

RICHMOND CITY COUNCIL

JANUARY 21, 2020

The regular meeting of the Richmond City Council was held at the Park Community Center located at 90 South 100 West, Richmond, Utah on Tuesday, January 21, 2020. The meeting began at 6:30 P.M.; Mayor Jeffrey Young was in the Chair. The opening remarks were made by Kelly Crafts.

The following Council Members were in attendance: Tucker Thatcher, Cheryl Peck, Kelly Crafts, Lyle Bair and Terrie Wierenga.

City Engineer Darek Kimball, City Recorder Justin Lewis, and City Treasurer Christine Purser were also in attendance.

VISITORS: Richard Carlson, Donna Carlson, Travis Hansen, Michael Ivie, Trish Ivie, Emily Sim, Sheri Newton, Monica Merrill, Jamie Merrill

SWEARING IN OF COUNCIL MEMBERS KELLY CRAFTS, TUCKER THATCHER, AND TERRIE WIERENGA

Justin administered the Oath of Office to Kelly Crafts, Tucker Thatcher, and Terrie Wierenga.

Kelly, Tucker, and Terrie will serve as council members through December 2023.

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM DECEMBER 10, 2019

A motion to approve the December 10, 2019 city council meeting minutes amending the word “swell” to “swale” was made by Lyle, seconded by Kelly, and the vote was unanimous.

Yes Vote: Thatcher, Peck, Crafts, Bair, Wierenga

No Vote: None

DEPUTY’S REPORT

DEPUTY MICHAEL CHRISTIANSEN: Are you aware of any issues with cars parking at the maintenance shop? I am not seeing any now.

JEREMY: I have not seen any down there for a while.

DEPUTY CHRISTIANSEN: I know there have been issues with the new stop sign at 300 East Main. I hear it is getting better. Some people are still running the stop sign, but it is getting better. This happens at all four-way stop signs. Some people just ignore them. Some people don’t even notice the signs.

MAYOR: I appreciate you being reasonable up there. They are not mad. They are still adapting after decades of doing the same thing the same way.

DEPUTY CHRISTIANSEN: I support the intersection being a four-way stop. I understand why the sign was installed. I am not aware of any other concerns.

MAYOR: Are there theft issues in the city? I know some have been reported recently. Is it normal?

DEPUTY CHRISTIANSEN: I have not noticed anything abnormal.

MAYOR: I know someone was recently arrested for stealing things in the city. He had a long arrest history.

DEPUTY CHRISTIANSEN: As the population grows, it will only get worse. There is theft all across the valley. People need to lock their car doors.

BUSINESS LICENSES (THREE FEATHERS CREATIONS – CARLSON DESIGN, LANDMARK ELECTRICAL SUPPLY, G M FUNDING, JUSTCUZ, BIZTRIP TRAVEL, ROCK' N T RANCH, CHECK ALL THAT APPLY PODCAST, ALL THAT I CAN HANDLE FOUNDATION, ONEIRIC CONSULTING)

THREE FEATHERS CREATIONS – CARLSON DESIGN

RICHARD CARLSON: I make obsidian knives. I invite people to stop at the house and make them. I charge \$25 for that. They chip away the blade. They are not big. They chip out the blade and then add a handle. They are only for display purposes. I like to teach people and let them get experience making them. I sell some on Etsy. I have been asked to expand my business. I will sharpen blades as well. Typically, while I am sharpening blades, the customer will throw knives, axes, and spears. Customers have recommended I start charging for that. I am not charging anything for that right now. I might consider expanding that with your approval. I would put up a sign and charge for it in the future. I have a website. I sell knives online. My business license has lapsed. I thought it was on automatic renewal but learned it is not. I need to renew a previous license.

A motion to approve the business license request for Three Feathers Creations – Carlson Design (Richard Carlson) was made by Terrie, seconded by Lyle, and the vote was unanimous.

Yes Vote: Thatcher, Peck, Crafts, Bair, Wierenga
No Vote: None

BIZHUB INC. (DBA'S LANDMARK ELECTRICAL SUPPLY, G M FUNDING, JUSTCUZ, BIZTRIP TRAVEL, ROCK' N T RANCH)

MICHAEL IVIE: I am not sure how many of these businesses will take off. I want to sell electrical supplies locally. I am an electrician for Landmark. I want to setup a division to wholesale products.

TUCKER: Are you wanting to distribute the products or purchase them for your own use?

MICHAEL: We would like to get a building and sell supplies wholesale and retail. G M Funding is for online finance such as personal loans. JustCuz does not have anything associated with it. It is just an entity I want to use in the future. BizTrip Travel is for corporate travel expenditures. Rock' N T Ranch would be for an organic farm. We are looking into what it takes to get certified. BizHub is the management of all of the companies. I have been advised to form a corporate entity.

TERRIE: Do you have any idea what type of business will be in JustCuz? We cannot approve not knowing if the business is allowed or not.

MICHAEL: It would be a management company. It would not be business or enterprise.

TERRIE: I want that included on the business license.

