

RICHMOND CITY COUNCIL

JULY 12, 2022

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, July 12, 2022. The meeting began at 6:30 P.M.; Mayor Paul Erickson was in the chair. The opening remarks were made by Tucker Thatcher.

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

Fire Chief Jay Downs, City Administrator Jeremy Kimpton, Deputy City Treasurer HollyJo Karren, City Recorder Justin Lewis, and City Treasurer Christine Purser were also in attendance.

VISITORS: John Harris, Ashlee Bair, Jessica Dunyon, Fred Hendricks, Shiela Nield, Mike Nield, Calvin Swendsen, Ryan Rogers, Dominique Rogers, Craig Reese, Shelly Schiess, Rhonda Davis, Blake Davis, Sally Johnson, Kendall Johnson, Brock Meacham, Lynzi Meacham, Mike Harris, Dan Johnson, Carol Johnson, Pat Jenkins, Morty Jenkins, Duane Williams, Becky Johnson, Rod Johnson, John Watterson, David Cavanaugh, Glendon Simper, James Murray, Jay Bair, Pam Ward, Keith Ward, Kjerstin Lind, Travis Schroeder, Tanner Schroeder, Spencer Stoker, Cindy Allen Smith, John Apedaile, Brady Christensen

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM JUNE 16, 2022

A motion to approve the June 16, 2022 city council meeting minutes was made by Terrie, seconded by Tucker and the vote was unanimous.

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

No Vote: None

RECOGNITION OF RHONDA DAVIS FOR OVERSEEING THE ANNUAL BLACK & WHITE DAYS ROYALTY PROGRAM AND LIL' MISS PAGEANT.

AMBER: We want to recognize Rhonda Davis this evening. She has overseen the Lil' Miss pageant and royalty program for many years. She has done a great job. It is such a positive program for all of the young women who are involved. I know the adults appreciate being involved as well. This is a good example of good things happening in the city. Rhonda has a great group she works with. They are all volunteers and have found a way to get things done.

Kelly presented Rhonda with a small gift of appreciation from the council and mayor.

DISCUSSION WITH REPRESENTATIVE DAN JOHNSON.

DAN JOHNSON: I live in Logan. I am happy to see the United States and State of Utah flags displayed in this meeting. It was nice to see a prayer to start the meeting. Things like this are time honored traditions in this country. It is a privilege to represent the city. I am now your local representative due to recent redistricting. I am very happy to work with this community. I grew up in a small town in eastern Nebraska. It was actually called Cass County and now I live in Cache County. Please feel free to contact me at any time. I only have one thing I would like to speak on this evening. There is nothing harder in politics than being the mayor or a council member. It is so important. We need to respect our local leaders. You have a lot of people in attendance this evening. They have an opportunity to speak and voice their concerns. We need to be careful as a state legislature to not overextend ourselves into small cities. You know what is right for Richmond. I have tried to do this. I return all calls and emails I receive. People deserve it. If you have legislative concerns give me a call to discuss.

MAYOR: Thank you for attending this evening. When does the legislative session start?

DAN: It has really not ended the last couple of years with special sessions and federal funding meetings. I am on the appropriations committee for education. The budget is over seven billion dollars. The transportation budget is over seven billion dollars as well. The state budget is about twenty-three billion dollars. The legislative session is officially from mid-January to mid-March. I am in Salt Lake City daily during that period of time.

TERRIE: You do respond. You have responded to me. I have worked with Dan for a few years during the legislative session on various items.

DAN: Thank you for your service. It matters.

DISCUSSION AND POSSIBLE VOTE ON THE REQUEST BY DUANE WILLIAMS FOR APPROVAL OF THE FINAL PLAT FOR THE HAVEN ACRES MINOR SUBDIVISION, A (4) LOT/UNIT SUBDIVISION LOCATED AT APPROXIMATELY 176 SOUTH 300 EAST. ZONED RMD (RESIDENTIAL MEDIUM DENSITY).

DUANE WILLIAMS: The request was reviewed by the planning commission. Me and my brother would like to subdivide a corner lot. The house is in the southeast corner of the property. The new lots would be large. The size of the four lots would be 0.5, 0.6, 0.7 and 0.8 acres. They are bigger than required. All of the new building lots are located on city roads.

MAYOR: For reference, this parcel was formerly owned by the Riebeek family. Jeremy has the plat been reviewed and met all of our conditions?

JEREMY: Yes. The only item waiting for review is by legal counsel. Engineering did not have any concerns.

AMBER: The planning commission reviewed the survey. They voted unanimously to approve and send to the city council for consideration. They liked that all of the lots are larger in size.

