance to answer any questions.

The consensus of the City Council was to award the 400 West Road project to Staker Parson Company.

MAYOR: We received the bond on the Johnson View Subdivision and they are preparing to start the project.

AMBER: Are they working with Stacey Carlgren?

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HOLLY: Yes, there is a private side agreement in regard to some infrastructure work between the two parties on a sewer connection.

MAYOR: Sierra Homes is building the Carlgren home but not an exclusive developer for the Johnson View Subdivision.

HOLLY: TEC Electric got the streetlights repaired in the White Pine Subdivision. The staff is currently working on their job descriptions. John Harris was hired by the city on a part-time basis and started on Monday. Right now, he is doing some painting in the Park Community Center and next week he is going to start doing a fire hydrant inventory. The fire department will exercise the fire hydrants when they can. Impact fees were paid on two buildings in the Richmond Village project. The two buildings are 12 total units; six per building. Phases 2 and 3 of that project have been recorded. Bryan is working on a damaged road sign inventory. We will be having some AED and CPR training for the staff on February 28th at 1:00 P.M. here at the Park Community Center. Employees from Spartan will be joining us as well. The department heads will start to attend two council meetings a year moving forward. We are working on the chip seal map for 2024. I am working with Rob and the county on this. If you know of any specific roads with issues, please let me know.

MAYOR: Chip seal is for surface maintenance only. We still have potholes and other items to deal with. Chip seal is a fraction of the cost of other projects.

HOLLY: Rob will be focusing on potholes this year. He has a list of ones to take care of and it is being added too.

AMBER: What happens with a road being chip sealed that has potholes?

JUSTIN: The staff goes in and fills in the potholes before the chip seal work is done.

HOLLY: We are going to make a priority list map and have a ranking system for each road.

MAYOR: What new subdivisions do we need to chip seal?

HOLLY: City Creek.

MAYOR: What about The Knolls?

JUSTIN: It should be on the list for this year or next year.

MAYOR: What about Traveller Lane?

JUSTIN: It has been done but some of it was damaged and needs to be redone on the east side.

JUSTIN: We had a very good sales tax month and collected \$80,942. We also received a Class "C" Road Funds allocation in the amount of \$31,018. The cemetery district paid their contracted amount of \$18,250 for January through March. We collected \$7,068 in RAPZ Tax funding. This was to help pay for the Star Pavilion project. We will receive the remaining balance due on this project this month. We submitted a RAPZ Tax application for the Black & White Days office, bathroom and kitchen area remodel. We should know if we receive any funding by the end of May. Last year the legislature set up a Rural Transportation Infrastructure Fund. It consisted of one-time funding of forty million dollars and then approximately \$3,500,000 moving forward. This year we received \$126,146. This funding is similar to Class "C" Road Funds and will be utilized in that manner. The Star Pavilion tables, pavilion and installation were paid in the amount of \$61,455. We paid Smithfield City for our fire contract for January through June in the amount of \$50,944. In order to get in compliance with the audit finding we transferred \$400,000 from the General Fund to the Capital Projects Fund.

JUSTIN: The mayor asked me to draft an Ordinance in regard to the collection of a Sewer Impact Fee in areas where people are currently on a septic system and the city is doing a project which will now bring the sewer system within 300 feet of a home and the property owner is now required to hook onto the sewer system. The mayor felt it was appropriate to work with these people in this situation where the city has done the project and the property owner might not be in a financial situation to pay the hookup or impact fee because it was not a project, they were planning on doing. The proposed Ordinance would allow the mayor to work with the property owner and offer them an interest free loan for up to 84 months to pay the impact fee to the city. The amount owed would be billed on their monthly utility bill. The impact fee must be paid in full when the property owner connects to the system so the sewer fund would pay the impact fee and then loan the property owner the funds. We have a potential situation in this regard on the upcoming 400 West road project. There are approximately eight homes in town which are still on septic systems because the existing sewer system is more than 300 feet away from their property line. The current impact fee on the north system is just under \$8,000.

JOEL: What if they don't pay?

MAYOR: Then we record it on their lot.

JOEL: Is that something the city really wants to do?

MAYOR: I think so. I want to give them the option. We want them on our sewer system.

JOEL: It would be hard to repossess their property.

BRYCE: Could we place a lien so they could not sell without paying the amount owed?

MAYOR: In order for us to offer them this option they would need to have a financial need. I think we need to have an option available. The city needs to be protected.

JUSTIN: This would not apply to new homes or businesses, only existing homes which the sewer system has previously not been available too.

BRYCE: I get we are putting these property owners in a hard spot. I could not afford to pay it if you showed up at my house today and I was in this situation.

DARYL: I don't want to be heartless. I hate to put us in a position to keep track of something like this. I understand it is on a case-by-case basis. I am worried this could actually be more than eight homes long term. It would only be fair to offer the same thing to all of those affected in this manner. Having to come up with \$8,000 is a lot for anyone.