CHERYL: In the portion of the application where it talks about the type of business or service provided can they have anything they have not listed on the application?

MICHAEL: You can approve the license with what you are comfortable with.

CHERYL: I think all of the businesses need to fit in the categories listed.

MICHAEL: I understand. I was just trying to have an approved business for future expansion.

A motion to approve the business license request for BizHub Inc. and its associated DBA's with the condition the only types of services allowed will be business management, electrical supply, online lending/finance, travel booking and organic farming was made by Tucker, seconded by Lyle, and the vote was unanimous.

Yes Vote: Thatcher, Peck, Crafts, Bair, Wierenga
No Vote: None

CHECK ALL THAT APPLY PODCAST

TRAVIS HANSEN: This podcast is being created off of my own experience. I was in a car accident three years ago. My back was hurt. I cannot work now. I have learned a lot of things. I have learned what happens with chronic pain and illness. I want to start a podcast for health professionals or those experiencing what I have gone through to share information. We want people to know they can continue to live. One example is I know an artist who is

extremely talented and does artwork at home but cannot leave the house. People are doing awesome things. There are physical and mental issues to discuss. People feel lost. They would be able to access the podcast anytime. There are more options than just medication and surgery. I have learned a lot of techniques to try. Doctor's offices are only open a part of the day. Some people cannot sleep at night, so they could listen to the podcast. I have a website as well. We sell some merchandise and advertise for our sponsors, so it can be successful. We want to do things like buy massage guns and give them away. We are not doing this as a revenue stream.

A motion to approve the business license request for Check All That Apply Podcast (Travis Hansen) was made by Lyle, seconded by Kelly, and the vote was unanimous.

Yes Vote: Thatcher, Peck, Crafts, Bair, Wierenga
No Vote: None

ALL THAT I CAN HANDLE FOUNDATION

CHERYL: I need to disclose my husband, Sharik, is on the Board of Directors for this company.

TRAVIS HANSEN: With the extra money generated from the podcast, we will donate to this foundation. The goal is whether through financial or other resources to help people. My wife has carried us financially since I cannot work. We want to help others with doctor bills or when no funding is coming in. We want to help prevent others from falling into bankruptcy if we can. We are not sure if this will be a big or small company. My wife, myself, and Sharik Peck are on the board. We are hoping to help those families whose lives have been turned upside down. The business is officially a 501(c)(3).

A motion to approve the business license request for All That I Can Handle Foundation (Travis Hansen) was made by Terrie, seconded by Tucker, and the vote was unanimous.

Yes Vote: Thatcher, Peck, Crafts, Bair, Wierenga
No Vote: None

MAYOR: Thanks for your willingness to help others. I respect Travis and what he has gone through and what he is doing for other people. I am happy to have him and his family in town.

ONEIRIC CONSULTING

MAYOR: This is a company I own. The company works with Casper's Ice Cream on fundraising for sports or other youth groups. I have nothing but a pickup truck and trailer in this business. It is a simple business. The product is kept at Casper's Ice Cream. It is loaded in the trailer and then delivered. I have two people from town who work with me. This is not associated with the others businesses I have.

A motion to approve the business license request for Oneiric Consulting (Jeffrey Young) was made by Tucker, seconded by Lyle, and the vote was unanimous.

Yes Vote: Thatcher, Peck, Crafts, Bair, Wierenga
No Vote: None

OPEN AND PUBLIC MEETINGS TRAINING.

JUSTIN: As part of the audit this is a discussion we are required to have on an annual basis. This has to do with state compliance. We were written up on this as part of the last audit because I forgot to include this in any of our meetings during the last fiscal year. These are just a few reminders about the council, mayor, and how we function.

A quorum of the council is three council members.

A quorum is not two council members and the mayor.

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The mayor only votes in the event of a tie and the absence of one council member. If a council member is present but abstains from a vote, the mayor does not vote.

All meetings of the council are to have an audio recording and written meeting minutes.

All meetings of the council must be advertised and are currently advertised at the city office building, library, city website, *The Herald Journal*, and the Utah Public Notice Website. It is up to newspaper whether they publish the agenda or not, as it is free service. Sometimes they publish the agenda. Sometimes, they do not.

The same rules apply to the planning commission.

Any council member with a conflict of interest needs to announce the conflict before an item is discussed and give a reason for the conflict. The council member is allowed to participate in the discussion and vote if they choose to do so, or he or she can abstain from the discussion and vote.

Any vote of the council requires a yes or no or yea or nay from each council member, and the vote of each council member must be specifically listed in the meeting minutes.

Any vote to approve or amend the budget requires a public hearing beforehand.

Any land use item requiring a vote must also have a public hearing beforehand.

In Richmond, public hearings are held at the city council level, not typically at the planning commission level.

Administrative items do not require a public hearing.

The city council is required to meet at least once per month.

Resolutions do not require a public hearing, unless specified by a group such as part of a CDBG (Community Block Development Grant) application.

TUCKER: Does the audio of the meetings have to be posted?