MAYOR: This subdivision will have little impact to our existing roads. All of the frontage is onto existing city streets. No new roads are being created.

AMBER: In a case like this where this is an existing home what happens in regard to sidewalk in front of the existing home where there is currently not a sidewalk?

JEREMY: All of the parcels including the existing home will have a sidewalk installed.

DUANE: We are aware of the requirement and plan to install a sidewalk.

MAYOR: Do you understand an escrow agreement is required until the work is completed?

DUANE: Yes.

AMBER: Are you going to sell the home or are you planning to rent it? Is it currently occupied?

DUANE: We have not decided. The house is currently not occupied. I am hoping there is some flexibility on the sidewalk. There are trees along the property line where the sidewalk would go. We would like to keep the trees and install the sidewalk further out away from the trees.

JEREMY: That is something we can review.

TERRIE: We have allowed variances in this regard in the past. The planning commission would consider this request.

DUANE: Our goal is to keep the trees where they are mature.

MAYOR: When the time comes make a proposal for us to review in that regard.

A motion to approve the Final Plat for the Haven Acres Minor Subdivision, a (4) lot/unit subdivision located at approximately 176 South 300 East was made by Tucker, seconded by Amber and the vote was unanimous.

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

No Vote: None

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 2022-12, AN ORDINANCE REZONING CACHE COUNTY PARCEL NUMBER 09-043-0014 FROM A-10 (AGRICULTURAL 10-ACRE) TO HC (HIGHWAY COMMERCIAL). THE PARCEL IS APPROXIMATELY 17.71 ACRES AND IS LOCATED AT APPROXIMATELY 600 NORTH 200 WEST.

MAYOR: The planning commission reviewed the request and held a public hearing at their July 5th meeting. The request conforms to the General Plan. The parcel is located along the highway. The only item being considered tonight is a rezone request.

SPENCER STOKER: We want to do a straw maze and pumpkin patch as well as other agricultural related activities. It is a seasonal business. After Thanksgiving we transition to a Christmas maze for winter activities.

MAYOR: His proposed business is not allowed in an A-10 (Agricultural 10-Acre) zone?

JUSTIN: Correct. His business is a commercial for-profit venture.

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SPENCER: We reviewed the code with the staff and have to rezone the property for the business activities we want to do.

AMBER: There were not any comments at the public hearing. The planning commission unanimously recommended approval and for the request to be sent to the city council for consideration. They thought this would be a good request for this area. There is highway access. It will be good for the community long term.

TERRIE: I like the idea and concept. It will add a good commercial base to the city. It will be a good attraction for the city.

TUCKER: The zoning request fits the General Plan for that area.

A motion to adopt Ordinance 2022-12, an Ordinance rezoning Cache County Parcel Number 09-043-0014 from A-10 (Agricultural 10-Acre) to HC (Highway Commercial) was made by Amber, seconded by Kelly and the vote was unanimous.

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

No Vote: None

MAYOR: Have you talked with UDOT (Utah Department of Transportation) about access?

SPENCER: We meet with them on July 19th. They will do a study and come up with a traffic count.

MAYOR: Will he proceed with a business license next?

JEREMY: He will need a conditional-use permit and business license.

MAYOR: So you will go back to the planning commission with your conditional-use permit request. Are you hoping to be open this year?

SPENCER: Yes, if we can.

MAYOR: Will you need services such as power and culinary water?

SPENCER: The power will need to be upgraded for what we are doing. We will use port-a-potties for sanitation purposes.

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 2022-10, AN ORDINANCE REZONING CACHE COUNTY PARCEL NUMBER 09-084-0031 FROM RMD (RESIDENTIAL MEDIUM DENSITY) TO MF OVERLAY ZONE (MULTIPLE-FAMILY DWELLING UNIT OVERLAY). THE PARCEL IS APPROXIMATELY 2.67 ACRES AND IS LOCATED AT APPROXIMATELY 676 SOUTH 100 EAST.

MAYOR: There will not be a public hearing on this item. The public hearing was held at the July 5th planning commission meeting. The request conforms with municipal code section 12-1030-4. The closest distance to another multi-family parcel is approximately 2,500 linear feet. This is based on how a car would drive from parcel to parcel. The only thing being considered tonight is the rezone request.

JOHN APEDAILE: I talked with Tucker today. He let me know about some policies which are in place with the overlay zone request. There can only be one parcel owner.

MAYOR: Correct. Only one parcel can be rezoned for this type of zoning in that area. The parcel would have to remain as one property tax ID and could not be split up or subdivided. There could be more than one building but they would all be located on the same parcel ID.