JUSTIN: Agreed, some of them will not be able to simply write a check.

DARYL: If we do this all of those homes should be offered the same agreement.

MAYOR: It is easier to pay \$70 more a month on your utility bill than come up with \$8,000 today. They don't have to agree to pay it over time but they may make this request.

JUSTIN: Tonight is just an initial discussion to see if the council has an interest in offering something like this to those affected. The proposed Ordinance can be modified in any way.

JOEL: I don't want to be a lender. I oppose this Ordinance.

AMBER: The city is doing this project and forcing them to tie into the system now. I think we need to give them the option.

JOEL: I don't think we should be in the lending business. I don't think the state should be lending people or groups money. I don't think we should be lending people money. I don't want to have to approach people who don't pay. We need to stay out of this.

BRYCE: Because our project is impacting them maybe we could compensate them the amount of the impact fee.

MAYOR: You would waive the impact fee?

BRYCE: No, a different city fund would pay the fee on their behalf.

JUSTIN: We don't have an option to do that.

MAYOR: Joel doesn't want to be a lender and I understand that. This is more about working with the homeowner and giving them a chance to pay over time on a project we started. It is easier to pay \$70 per month than \$8,000 all at once. What do we do if they cannot come up with the \$8,000 today? This was a possible option to show the resident we are willing to work with you on this situation. This is just an example of what other cities are doing.

BRYCE: I understand Joel's concerns about being a lender and having it tied to their utility bill. We would then turn off their culinary water if they don't pay.

DARYL: A lien could be filed as well.

HOLLY: Adding another \$95 or so dollars to their monthly utility bill would be a concern but we would have the ability to shut off their water service if they don't honor the agreement.

JUSTIN: The impact fee on the north system is \$7,952 right now.

AMBER: If my waterline fails today and it costs \$8,000 to repair it, I have to find a way to pay for it; the city won't.

JOEL: People know this is coming and it will impact them. The code says they have to hook onto the system within a year and they would have a year to come up with the funds which is fair. I didn't have \$8,000 extra when I built my home but we found a way to pay for it. They have a year to come up with the funds and hook onto the system which is more than adequate time.

DARYL: How long do they have to hook on when the system comes within the required distance of their home?

JUSTIN: The code says 12 months. We also don't want to see the new road cut to have the sewer installed within the next year either.

COUNCIL MEMBER AND MAYOR REPORTS

DARYL: I have a concern about a lack of sidewalk on the west side of the highway from Maverik to Lee's Marketplace. We have a dead-end sidewalk in that area. I also think we need to add a crosswalk at Lee's potentially. I would like to see a new sidewalk on the south side of 150 North all the way to the highway. We need to have a continuous walking loop of sidewalk. That is a hard area to cross the road. It is a problem we need to address. Even a path could be installed.

WESTON: Mid-block crosswalks are hard to install, make safe and meet code.

DARYL: Could we install flashing pedestrian signs?

WESTON: Yes.

DARYL: I do have a concern about sidewalk being along the edge of an agricultural field as they can drive over it and ruin it. I don't care if it is cement or not.

AMBER: Are we installing a sidewalk along the highway?

WESTON: The money we have for the road project will pay for a sidewalk on both sides of the road only in our project area which stops at the west boundary of the Lee's Marketplace parcel. We would have to figure out a plan to continue going east to the highway.

DARYL: I would like to see sidewalk on both sides of the road.

BRYCE: I met with the youth council. It is good to learn about them. I am working with them on doing a dance the Friday night of Black & White Days week. The youth council would help with concessions. The dance would be for people of all ages. We would start with music for the older demographic and then change it to younger people's music as the night goes on.

JOEL: I have a proposed flyer for Black & White Days. We are not changing the billboards on the highway and are using the same logo as last year. We have three different options for the flyer to choose from. We need to approve the flyer by the start of March so it can get printed and distributed. We will update the schedule and dates once we determine which layout we prefer.

MAYOR: What about the races?

JOEL: They will be similar to last year and use the same logos. I have not been able to form a foot race committee yet. I have formed a bike race committee. Things are moving forward with the bike race.

AMBER: I have created a Black & White Days contact list for each group. During our workshop discussion we talked about Pepperidge Farms being the grand marshal where it is their 50-year anniversary this year. I know things like this are a big deal to some corporations. Joel preferred more of a local feel.

JOEL: I have thought about it since our meeting and I would support Pepperidge Farms being the grand marshal this year.

DARYL: Have they been contacted yet?

AMBER: I know who to contact there but did not want to contact anyone yet without the support of the council.

MAYOR: A.J. Heiner is the plant manager.

