

RICHMOND CITY COUNCIL

MARCH 17, 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, March 17, 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, Terrie Wierenga and Amber Ervin.

Kelly Crafts was excused.

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

VISITORS: Micah Curdy, Nadine Bair, Kevin Richardson, David Larson

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM FEBRUARY 17, 2022

A motion to approve the February 17, 2022 city council meeting minutes was made by Terrie, seconded by Lyle and the vote was unanimous.

Yes Vote: Thatcher, Bair, Wierenga, Ervin

No Vote: None

Absent: Crafts

RECOGNITION OF CITY ADMINISTRATOR JEREMY KIMPTON FOR BECOMING AN ICMA CREDENTIALLED MANAGER.

DAVID LARSON: I am the secretary for the UCMA (Utah City Manager's Association). I am also the City Manager for South Weber in Davis County. I want to recognize Jeremy Kimpton. Jeremy has received his ICMA (International City/County Management Association) Credentialed Manager designation. It is a high honor and a big deal. A person qualifies based on experience, education and integrity. It is a big deal for Jeremy and the city to receive this designation. Only one out of 22 city managers in Utah have received this designation. It takes skills, high ethics as well as a willingness to continue to learn and grow. Jeremy is a great public servant. City Manager's don't spotlight themselves but we need to because this is a big deal. I am happy to honor him and congratulate him on this accomplishment.

MAYOR: Jeremy, please tell us what you did to achieve this award.

JEREMY: It is something I wanted to achieve before I started working for the city. A city I previously worked with did not support me doing this. I did not have enough experience at that time. I asked Mayor Jeff Young if I could pursue it and Richmond has supported me since the start. I was hoping to acquire this and nobody would notice. It requires forty hours per year of leadership training. It takes about ten years of experience. My time as a council member and mayor in Franklin, Idaho did not count towards the experience. The experience portion started when I became the City Administrator in Franklin. I recently obtained my master's degree and it helped as well. This is not something you obtain in a few months. It takes several years.

MAYOR: We are very fortunate to have you here. What other certifications do you have?

JEREMY: Level III for wastewater treatment. Level II for culinary water and sewer collection.

MAYOR: Jeremy just obtained his master's degree in Public Administration.

YOUTH COUNCIL REPORT

MICAH CURDY: I was recently elected the Youth Council Mayor. This past weekend the youth council attended a conference at Utah State University (USU). Several local youth councils attended. We stayed overnight. We went to USU on Thursday night and went home on Saturday morning. We did a lot of activities and got to know other local youth. The theme on Friday was being a leader and the power one person can have. We learned a lot from that. We

did some breakout sessions. Two youth councils were combined to go and do activities. They then split our youth council members up with other youth council members. One of the activities had four groups and each group was in a different corner of the room. There was some string and candy. The idea was one group would go and take candy from another group. One group would take another groups resources. Rather than take from each other we made a truce where we traded the candy instead of took from each other. The leader of the activity was impressed and said that is the first time that had happened. Some of the things the members of our youth council said they learned are teamwork, respect, communication and the power to be united. I would go to this conference again. It was a great experience. Myself and Colin Misrasi, Youth Council Treasurer, won the clean room award. Whoever stayed at the USU hotel and had the cleanest room won an award. When we were done cleaning, it looked like we had not even stayed there. Next Monday we are meeting to design our t-shirts for the year and come up with a new motto. We have had a motto in the past but don't have one yet for this year. We will meet every other week until Black & White Days and then once per month after Black & White Days.

MAYOR: Kelly is not in attendance this evening to discuss Black & White Days. Myself, Jeremy and Kelly need to sit down with you to discuss Black & White Days. What have you done in the past? What has the youth council assisted with?

DAREK: For the chuckwagon breakfast they come and help with the drinks, fruit, garbage cans and whatever else we need help with.

MAYOR: The Cow-A-Bunga race will start at 7:30 A.M. The Stampede bicycle race will start at 9:30 A.M. We are working on obtaining the permits now. There will be two separate bike races. We want people to know what this city is about. We plan to recognize our sponsors. We will need some help with the race.

MICAH: I work on Saturdays so I won't be able to help. The youth council has helped where needed in the past.

PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING ORDINANCE 2022-05, AN ORDINANCE AMENDING THE RICHMOND CITY MUNICIPAL CODE, TITLE 12-000 "LAND USE, DEVELOPMENT AND MANAGEMENT (LUDMO)", CHAPTER 12-1000 "OVERLAYS", PARTS 12-1010-4 "GENERAL REQUIREMENTS", 12-1020-2 "STANDARDS FOR PLANNED INDUSTRIAL COMMERCIAL DEVELOPMENTS", 12-1030-4 "REGULATIONS", 12-1040-3 "REQUIREMENTS" AND 12-1050-3 "GENERAL DESIGN".