TERRIE: That is correct. Only one parcel ID is allowed. The parcel cannot be subdivided. Townhomes would not be allowed in this zone. The number of buildings is based on the base zoning. You might only be able to have one building. I think our code is vague in this regard and legal counsel needs to review it.

JOHN: I was planning on eleven or so townhomes in three separate buildings. I was planning to sell half or so of them. If that is not an option then I don't know if I want to go through the hassle of rezoning the property. It is already zoned for homes. I could put up to six homes on the property as it is currently zoned. If I change to an overlay, I cannot do that any longer. I don't want to change back and forth either. Maybe we need to let legal counsel confirm this information before a decision is made.

MAYOR: I don't want John to have incorrect information. I suggest we table the request until the next council meeting so legal counsel can review our questions.

TERRIE: I think it protects all of us if that happens. It is not fair to anyone if the information provided is incorrect.

A motion to TABLE Ordinance 2022-10 an Ordinance rezoning Cache County Parcel Number 09-084-0031 from RMD (Residential Medium Density) to MF Overlay Zone (Multiple-Family Dwelling Unit Overlay) until the Thursday, August 18th city council meeting was made by Terrie, seconded by Tucker and the vote was unanimous.

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

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 2022-01, A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION ON CERTAIN REAL PROPERTY UNDER PROVISIONS OF SECTIONS 10-2-403 AND 10-2-405, UTAH CODE ANNOTATED, 1995, AS AMENDED. THE PARCEL BEING CONSIDERED FOR ANNEXATION IS LOCATED AT APPROXIMATELY 150 NORTH 450 WEST AND IS APPROXIMATELY 5.33 ACRES. PARCEL NUMBER 09-067-0007.

JUSTIN: This is Step 1 of 3 in the process. The Resolution, if accepted, starts the review process by the city and county. The vast majority of the parcel is already located within the city limits. The request would square off an existing boundary by extending the parcel boundary to 150 North as well as 400 West. Right now the city boundary goes through the hayfield. If the parcel is annexed, by default it would be zoned A-10 (Agricultural 10-Acre).

MIKE HARRIS: I am aware of the process. I own the property. I want to develop this parcel in the future. It would square up the city boundary and make it along roads.

MAYOR: Any thoughts on compliance with the General Plan?

TERRIE: The request fits in well. The parcel is located within are annexation boundary. I don't see any reason to not start the process. It bothers me the existing parcel just cuts through the field.

JESSICA DUNYON: Why not annex the entire parcel?

JUSTIN: The request would annex the portion of the parcel not located in the city into the city. If approved, the entire parcel would then be located within the city limits. A portion of the parcel is already in the city.

MAYOR: The parcel owned by Paul Spackman to the east is not included in this request.

LYLE: I don't see any issues. They have a right to make the request and it helps square up our boundary.

TUCKER: I think this is the direction we want to proceed. We already have parcels in the city east of this property which extend the city further north.

A motion to adopt Resolution 2022-01, a Resolution accepting a Petition for Annexation for Cache County Parcel Number 09-067-0007 was made by Tucker, seconded by Lyle and the vote was unanimous.

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

PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING ORDINANCE 2022-09, AN ORDINANCE AMENDING THE RICHMOND CITY MUNICIPAL CODE, TITLE 10-000 "FIRE, HEALTH, SAFETY AND WELFARE", BY ADDING IN ITS ENTIRETY PART 10-180 "ANNUAL FIRE RESTRICTION ORDER".

FIRE CHIEF JAY DOWNS: Several things put this request into motion. We have been asking for fireworks restrictions on a yearly basis. The state legislature says the city council has to put them in place not the fire chief. The state has now informed us the restrictions need to be put in place by the end of May of each year. Usually April and May are wet months. We forget about getting something adopted until it is dry and then it is too late. By having an Ordinance in place the restriction would never go away. It is automatic. The restricted area is listed. We have had a lot of dry weather lately. It has really got dry in the last couple of weeks. It is a red flag warning today. Wind only makes it worse. We want to protect the foothills. There would be a ban on open fires. They would be allowed in a fire pit if certain requirements are met. The gun range has been an issue in the past. Not having spark arrestors on some equipment can be a problem in these areas. The proposed restricted area would be the same in the past. The restriction would apply to east of 300 East and north of 500 North. Be aware if a fire starts in the city and makes its way onto the national forest you will be partially responsible for the cost of the fire. A jetliner which dumps retardant was about \$50,000 per drop last year.

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TERRIE: Can the city pursue action against the person who started the fire?

CHIEF DOWNS: The person would be cited and would go through the regular legal process. The restriction only applies to areas within the city boundary. This does not apply to unincorporated parcels. We are trying to prevent fires and from them spreading.