JUSTIN: Only for certain class cities. Large cities like Salt Lake have to post the minutes and the audio. We are small enough we don't have to. I would expect long term we will have to. Right now, it is not a state requirement.

MAYOR: Only cities of a certain class must comply right now.

TERRIE: Also, part of the open and public meetings act states as a council, we cannot bring up an item to discuss which is not on the agenda. A resident can ask us to discuss something, and we can discuss it but cannot vote on it.

MAYOR: Cities do things differently. We have been pretty open in letting people get on our agenda. The staff will help first, but there are rules in place about what is allowed. If an item must be voted on, it must be an agenda item. The office helps filter the requests, as some do not require or need to be agenda items. Not every request is an agenda item or needs to come before the council. Everyone can attend a council meeting, but there are items which do not need to come before the council.

DISCUSSION WITH REPRESENTATIVES OF THE CACHE CELEBRATION OF WOMEN'S SUFFRAGE 2020 COMMITTEE.

SHERI NEWTON: A Cache Celebration committee has been formed. I work with people with disabilities who want to vote. I help election officials help people with disabilities vote. I have a quiz for you. I am guessing you don't know the answers.

The council was asked the following questions:

Which state was the first state to allow women to vote? Wyoming, Utah, or Virginia.

The answer: Utah was the first to allow women to vote, and Wyoming was the first to adopt allowing women to vote, but Utah held an election before Wyoming did..

Which date was allowing women to vote adopted in the State of Utah? February 14th, June 25th, or November 8th.

The answer is February 14th.

The right for women to vote was adopted 150 years ago this year.

In the first election allowing women to vote in Utah, 25 women participated.

What percentage of current legislators are women? 19%, 24% or 31%.

The answer is 24%. Not long ago it was 20% and has slightly increased recently.

Which amendment to the Constitution allows women to vote? 15th, 18th or 19th.

The answer is 19th.

Which office oversees elections in the State of Utah?

The answer is Lieutenant Governor's Office.

SHERI: Please consider adding some information to the newsletter or post on social media regarding our upcoming celebration. We also want to encourage voting in each city. Maybe we could have a booth during Black & White Days where people can register to vote. I can help with that if you want. Contact me if you need help. If you need advice on making the election accessible for those with issues, let me know.

APPROVAL OF SIGNERS ON THE CHECKING ACCOUNTS OF THE CITY.

JUSTIN: With Lewiston State Bank being purchased by Altabank and Paul Erickson no longer a council member, it is time to update our signature card with the bank. The proposal is to have the check signers be Tucker, Terrie, the mayor, and Chris. Jeremy and I will have account access but will not sign checks.

A motion to approve Tucker Thatcher, Terrie Wierenga, Jeffrey Young, and Christine Purser as signers on the checking account with account access granted to Justin Lewis and Jeremy Kimpton was made by Cheryl, seconded by Kelly, and the vote was unanimous.

Yes Vote: Thatcher, Peck, Crafts, Bair, Wierenga

No Vote: None

MAYOR: I am glad we have accountability. I am glad each check takes two signers. We have a good check and balance system in place.

PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING ORDINANCE 2020-04, AN ORDINANCE AMENDING CHAPTER 6-400 "IMPACT FEES AND HOOK-UP FEES FOR CULINARY WATER".

EMILY SIM: Since the last meeting, we have made some changes to Table 1 on Page 6. We added in some water rights which were not previously included. The purchase price of the Gibbons/Skabelund well was \$1,319,500 but converting that to 2019 dollars puts it at \$1,768,256. The water rights purchased from Morley Cox are included as well. With the purchase of those two water rights, it would allow for 343 new ERC's (Equivalent Residential Connections). The cost per ERC for the water rights purchase is \$5,271. The total cost with the other projects included is \$9,278. Debt service, listed on Page 9, is then deducted from this amount. The total for debt service is \$1,218. Table 4 on Page 10 shows the proposed water impact fee at \$8,110 for 2019. This is the recommended fee. As a reminder, this is the maximum amount the city can charge. The council can charge up to this amount but not exceed it. Also, if you charge less than the maximum amount, that means the current residents are subsidizing new growth. Some cities want to subsidize growth, and others do not.

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MAYOR: Our residents would not want that.

EMILY: The fee is based on a ¾” meter size. The capacity ratio to standard meter is listed for other sizes as well. For example, a one-inch meter would have an impact fee amount of \$13,544. The appendix at the end of the analysis shows the proposed fees through 2024. Impact fees need to be updated every five years.

TERRIE: I need some clarification on the fee of \$8,110, as I am confused on how it is listed in the ordinance versus the analysis. What fee is charged now until May 1st?

JUSTIN: The analysis was done based on 2019 numbers which is the \$8,110. Since we are now adopting in 2020, the fee is based off of 2020 numbers which would be \$8,580. The current fee we charged in 2019 would be the same fee we charge through April 30th.

EMILY: Also, the fee cannot be implemented for 90 days after approval.

JUSTIN: For simplicity sake, we have written the new fee would be in effect May 1, 2020.