AMBER: They might say no. Last year we did a concert on Friday night. This year we are doing a dance instead. We are hoping to offer the community some type of concert later this year. We hope to rotate back to a concert next year. Joel is helping me with the advertising. Members of The Park Bench are going to operate the hamburger stand. They will sell hamburgers and grilled cheese sandwiches. We will not sell ice cream this year. Kassy, Karyn and John will oversee the hamburger stand. We are hoping the youth council can help on the weeknights. John would train them how to cook. We are proceeding with the food show and will have new judges this year. We have had the same judges for many years. The Park Bench is going to host an art show on Saturday. One of the biggest questions is the royalty. We have been told the float is in bad condition and not very usable but we hope to get one more year out of it. There is a request to up the scholarship amount but we also don't want to create any tax implications for the youth. The request is to increase the amount from \$250 to \$350. The royalty and Lil' Miss pageant would have a budget of \$2,100. This includes dresses and shirts for the royalty as well. There is a concern with the parents about what their involvement needs to be after Black & White Days.

MAYOR: I understand the concern about the scholarship amount but only the youth council mayor gets paid an amount none of the rest of the youth council do not.

DARYL: I would support \$350 for each girl in the royalty.

AMBER: At \$350 per girl this would be a total of \$1,050 in scholarship funds.

DARYL: Typically, how many kids are involved in the Lil' Miss program?

REBECCA THATCHER: Around 15 to 20.

DARYL: How many parades does the royalty attend?

AMBER: Six.

MAYOR: We lose money on Black & White Days every year. We are not losing as much as in the past. The breakfast was losing a huge amount of money each year so we discontinued it. We are trying to find the best use of our funds. How much is the youth council mayor paid?

JUSTIN: \$500.

AMBER: With your support we will go with \$350 for each royalty girl. The library is doing daily activities this year as well. The parade application has been posted on the website.

MAYOR: The bike race was expensive to get established but should be good to go now.

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AMBER: The kitchen in the Park Community Center is now licensed and approved. People from other communities are attending. We need to discuss how we want to work with other communities' long term with our senior program.

MAYOR: I know Lewiston is willing to participate financially.

DARYL: How many are too many people? How big can the program actually get?

AMBER: We had three representatives from North Logan attend last week. They wanted to know if they could send out 150 people for the luncheon. They don't have a program. They send their seniors to Chuck-A-Rama once a month and pay the bill. We started at 30 people and now have over 120 involved.

MAYOR: Have we found out what the capacity of our rooms is?

HOLLY: No, but we can find out.

JOEL: Those residing outside of the community should pay more.

MAYOR: We need to know about fire code in this regard. We also don't want to limit residents from attending if too many people from outside the community are starting to attend.

AMBER: We will be putting out some information about who can attend. This is a city sponsored program and not church driven or supported by a church. There is a rumor in the community about this being a church sponsored program.

MAYOR: The first Saturday in May is the citywide cleanup. I was contacted by the Cache Valley Chamber of Commerce. Black & White Days has been selected as the Legacy Event of the Year. The chamber event will be held on March 8th at the Riverwoods Conference Center. I am wanting to meet with some local elected officials later this year to try and obtain \$500,000 or so to refurbish and expand the Black & White Days building. I have talked with each of you and here are the council member assignments for the year:

Daryl: General maintenance, preventative maintenance and capital projects

Bryce: Youth council advisor

Joel: Planning Commission liaison, city sponsored athletics

Amber: The Park Bench liaison, Black & White Days event coordinator, irrigation board liaison

Lyle: Capital projects

MAYOR: We talked last month about possibly modifying our city code in regard to the City Administrator position. We appointed a Public Works Director in August 2023. We decided to not fill that position when it was vacated last month. We are working on job descriptions for the City Administrator, City Recorder and City Treasurer positions. We don't have any in place. We have a draft of Justin's job description for City Recorder/City Director of Finance position for you to review. We plan to review a couple each month. We also plan to create job descriptions for all of our employees and bring them to the council for review. It is time to update and modernize what we are doing in this regard. We have some flexibility in the things we can do without a Public Works Director in place. We have time to evaluate and work with our current staff. Shane Lewis will oversee the sewer system. Rob Bair will oversee streets and garbage service. Austin Hinckley will oversee the culinary water system. Bryan Tolbert will oversee parks. We have met with each one of them. We had some good applicants for the Public Works Director position but feel this is a better way to go for now. This will give Shane, Rob, Austin and Bryan more responsibility for the time being. We will let them grow and have more responsibility in their areas. We need to discuss rescheduling the April council meeting as there is a conflict on the regular date because of the spring Utah League of Cities and Towns meetings.

The consensus of the city council was to reschedule the Thursday, April 18th city council meeting to Tuesday, April 9th.

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

Yes Vote: Ervin, Wood, Draxler, Black

No Vote: None

Absent: Bair

Adjournment at 8:45 P.M.

RICHMOND CITY CORPORATION

Paul J. Erickson, Mayor

ATTEST:

Justin B. Lewis, City Recorder