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

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

No Vote: None

The public hearing opened at 7:11 P.M.

CINDY SMITH: I think this is a fabulous idea. It is so dry right now. It makes me nervous for farmland and areas which can burn around homes.

JAY BAIR: I live in the restricted area. People ask why can't I do firework aerals here? We have a big open space area where we live. A fire could easily start there and go east. I can see both sides based on where I live. I am an avid shooter and wish there was something different in place in that regard.

MORTY JENKINS: You talked about an annexation on a previous agenda item. I think you will have more leverage with UDOT (Utah Department of Transportation) now to reduce the speed on the highway as growth happens around Lee's Marketplace.

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

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

No Vote: None

The public hearing closed at 7:13 P.M.

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 2022-09.

AMBER: I appreciate Cindy's comments. We are a small community. We don't want to endanger anyone. I received calls and texts about fireworks restrictions for July 4th. It will be nice to have something in place to refer to moving forward.

LYLE: We address our east and north boundary. Why not the south and west?

CHIEF DOWNS: The Ordinance is based on past restrictions. We used the previous history of what had been done. You can change what you want. You can modify the Ordinance at any time once it is adopted as well.

AMBER: Where would you put restrictions in place in those areas?

LYLE: That is something I would need to think about.

AMBER: I like the restriction being on what we know from past history. I saw a fire this year on the south end of the city. I agree it is something we need to review. People want to light aerals. Do we provide a place where residents can safely light fireworks?

TERRIE: In the past we have allowed people to do this at the ball diamond area. We have water readily available there and the area is greener than most areas. It is an area less prone to fires. People need to clean up their mess. That is an enforcement issue we will need to deal with.

A motion to adopt Ordinance 2022-09, an Ordinance amending the Richmond City Municipal Code, Title 10-000 "Fire, Health, Safety and Welfare", by adding in its entirety Part 10-180 "Annual Fire Restriction Order" was made by Terrie, seconded by Amber and the vote was unanimous.

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

No Vote: None

CHIEF DOWNS: We will start broadcasting this information and putting up some signs as well.

MAYOR: We need to send out a reminder for the upcoming holiday.

JUSTIN: We will put out a blast like in the past about the restrictions.

MAYOR: Are fireworks stands allowed in the city?

TERRIE: If they meet the requirements of our code.

PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING ORDINANCE 2022-07, AN ORDINANCE AMENDING THE RICHMOND CITY MUNICIPAL CODE, TITLE 12-000 “LAND USE, DEVELOPMENT AND MANAGEMENT (LUDMO)”, CHAPTER 12-900 “ZONES”, PART 12-905-2 “PERMITTED USES” AND CHAPTER 12-500 “ADMINISTRATION”, PART 12-502 “ANNEXATION OF LAND INTO RICHMOND CITY”.

JUSTIN: This is a housekeeping Ordinance. Last year we updated our code on accessory dwelling units. We recently discovered we forgot to include it as a permitted use in one section. This would correct that issue. When reviewing our annexation code there is a reference to the planning commission being involved. The planning commission is not involved in annexation requests. The request is to strikeout a couple of sentences in the code which refer to the planning commission’s involvement in the annexation process.

AMBER: The planning commission reviewed the Ordinance and recommended approving it.

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

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

No Vote: None

The public hearing opened at 7:21 P.M.

BRADY CHRISTENSEN: I am not a resident of the city. I own property in the city. I want to know where I can find the future land-use map for annexations.

JUSTIN: Go to www.richmondutah.org, Departments, Community Development, General Plan. The map you are looking for is titled “Future Land-Use Map with Annexations”. There are several other maps and information in this section of the website.

BRADY: I hope Richmond grows as good as possible for everyone. A lot of property on the edge of the city has been for sale for many years. I would hope you would work with property owners on smart development. I am not sure what you are planning for road access in the future. I wasn’t really sure what was being discussed tonight. I know around 140 homes have been built north of 300 North since 2000 and no new egress to State Street or the highway has been built during that period of time. No new egress is a huge concern for me.

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, Bair, Crafts, Wierenga, Ervin

No Vote: None

The public hearing closed at 7:25 P.M.

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 2022-07.

A motion to adopt Ordinance 2022-07, an Ordinance amending the Richmond City Municipal Code, Title 12-000 “Land Use, Development and Management (LUDMO), Chapter 12-900 “Zones”, Part 12-905-2 “Permitted Uses” and Chapter 12-500 “Administration”, Part 12-502 “Annexation of Land into Richmond City” was made by Amber, seconded by Lyle and the vote was unanimous.