MAYOR: It is very simple. There are two ways to look at this. New growth pays for expansion or existing residents do. I agree with prior city councils who purchased water rights for future generations. If the rights had not been purchased, growth in the city would be limited. The state also would not allow a moratorium forever. Water rights came available for purchase, and the city elected to purchase them. Basically, the water rights will allow the city to increase in size by 50%. It makes sense that growth pays for itself. The residents fronted the funds to make the purchase. The funds will be repaid over time by new residents. Developers don't like increases like this. They say it deters people from coming here. Small towns are not in a position to pay for growth. Logan is big enough they can. We have zero funds to help pay for growth. This is a smart way to balance things. Current residents paid for those to be able to move here later, and the new residents pay back the purchase later on. Most likely, we will need to purchase more water rights in the future.

TUCKER: What will happen to our monthly water utility rate if we don't impose the full amount?

JUSTIN: Right now, there is no intention of raising the water rate. If we don't implement the full fee, we will have to increase our water rate sooner than we otherwise would have done. I agree with the mayor. The current residents paid for future growth. Future growth pays the residents back. The loan on the water tank would have been over \$1,300,000 less if we had not purchased those water rights because we would have had more cash on hand. Now, those funds are paid back over time to help pay down the loan.

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

Yes Vote: Thatcher, Peck, Crafts, Bair, Wierenga

No Vote: None

The public hearing opened at 7:27 P.M.

There were not any comments or questions.

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

Yes Vote: Thatcher, Peck, Crafts, Bair, Wierenga

No Vote: None

The public hearing closed at 7:28 P.M.

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 2020-04.

A motion to adopt Ordinance 2020-04, an Ordinance amending Chapter 6-400 “Impact Fees and Hook-Up Fees for Culinary Water and the Sewer System” specifically the Water Impact Fee Amount was made by Terrie, seconded by Tucker, and the vote was unanimous.

Yes Vote: Thatcher, Peck, Crafts, Bair, Wierenga

No Vote: None

JUSTIN: The new fee will go into effect on May 1st.

PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING ORDINANCE 2020-01, AN ORDINANCE DELETING CHAPTER 9-400 “LICENSING AND REGULATING SPECIFIC BUSINESSES”, PART 9-425 “SUNDAY SALES PROHIBITED”.

JUSTIN: Currently, we do not allow beer sales on Sunday in the city. A request has been made to remove that restriction. Thanks to Terrie for helping me research this topic. We checked, and Sunday beer sales are allowed in all cities and towns on the east side of the valley from Preston to Hyrum. We did not check with cities on the west side of the valley. We are the only city on the east side of the valley not allowing Sunday beer sales. We contacted the Smithfield Police Department as well as the Cache County Sheriff’s Office. They are not aware of any major issues or do not have concerns regarding allowing Sunday beer sales in the cities they work with. We found many articles talking about law enforcement concerns. The main concern is opioids and other drugs, not alcohol. Alcohol issues are remaining constant. These other issues are skyrocketing. It was good to find out about these other issues as we researched the topic. If the Ordinance is approved, it would only effect two entities: Maverik and L.D.’s Café. They are the only two in town with beer licenses.

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

Yes Vote: Thatcher, Peck, Crafts, Bair, Wierenga
No Vote: None

The public hearing opened at 7:31 P.M.

MONICA MERRILL: The percent of alcohol in products has recently increased. If people come into the store (Maverik) drunk we cannot sell to them. My employees would get in big trouble. Right now, there is a mad dash on Saturday night from 11:15 P.M. to midnight at the store with people rushing to buy beer because they cannot on Sunday. We have drunks coming in to purchase beer for Sunday consumption on Saturday night. Those who drink want to purchase more for the weekend. My perspective has changed over the years. The more people are regulated, the more they do things they should not. Sales of beer on Sunday in Idaho have decreased since local communities now allow it. People want to purchase beer as close to home as possible, so they have to drive less. My worst day ever at Maverik was watching two drunk parents fight about their kids in our parking lot. It is a fight to stay in compliance because of this restriction. People need to be responsible. Richmond is perceived differently by people in the valley where we are basically the only city in the valley with stores open on Sunday who cannot sell beer. I am impressed with the police department response time when we need help. It used to take 45 minutes or longer in the past. That is not the case any longer as they respond quickly.

CHERYL: Are there very many people who come into the store who are not aware of this restriction?

MONICA: Yes, I have people not aware of this. We don’t sell beer until 7:00 A.M. so that helps people ration their purchases as well. People work around the clock, so they stop at all hours of the day to make purchases. We restrict beer sales until 7:00 A.M. We have a good way to secure our cooler as well.

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

Yes Vote: Thatcher, Peck, Crafts, Bair, Wierenga
No Vote: None

The public hearing was closed at 7:37 P.M.

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 2020-01.