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

No Vote: None

DISCUSSION AND POSSIBLE VOTE ON THE PURCHASE OF APPROXIMATELY 0.33 ACRES OF LAND FROM THE WADE & TESS CHRISTENSEN TRUST. THE PROPERTY IS LOCATED AT APPROXIMATELY 700 EAST MAIN IN THE NORTHWEST CORNER OF CACHE COUNTY PARCEL NUMBER 09-045-0015.

MAYOR: Cache County Parcel Number 09-045-0013 is an old concrete water tank the city used to use. In around 1993 or 1994 we built a new 500,000-gallon water tank just east of this parcel. Part of the newer tank is located on private property. It is a problem for us. I talked to a former mayor, Kip Panter, about this as well as some of the Christensen family. There was an unwritten agreement between Garr Christensen and the city. The agreement was that the city would trade Parcel 09-045-0013 for the land where the new water tank is located. Since then Garr and the mayor at that time have passed away. The estate was settled. The parcel owner has changed as well. We met with Wendy Christensen who is the parcel owner. She was aware of the issue. We also discussed the issue with Bret Christensen and he was aware as well. We talked to previous mayors and council members as well and they were aware of the agreement as well and what should have happened.

TUCKER: So you are requesting to purchase land from Wendy as well as give her the old tank parcel?

MAYOR: Yes. We want to get this settled. I am not sure how else to rectify it.

TUCKER: What is the price?

MAYOR: \$45,000 for 0.33 acres.

TERRIE: They aren't willing to still swap the land?

MAYOR: The parcel is owned by a different family now.

JUSTIN: The parcel size where the old tank is located is 0.53 acres.

TERRIE: What about easements?

MAYOR: We have the water tank and two outbuildings. Over half of the water tank and a portion of one of the buildings is on the Christensen property. The area we don't own is on the south side of the water tank. The city would grant access through the area such as it is now. The Christensen, Sanders and others would still have the same access as they do now but we will now own the property.

TUCKER: This is an issue we need to resolve.

KELLY: So we would be paying for one area as well as giving them the other parcel?

MAYOR: Yes.

AMBER: Is this agreement documented?

MAYOR: Nothing from the past is written down. Calvin, do you remember anything about this?

CALVIN SWENDSEN: I am a former council member. I don't recall this issue. I know the Christensen family approached the city about putting homes in that area but there is a steep slope. There was going to be a clustered group of four homes in a certain area. This happened when back when Zan was alive.

AMBER: What is on the parcel we own?

JUSTIN: Our old water tank is buried in the ground and it is now covered with weeds.

AMBER: Where our newer tank is has quite a steep slope. If we give the parcel to Wendy, is she going to give it to Bret?

MAYOR: Yes. We were trying to resolve the entire issue with one transaction between the city and Wendy. We thought the purchase price was fair based on what we paid for other parcels recently.

AMBER: Do we use the parcel where the old tank is?

JEREMY: We abandoned it years ago.

AMBER: If we don't pay for it now, we will pay more for it later.

LYLE: Was the price negotiated? Is this our first offer and they took it?

MAYOR: We offered what we thought was a fair price and they took it.

TUCKER: We need to resolve this issue and fix it.

Tucker made a motion to purchase 0.33 acres of Cache County Parcel Number 09-045-0015 for \$45,000 including transferring ownership of Cache County Parcel Number 09-045-0013 from Richmond City to the Wade and Tess Christensen Trust. City Council discussion continued after the motion was made.

TERRIE: The area we are purchasing is quite sloped and not buildable. The parcel we would be giving away could possibly be built on.

MAYOR: We can include in the approval a condition where the parcel cannot be built on or developed.

TERRIE: I have a problem paying for property and then giving up a developable parcel. I oppose eminent domain to acquire the parcel as well.

MAYOR: We could make these two separate items. The land purchase as one item and the parcel transfer as a separate item.

AMBER: I am okay purchasing the land from Wendy. It is the right thing to do. I am not sure about giving away the other parcel of land.

TERRIE: The problem we have is the original agreement is not documented so it is like it never happened. Many of us still believe in handshake agreements but they don't stand up legally. The city needs to own the land the tank is located on.

Tucker made a motion to rescind his previous motion of purchasing the property and the transfer of the land.

A motion to approve the purchase of 0.33 acres (14,501 square feet) of Cache County Parcel Number 09-045-0015 from the Wade and Tess Christensen Trust for a purchase price of \$45,000 was made by Amber, seconded by Terrie and the vote was unanimous.

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

No Vote: None

MAYOR: We will consider options on the old tank parcel at a future date.