TERRIE: I would like to see the council adopt this Ordinance. I talked to the local sheriff’s office. I looked at trends from the public health department. Health departments and law enforcement agencies are more concerned with drug related accidents, deaths, and the impact on crime. Alcohol itself is holding steady. Binge drinking in Utah is not changing much. Studies show in Utah in 2009 binge drinking was at 10.4%, and in 2018, the most recent study, it was at 10.6%. Binge drinking is not a huge issue. Alcohol consumption in general is decreasing. I support

the dry month's people do throughout the year. My family drank these types of products when I grew up. In the summer when it was hot, they wanted a cold one, and in the winter when it was cold they wanted a hot drink. In one of the discussions I came across this quote which I think is appropriate: "I have many friends of the Jewish faith, and they would never make a law that would prevent me from purchasing ham on Saturday." I feel the same way. I am a religious minority in this town. If my family and friends and others want to purchase beer in the city on Sunday, they should be able to. I would prefer not to have to leave town. Right now, I can go to Smithfield. We need to think beyond being a small community. Things are not quiet, safe, and calm anymore. We have grown tremendously. In 2001, I think we just topped 1,800 residents. I think the new census will put us at around 2,800 residents. I think the city is more diverse than in the past. Opinions, cultures, and lifestyles are changing. Beer consumption is a part of some cultures.

MAYOR: I didn't know until recently we regulated this. I don't know why we regulate it. I am not sure why we govern one day a week. I don't think it makes sense.

CHERYL: People are going to buy beer somewhere whether we allow it or not. Those that don't consume beer are not affected.

MAYOR: I think this code has been on the books for decades, and nobody has any idea why.

TUCKER: I did not know it was in our ordinances until recently.

MONICA MERRILL: It was requested to rescind this in the past, but at the same time as a drunk driving death in the city, so it did not move forward. That has been many years ago. It was bad timing to make that request then. There were not as many cops in town in the past as well. The more we grow, the more they are in town. We have a good community because of the residents of the community.

A motion to adopt Ordinance 2020-01, an Ordinance deleting Chapter 9-400 "Licensing and Regulating Specific Businesses", Part 9-425 "Sunday Sales Prohibited" was made by Terrie, seconded by Lyle, and the vote was unanimous.

Yes Vote: Thatcher, Peck, Crafts, Bair, Wierenga

No Vote: None

PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING ORDINANCE 2020-03, AN ORDINANCE AMENDING PART 3-521 "AMOUNT OF BOND", 3-551 "PAYMENT PERIODS", 3-611 "STATUTORY OFFICES" AND DELETING IN ITS ENTIRETY CHAPTER 13-100 "POLICE" WHICH INCLUDES PARTS 13-110 THROUGH 13-125, ADDING IN ITS ENTIRETY CHAPTER 13-100 "PUBLIC SAFETY COVERAGE" AND AMENDING 8.102.040 "DISPOSAL OF SURPLUS REAL PROPERTY".

JUSTIN: As time permits, we are starting to review our code and clean up old and out of date areas in the code. This Ordinance is strictly to clean up out of date code. The first change is removing the old bonding requirements which are out of date and including how much we are currently bonded for. It reads as follows: "All employees, council members and the mayor are covered by a "Government Crime" policy offered by the Utah League of Cities and Towns as part of the insurance coverage provided to the city. The coverage is up to \$5,000,000." The section on "Payment Periods" is being amended to update the current stipend amounts paid to the Mayor of \$500 per month and \$200 to each council member. It has not been updated for so long it still includes a Marshal being paid \$425 per month and the Treasurer being paid \$2.50 per hour. Since we don't have our own police department, the entire section regarding a city police department would be removed. The last change is regarding the advertising timeline for the sale of surplus property. State code requires 14 day notice, and our code states 10 days. So, we would update to 14 days.

TERRIE: Over a century ago, the city did have a jail. It was believed to be something like an eight foot by eight foot iron cell. We are not sure if it is still in existence.

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

Yes Vote: Thatcher, Peck, Crafts, Bair, Wierenga

No Vote: None

The public hearing opened at 7:49 P.M.

There were not any comments or questions.

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

Yes Vote: Thatcher, Peck, Crafts, Bair, Wierenga

No Vote: None

The public hearing closed at 7:50 P.M.

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 2020-03.

A motion to adopt Ordinance 2020-03, an Ordinance amending Part 3-521 “Amount of Bond, 3-551 “Payment Periods”, 3-611 “Statutory Offices” and deleting in its entirety Chapter 13-100 “Police” which includes Parts 13-110 through 13-125, adding in its entirety Chapter 13-100 “Public Safety Coverage” and amending 8.102.040 “Disposal of Surplus Real Property” was made by Lyle, seconded by Tucker, and the vote was unanimous.

Yes Vote: Thatcher, Peck, Crafts, Bair, Wierenga

No Vote: None

Council Member Lyle Bair left the council meeting at 7:51 P.M.

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 2020-01, A RESOLUTION UPDATING THE PREVAILING FEE SCHEDULE FOR THE CITY.