CONTINUED DISCUSSION ON ORDINANCE 2022-06, AN ORDINANCE AMENDING THE RICHMOND CITY MUNICIPAL CODE, TITLE 11-000 "TRANSPORTATION, STREETS AND PUBLIC WAYS", CHAPTER 11-300 "STREETS AND PUBLIC WAYS", PARTS 11-340 "PARKING REGULATIONS (RESERVED)", 11-360 "SIDEWALK REGULATIONS", 11-361 "REMOVAL OF SNOW", 11-362 "PLACING TRASH OR OTHER OBSTRUCTION IN STREETS, GUTTERS, SIDEWALKS", 11-363 "OPENINGS IN STREET" AND ADDING IN ITS ENTIRETY 11-301 "DEFINITIONS", 11-363 "PARK STRIP" AND 11-364 "LANDSCAPING WITHIN PUBLIC RIGHT-OF-WAY".

MAYOR: There are some additional questions from some of you since legal counsel reviewed the Ordinance. No public hearing or vote of the council is being held tonight.

TERRIE: I think legal counsel has included more than we were looking for. Does this apply to all park strips? Does this only apply to new development in the future? I think some areas need to be grandfathered with a specific date. I have concerns with how 11-340 "Parking Regulations" (B) (3) is written. We would violate or own code during Black & White Days. I think at least ninety percent of the people would not comply in this regard during that period of time. Even those waiting for the CVTD (Cache Valley Transit District) bus might be in violation. We also need to add some verbiage about five feet in this section. What is the edge of the road as discussed in Item "C" of this section?

MAYOR: The intent is to never have a thoroughfare blocked.

AMBER: Fifteen feet is a safe distance to help protect our snowplow truck drivers and others.

TERRIE: Last year by my house a temporary fence was installed in the right-of-way along the road so the cows could eat the weeds. It was a safety hazard. Do we define what the width of the shoulder of the road is?

JEREMY: I need to double check but I think it is nine feet. It is not a clear definition.

AMBER: Our goal with this Ordinance was to have some consistency throughout the code.

TERRIE: I would like to see 11-363 "Park Strip" reworded. Section 11-364 (B) needs to be reworded as well. We have some really wide park strips which are a great location for trees.

LYLE: We need to address long term parking. I have driven some of the city streets. There are several instances where there are small driveways. If a person went on vacation and left their vehicle by the street they would not be in compliance.

MAYOR: We can reword the verbiage in this regard.

LYLE: My home is 60 years old. I have a small driveway. I would be breaking the law as written. Also, we are unfairly taxing people if we require them to maintain the park strip. My concern about illegal parking is only about registered vehicles. I don't have a problem dealing with unregistered vehicles.

AMBER: We can change the verbiage if needed.

MAYOR: Lyle wants to avoid any type of city mandate.

AMBER: Require means it must happen so we could use some different wording.

MAYOR: We will continue to review this Ordinance and bring it back before the city council eventually.

**CITY ADMINISTRATOR REPORT
CITY ENGINEER REPORT**

JEREMY: The chip seal work has been completed. After the roads are driven on for a while, we will do some sweeping in a couple of weeks. There was a culinary water leak on 200 South 100 East. It was an hold hookup. There were some fittings and reducers. We removed all of it and installed a new line to the meter and reset it. There were not any new home building permits issued last month.

MAYOR: There are always chip seal challenges. We contract with the county because it is affordable. They had some labor issues the last couple of years. It has not been the same people doing the work on a yearly basis.

JEREMY: There are always challenges. The old chips we used were reject chips and not consistent in size. Round chips have a hard time adhering to the tar. If dust is on the chips the tar will not adhere either. The county made arrangements for everything this year and took care of all of it.

MAYOR: I think the work they did this year was much more uniform than last year.

JEREMY: We don't have the ability to collect the loose chips. The county's machine sweeps the chips off the road and does not collect them. We want to use a company to come in and pick up the chips and haul them off.

MAYOR: A new contractor did some sweeping for us earlier this year. Has the new hot box arrived yet?

JEREMY: Not yet. It should arrive this month or next month.

MAYOR: This will allow us to do a better job patching roads.

JEREMY: We used to purchase hot mix out of Smithfield. They are no longer making any there. We now have to get it from Hyrum or Brigham. It is already cool by the time it arrives here. By having a hot box we can rewarm the asphalt and will have a better end result. We are working on several final plats. The Lee's Marketplace plat was submitted to the county today to be recorded. The City Creek Subdivision west of Big J's is being worked on. The dirt work in The Knolls Subdivision has started.

MAYOR: A lot of dirt is being moved in The Knolls Subdivision.

MONTHLY FINANCIAL REVIEW WITH DISCUSSION AND DECISIONS, AS NECESSARY.

JUSTIN: The end of the fiscal year has come and gone. We will now start to work on the audit. I hear all the time that the city is subsidizing growth and new homes are not paying their way. I will provide some information which will refute that claim. In the last fiscal year, July 1, 2021 through June 30, 2022, the city collected \$275,000 in water dedication payments, \$176,620 in water impact fees and \$101,679 in sewer impact fees. Any new home pays all of those fees. It has taken some time to finish the playground equipment at the White Pine Park because of supply chain issues but we are finally to that point. The park and the playground equipment were paid for with RAPZ Tax funding.

MAYOR: I would like to have a groundbreaking ceremony in the future and we will invite the county to attend.

JUSTIN: Our next RAPZ Tax project is a new pavilion on the north end of the park. We are working with a local designer and will eventually bring the plans to the council for review.

MAYOR: We also met onsite and determined the location of a future bathroom. It will be located between what will become the middle pavilion and the new pavilion to the north. It will most likely be a few years before we can do that project.

JUSTIN: We finally heard back from Rocky Mountain Power about getting a streetlight installed at the intersection of 300 South 300 East. A cobra LED light and pole will be installed at a cost of \$4,012. The city also needs to install a two-inch conduit from the existing electrical box to the new light pole. I received a call from a resident asking for some information regarding the Smithfield City fire contract. They were told the city raised property tax a few years ago for the sole purpose of paying for the increase to the fire department budget. That is incorrect. We have never raised property tax to pay for the fire contract. We have a contract in place that is based off of "X" amount per resident per year. The fire department budget is more than it was before the contract but it is not substantially more like this person was told. I would also like to point out some of the members of the Richmond Fire Department now work for the Smithfield Fire Department. They live in the city and respond to calls. We have a very good response time between those living in town and those coming from Smithfield.

COUNCIL MEMBER REPORTS

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AMBER: I received a lot of calls, texts and emails regarding one of the rezone requests we were considering tonight. I want to commend the planning commission for the service they offer as volunteers. They are involved in the process. It is never easy. I appreciate those who attended and spoke during the planning commission meeting. Of the 53 people in attendance that night I spoke with approximately seven of them myself. I have lived here all my life. Rather than start a fire let's find a way to help diffuse the situation. It is what we all want. It is good to have face to face conversations. Our senior program project is moving forward. We are going to paint a couple of rooms in this building. I am looking for volunteers. We have some really good people who have already volunteered to help.

TERRIE: The draft copy of the Trails Master Plan is being worked on. Eventually the planning commission, city council and residents will be able to review it. I hope to vote on it early next year.

MAYOR: UDOT (Utah Department of Transportation) is paying \$60,000 towards our General Plan update.

TERRIE: I attended a meeting today with CVTD (Cache Valley Transit District). They are well aware the city is growing. We are especially growing in the northeast as well as by the Lee's Marketplace area. There were around fifty people who attended the General Plan open house. Four main areas were reviewed: housing, land, transportation and water.

Listed below are the four main items of importance as identified by residents who attended the General Plan Open House.

What HOUSING issues are important to you?

1. Identifying areas best suited for community growth.
2. Creating a program to transfer development rights for housing.
3. Increasing supply of senior housing.
4. Increasing diversity of housing options.

What LAND issues are important to you?

1. Preserving a rural or small-town community character.
2. Providing more opportunities for open space and recreation.
3. Identifying areas that should be protected, preserved or conserved.
4. Preserving historic buildings.

What TRANSPORTATION issues are important to you?

1. Improving condition of sidewalks.
2. Improving connectivity of sidewalks.
3. Improving connectivity of recreational trails.
4. Improving safety of walking/biking routes to schools.

What WATER issues are important to you?

1. Increasing water storage capacity.
2. Conducting water master planning for supply, demand, storage and distribution.
3. Protecting sensitive areas like wetlands and floodplains from development.
4. Protecting water resources from pollution.

TERRIE: Many people think the irrigation company is part of the city. We need to make sure people are aware they are two totally separate entities. We have a water and sewer master plan in place. The General Plan steering committee is meeting on July 28th. There are residents with varying backgrounds who will be in attendance. There are young people, retired people, business owners, professionals, people with medium sized families and more. We are looking for feedback. The intent is to have the survey online by the end of August so people can respond. We want as many people as possible to fill out the survey with thoughtful answers and comments. The General Plan will be our vision for the next ten to fifteen years. We need information from the residents. Parks, trails, city services and other items will be considered. This is the biggest chance for the residents to be involved in how the city develops in the future. Last time 203 people responded to the survey. It was less than ten percent of the city as we had around 2,100 residents at that time.