JUSTIN: Last year, we spent a significant amount of funding on the station corner east of Maverik. We allowed a snow shack and taco bus to rent the property last summer. They did not pay much, as we did not know how much it would cost to make the corner usable. We talked to cities and businesses from Preston to Logan about what they charge for these temporary types of businesses. We found most charge a minimum of \$500 a month plus items such as power to \$600 per month plus other expenses. We don’t want to be Logan or Smithfield, but we need to charge a fair price to recoup our expense on the corner. The proposed resolution would put a fee in place of \$300 per month to utilize that parcel. The city would also supply access to culinary water and one 60-gallon garbage can. The vendor would pay for any cost associated with electricity. The vendor would also pay to have a port-a-potty onsite. Vendors would be able to access the parcel from May 1st through October 31st. Sewer is not available on the parcel. If this Resolution is adopted, we will notify the two vendors from last year about the cost for this year. They will have 30 days to let us know if they want to occupy the parcel this year. If not, we will then let other vendors occupy the parcel. The costs just for last year on that parcel were \$15,413. Also, we will not allow vendors on any other city parcel, the sidewalk, or road moving forward. If a vendor wants to utilize property owned by the city, it will only be allowed on this corner.

CHERYL: How does this effect someone wanting to have this type of business on private property?

JUSTIN: They are not affected. This is only for city property.

MAYOR: I agree with this Resolution. We cannot have vendors on the sidewalk or city streets. We have made some good improvements to that corner. That was a bad corner when the old station building was there, and it was vacant. Last year we basically charged \$125 per month because we didn’t have any idea what we could offer or what the costs would be to work on the corner. We spent over \$15,000 there, and that does not include purchasing the parcel, knocking down the old building, and hauling away the old gas tanks. The \$15,000 was basically to make a hard surface on the parcel. By charging this much, it will limit who will want to be there. The corner is designed for for-profit companies. This allows them to be there for the entire summer. I like this proposal. The cost has changed now we know what was involved. This would define in writing the cost if someone wants to rent the corner. Would we allow up to three vendors on that parcel?

JEREMY: Yes.

MAYOR: The sewer is clogged, and having access to the sewer system is not included in being on that corner. There is a rock lodged in the pipe. The pipe is under the highway. It is not just simply digging up a pipe and

repairing it. To remove the rock would cost tens of thousands of dollars. We are not going to spend money to clear the line. We did mention last year we would try and get sewer access, but we were not able to.

CHERYL: What do they need to put into the sewer system?

JEREMY: Water from their sinks.

MAYOR: The ice shack dumped their water at the restroom. Long term, I think we will have a new pavilion and restroom facility in that area.

JEREMY: The sewer lateral is very shallow and restricted by the slope.

MAYOR: We are not going to do anything with the sewer at this time. The park has been upgraded the last several years. There is a new Maverik store. Cache Valley Cabinets and Tops has done renovations to their corner. Rocky Mountain Landscape Products has improved their parcel. There have been many positive improvements to the area. This rental fee might not work for everyone, and that is okay. It is similar to impact fees. We put up the funds upfront and need to recover them over time.

CHERYL: What will happen if the corner just sits empty for the year?

TERRIE: We can change the Resolution as needed. I support the Resolution as written. They are getting access to culinary water as part of the rental fee as well as garbage. They would pay for electricity and a port-a-potty. I think the fee is equitable. We can review this fall if needed.

TUCKER: I think this still errors on the side of the vendor. Charging \$300 per month for a prime location is cheap. I think it is very fair. If we are not going to charge this much, we should have just put the corner in grass.

MAYOR: I agree. This is a temporary corner right now. We don't want long term businesses on that corner.

KELLY: Is a business license required?

JUSTIN: Yes.

MAYOR: A business license from another city will work as well. They just need to have a business license from somewhere.

***A motion to adopt Resolution 2020-01, a Resolution updating the prevailing fee schedule of the city and amending the requirement from a Richmond City business license to a business license from any county or municipality was made by Terrie, seconded by Kelly, and the vote was unanimous.

Yes Vote: Thatcher, Peck, Crafts, Wierenga

No Vote: None

Absent: Bair

DISCUSSION AND UPDATE ON THE 300 EAST TRAIL PROJECT.

JEREMY: At the last council meeting, I was asked to review the trail project this month. The biggest challenge was staffing. We have a very small public works department. Lots of scheduling had to be coordinated. We had large projects going on at the MBR plant at the same time. The dump trucks were constantly breaking down and having to be repaired. Normally, we don't have that much demand on our dump trucks in the summer months. We also spent a lot of time trying to find equipment for the project. There was also some confusion on who was in charge. I thought driveways and landscaping would be my biggest challenge, but it was not. Staffing the project was the biggest problem for me. Staying within budget was hard as well. I was always weighing what to do on a certain project. There were issues and challenges every day on the project. Revenue to pay for the project came from RAPZ Tax, Utah Outdoor Recreation Grant, Utah Division of Parks and Recreation Grant, and Richmond City.

MAYOR: What is the cost of the project to this point?

JEREMY: Expenses total \$326,186. Revenue includes \$60,255 in RAPZ Tax Funding, \$55,000 from the Utah RTP Grant, \$65,000 from the Utah Rec Grant, and \$145,931 from the city. The project is still not complete. There are many benefits to this project. There were many opinions on this project and whether it should happen. Even the staff was concerned. They all would now agree it is a benefit to the community. There are always people on it. Residents are even helping with snow removal. This is a good start and will allow us to expand in the future. The entire city benefits from this project. One of the busiest roads in town is 300 East. I believe this was a worthwhile project for the city.

MAYOR: I noticed 15 kids waiting on the sidewalk on 300 East for the school bus to pick them up. This project was a big move for the city. We are a small community. We don't have the funds for trails. A project like this is not common. This has been talked about for many years. I remember meeting in 2007 or 2008 and talking about a way to connect 500 North to a trail system long term. Jeremy's job on this project was a lot of work. There was not even a sidewalk on 300 East before. The city has always had a right-of-way along there, but many residents assumed it

was their property. There have been lots of wrong assumptions by people on who owns the land. Jeremy, thank you for working with the landowners.

JEREMY: That was a challenge. We worked with each landowner individually. We tried, within reason, to accommodate their requests. It was hard to do exactly what a property owner wanted and stay in budget. I think most property owners are happy with how it turned out. It is a good product. Where are we now on the project? What is remaining to be done? The signs are ready to be installed. One retaining wall needs to be installed.

MAYOR: The signs say no horses allowed.

JEREMY: The drainage on the side of the road will be better now. The storm water should run to a drain box now. We will add a couple of more drain boxes on the south end of the project long term. Some seeding needs to be done in the spring. We will review each driveway for gravel and compaction and repair as needed. There were 492 service hours donated by employees of Casper's Ice Cream. There were 67 employees who helped out. They did all their work in one day from 7:00 A.M. to 5:00 P.M. We would not have gotten as much done as we did without them. Also, a special thanks to our staff. We were all overwhelmed when we decided to continue with the project going south. The entire staff supported the project and got it done. The staff received some very unpleasant phone calls. The contractors were great to work with. The council has offered good support and a willingness to help when needed. They allowed the staff to make decisions when needed and keep the project going. Casper's Ice Cream volunteers were a big help as well. Many community members helped on different nights as well. Some of them did not have driveways in front of their homes for weeks. They were patient. They were more patient than I would have been. Most were very understanding and willing to contribute to the project.

MAYOR: I appreciate Jeremy. I am not sure if we will do a big project like this anytime soon. This was a big test for the community. We are a close knit community. We hold local community events when other cities do not. Lower Foods, Casper's Ice Cream, and other local businesses have been good to the city. It was controversial to do this project and spend the funds. In the past, people had to walk on the road. We now have a sidewalk for the children to safely wait for the school bus. Traffic on 300 East has increased immensely with the ski resort opening. It is a good feeling keeping people off of the road. I am grateful the community supported the project.

JEREMY: We now have a safe pathway from the White Pine and Cherry Creek Heights Subdivisions to White Pine Elementary. This was not possible before this project. This was a big project for a little city.

MAYOR: Let our staff know we appreciate them. I am impressed how our employees stepped up and did their best.

JEREMY: We are currently working on some projects we had scheduled for the summer as we try and catch up.

MONTHLY FINANCIAL REVIEW WITH DISCUSSION AND DECISIONS AS NECESSARY.

JUSTIN: We received \$145,050 in property tax in December. Our next large allocation is this month. We then receive small periodic payments after that. We received \$13,129 in Local Road Tax so far this year. This tax is similar to Class "C" Road Funds but can be used for sidewalks and trails. I would suggest we allocate these funds to the 300 East Trail project to help pay for that project to be completed. We collected \$3,375 in grave digging fees for the period of July through December. We bill the cemetery district in June and December for burials. As the population grows, we continue to do more burials. We did the most burials we have ever done in 2019. RAPZ Tax applications will be due in a couple of months, and I will work on an application for the White Pine Park unless you direct me to another project.

MAYOR: I know the Black & White Days Committee wants to submit an application as well for some fans for about \$20,000.

CHERYL: Do they apply on their own or through the city?

MAYOR: Through the city. They have received a lot of money in the past.

JUSTIN: Many projects have been completed such as the grandstands, new roof, cement work, drainage work, and new LED lights. Plus other projects I cannot recall right now.

MAYOR: I talked to them about balancing when we apply. I will meet with them and explain what we are applying for. We allow their project to be top priority on occasion. The issue is the Black & White Days Pavilion is only used one week per year. They can be the top priority application once every four or five years. By applying for too many projects, we won't get any of them approved. The city has received some funding almost every year.

TERRIE: I am not aware of a year we have not received some amount of funding since the program started.

MAYOR: I am guessing we have received close to \$1,000,000 in funding over the years. I want the park to be our priority this year. Especially with the improvements we have done on 300 East. We can submit an application for a second project, but we will put on the first application that it will have priority and any amount of funding will need to go for our main project first. The RAPZ Tax board has asked us to prioritize our projects. We have received funding for some secondary projects in the past.