KELLY: Traffic concerns at North Cache were discussed at the July 5th planning commission meeting. I am on the White Pine Community Council. We don't have anyone on the North Cache Community Council. Do we want someone on that council?

MAYOR: I think the traffic in that area needs to be reviewed as part of the General Plan update. I am not sure if we need a representative on the community council at this time. We did get some COG (Council of Governments) funding many years ago to redo a large section of that road. We should probably review the traffic at both schools.

LYLE: I want to thank those who emailed me or contacted me about the rezone that was discussed tonight. It is nice to know what the residents are thinking. Keep sending us your concerns. Having previously been the fire chief of our department I am well aware of the difficulties we had. I think the issues have been resolved with the Smithfield fire contract. It is hard to keep volunteers interested and coming. The Smithfield Fire Department has more and better trained staff than ever before. Long term I can see someone manning this station on a regular basis. We are getting closer to that day every day. We offer a better product because of our contract with Smithfield. We have more options available.

MAYOR: And we did not raise property tax to pay for that contract as some people have said.

TUCKER: There were some concerns raised regarding fire hydrants at the July 5th planning commission meeting. We looked into the concern. The fire hydrant in question would work during an emergency. It does have a leak we need to repair. Were all of the fire hydrants tested last year?

CHIEF DOWNS: All of the fire hydrants were tested last fall. Problems were identified. Most of the problems have been resolved.

JEREMY: Those which still have problems are all located mid-block. The one in question at that meeting has been verified it will work.

MAYOR: Thanks for taking care of the culinary waterline leak on 200 South 100 East.

JEREMY: I was called Saturday night about it. There was not any flooding or property damage from the leak. We decided to watch it over the weekend and only repair before Monday if needed. The biggest issue we run into with a weekend repair is finding the right parts once we open up the hole. We also have to call in utility locates before we dig. The repair was made on Monday.

TUCKER: When residents see leaks or have concerns about items such as fire hydrants, please let us know so we can deal with it. We want to be aware of problems. We want to make sure all public safety concerns are handled.

MAYOR'S REPORT

MAYOR: I appreciate everyone in attendance. The information gathered in the public hearing at the planning commission or city council is critical. We will find out some information on the rezone request from a legal aspect so the city and the applicant are both aware of exactly what is allowed. Brady Christensen asked about access onto city roads. We have been working on getting a right-of-way from a property owner on the north end of town to get another access onto State Street. We met with the landowner and asked to purchase some land for the road. The landowner told us no. They will not sell to us. They have a right to do that. That parcel is no longer under consideration or an option at this time. Some areas of the city do not have sewer service such as the north end of State Street. A couple of new homes are being built in that area. When the sewer service gets within 300 feet of those homes, they will have to hook onto the sewer system. There are 106 new townhomes approved north of my house. There are another 85 single family homes north of that which will be built. An annexation request by Mike Harris is working its way through. We could have as many as 400 to 500 new building lots approved long term. An issue of our time is the responsibility to manage growth. I told everyone when I ran for office that I could not stop growth. What we can do is plan for it. We are doing that now. Give feedback during the General Plan update. Our decisions are based on the current municipal code. There are only three requirements for the multi-family rezone request to be allowed. The parcels must be 2,000 linear feet or more apart. The parcel must already be zoned residential. The parcel must be only one property tax identification number. There is major impact to the city from what happens with the General Plan. I was involved in the last revision. Some of you have heard me mention it would be good to have an underpass by Lee's Marketplace. I found some funding to pay for the study. I don't know if it will ever happen but it could be considered. I plead to each of you to participate. Without feedback from the residents we do the best we can. Thank you for attending this evening. Our next council meeting will be on Thursday, August 18th. For those who are unaware. Logan City notified everyone in the valley that as of June 2023 they will no longer provide garbage service for the cities in the valley. Local cities are looking at different options. An RFP (Request for Proposal) has been created including every city in the valley except for Logan. Seventy-one

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percent of the garbage Logan currently picks up does not come from Logan City. The unincorporated areas of the county have about 7,000 to 8,000 residents. If you live in the county, you have limited options for garbage service. I think we have other options we can consider. We will be asking a lot of questions over the next few months. Smithfield currently offers green waste service. We do not. Recycling is a different issue. Logan actually sends very little to be recycled because of a lack of demand. Mainly just paper is recycled. There is not a market right now for recyclable materials.

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

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

No Vote: None

Adjournment at 8:33 P.M.

RICHMOND CITY CORPORATION

Paul J. Erickson, Mayor

ATTEST:

Justin B. Lewis, City Recorder