TERRIE: I would ask we consider a RAPZ Tax application for projects at the Nature Park in the future.

MAYOR: I agree and support that. I backed off of doing anything at the Nature Park until we got the 300 East Trail project completed. We can do some grass and other things there. We have spent a lot of funding there in the past.

TERRIE: It is used by a lot of people. The garbage cans are always full.

MAYOR: I agree and support improving that area of town long term.

JUSTIN: In regards to the current budget, I have been working with Jeremy to discuss “wants” versus “needs” for the rest of the fiscal year. We are not in a bad position, but there have been major changes to our two biggest utility accounts: one with a culinary water account and one with a sewer account. They have changed their processes drastically which has resulted in a significant decrease in revenue which will also result in less expenses. Jeremy and I want to take the next few months to analyze how these changes will affect our budget long term. All maintenance and repair items can and should be completed. All non-essential purchases can be considered with the new budget year.

TUCKER: I agree. We should run as tight as we can.

JEREMY: I am not advocating we stop maintaining and repairing items. With a revenue decrease, it also gives us extra capacity in the system. We are estimating a decrease in expenses where the revenue is decreasing, but we just don’t know how much at this point.

MAYOR: The capacity of our system increases significantly with the changes these two companies have made, especially in regards to available culinary water. It is a big swing on what is now available. The less these two users use of the system, the more the city can grow without adding infrastructure.

JUSTIN: We knew these two users were making big changes; we just did not know for sure when they would go into effect. We have been planning for this. This is not something which caught us off guard. We would rather be proactive than reactive.

JEREMY: This is not doom and gloom. We want to plan properly now they have implemented their changes.

JUSTIN: I want to thank this council and previous councils for their due diligence in paying off old loans early and not having many loans. Right now, the city only has two loan: a loan on the water tank project and a loan on the MBR plant. We planned for this change with these two users and will proceed moving forward.

MAYOR: The sewer system user would have a monthly utility bill which would fluctuate as much as from \$5,000 to \$40,000 per month. Our ordinance for sewer is based off of the strength of the flow coming into the system. One user could potentially kill all of our bugs. The damage would be well over \$100,000 if this happened. The process we are doing is correct. I think the changes they have implemented will be consistent long term. The concentration coming into the system has consistently gone down the last couple of months which is a good thing for them and us.

DAREK: The capacity of the MBR plant is increasing because of this change as well. The plant was built to treat “X” amount of gallons per day, and sometimes we were at capacity when they were dumping a lot into the system.

MAYOR: Lower Foods helped our sewer system when they installed their own treatment facility for sewer. They got off of our system. We work with local businesses when we can.

JUSTIN: In the sundry line item in the water fund, we collected \$9,656. This line item is not used much. When the water tank project was completed, we had to pay to run three-phase power to the tank. As part of the project, we put a pioneering agreement in place. The agreement allowed us to be reimbursed some of the expense if another user hooked onto the system. A new home is being built in the county and tying into this electrical service. Rocky Mountain Power paid us \$9,656 as part of the pioneering agreement.

MAYOR: Typically, pioneering agreements are good for ten years. When was the project completed?

DAREK: I think around 2012 or 2013, so there are only a couple of years left on the agreement.

JUSTIN: We only update depreciation expense in the water and sewer fund in December and June of each year. The depreciation expense in the water fund for July through December totaled \$107,661. The depreciation expense in the sewer fund totaled \$170,751.

COUNCIL MEMBER REPORTS

CHERYL: The library discussed helping with the upcoming census. We would like to notify people about the census through Facebook, Parlant, and the newsletter. We would like include a link to the census and do some advertising to get people to participate.

TERRIE: The library received a mini-grant to help with the census. We will receive a lot of information to distribute. I am starting to include information about the census in the newsletter.

JUSTIN: When can people start doing the census?

SHERI NEWTON: March 23rd.

TERRIE: The census bureau wants people to fill it out online if possible. We will provide a dedicated space at the library for people to complete the census.

MAYOR'S REPORT

MAYOR: We have held a pre-council meeting in the past. It has now been eliminated which is a positive. We have a full-time city administrator which we have not had in the past. We have not really even held a pre-council meeting for several months, and there is no need in the future. Jeremy has changed the flow and dynamic of what is being done. I appreciate Jeremy, and what he has accomplished. This allows the council and myself to focus on other things we are working on. Council meetings will continue to start at 6:30 P.M. I want to welcome the council members starting new terms. I have served for 14 years and know it takes a lot to be involved. It is nice to meet and discuss the city with residents whether that be here, at their home, or at my home. I think each council member does the same thing. I am happy each of us can be approached and have a discussion at any time. I appreciate your willingness to serve.

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

Yes Vote: Thatcher, Peck, Crafts, Wierenga

No Vote: None

Absent: Bair

Adjournment at 8:41 P.M.

RICHMOND CITY CORPORATION

Jeffrey D. Young, Mayor

ATTEST:

Justin B. Lewis, City Recorder