JUSTIN: The mayor asked me to draft an Ordinance which gives the planning commission and city council the ability to require a fence in new developments. The fence would not be mandatory but the option would be there for the planning commission or city council to include a fence. This conversation started because of the Richmond Village Subdivision. Some of the existing homeowners wanted to know why a fence was not being installed between their homes and the new townhome project. The current code does not allow the council or planning commission to make it a requirement. This Ordinance would allow the council to consider on a case-by-case basis if they think a fence is appropriate. The areas in the code which would be amended are PUD's (Planned Unit Developments), PIC's (Planned Industrial Commercial), multi-family, mobile homes and where commercial abuts residential.

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

Yes Vote: Thatcher, Bair, Wierenga, Ervin

No Vote: None

Absent: Crafts

The public hearing opened at 6:49 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 Terrie, seconded by Amber and the vote was unanimous.

Yes Vote: Thatcher, Bair, Wierenga, Ervin

No Vote: None

Absent: Crafts

The public hearing closed at 6:50 P.M.

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 2022-05.

MAYOR: I asked Justin to review what other cities have done and use it as a basis for this Ordinance.

JUSTIN: Each city is different. Almost all require a fence in manufacturing, commercial and industrial zones. Some have mandatory requirements around mobile home parks and multi-family areas. Some have the option of having the option for the council or planning commission to make it mandatory on a case-by-case basis. We felt it should not be mandatory but at the discretion of the planning commission and city council as each development is different.

A motion to adopt Ordinance 2022-05, an Ordinance amending the Richmond City Municipal Code, Title 12-000 "Land Use, Development and Management (LUDMO)", Chapter 12-1000 "Overlays", Parts 12-1010-4 "General Requirements", 12-1020-2 "Standards For Planned Industrial Commercial Developments", 12-1030-4 "Regulations", 12-1040-3 "Requirements" and 12-1050-3 "General Design" was made by Tucker, seconded by Terrie and the vote was unanimous.

Yes Vote: Thatcher, Bair, Wierenga, Ervin

No Vote: None

Absent: Crafts

DISCUSSION AND POSSIBLE VOTE ON AMENDMENTS TO THE PERSONNEL MANUAL OF THE CITY.

JUSTIN: Jeremy and I noticed a clerical error in the Personnel Manual as well as a sentence which needs to be clarified. We want to add "or retires" to the following sentence after the word separated:

"An employee who is separated or retires from employment shall be compensated for all PTO which he/she has accrued.

JUSTIN: In the following sentence we need to change "month" to "week": Each benefited part-time employee, working 30 hours or less per ~~month~~ week, shall accrue PTO at a rate equal to one-half (50%) that granted full-time employees.

A motion to adopt amendments to the Personnel Manual of the City was made by Terrie, seconded by Lyle and the vote was unanimous.

Yes Vote: Thatcher, Bair, Wierenga, Ervin

No Vote: None

Absent: Crafts

MONTHLY FINANCIAL REVIEW WITH DISCUSSION AND DECISIONS AS NECESSARY.

JUSTIN: Our Questar gas bill for last month with all of our accounts totaled \$4,959. Our payment to Rocky Mountain Power for all of our accounts totaled \$10,051. We purchased two 1,000-gallon fuel tanks from Hall Oil. They are located at the Maintenance Shop and hold diesel and unleaded. Our payment to Logan City of \$22,352 is for garbage, recycling and central dispatch. We spent \$8,949 on water meters. We budget \$30,000 a year for water meter replacement. The goal is to not have any meters in the ground older than seven years old. The payment to SelectHealth for \$6,305 is for the employee health insurance premium. Next month we will start to discuss the new budget. It will be discussed for the next three months until we adopt it. We had a very good sales tax month and collected \$58,015. One of the highest months I can ever remember. The library CLEF Grant was received in the amount of \$4,680. Mass Transit tax is a pass-through tax but it has been increasing year over year. We don't receive it but are required to account for it on our financials. We have received \$5,350 in donations for the upcoming Black & White Days races. The Cow-A-Bunga race has received \$100 and the Stampede \$5,250. We paid the balance owed on the dog catcher contract and police protection contract. We are paid through June 30th. Sheriff Jensen will be attending the April council meeting to discuss the new contract. The total we paid for the dog catcher contract is

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\$9,600 and for police protection was \$41,461. So far, this fiscal year we have collected \$20,000 in water dedication payments and \$109,434 in water impact fees. Sewer impact fees collected so far this year total \$59,407. So, you are aware, the appointments of the Trustees on the Richmond Cemetery Maintenance District board have expired. An advertisement has been posted so people can apply and be considered. There are five vacancies. The Cache County Council will fill the vacancies on April 26th. The district is totally separate from the city. An independent board and separate financials from the city. The district is not just Richmond but includes Cove as well.

MAYOR: Why is the county involved in this?

JUSTIN: State code dictates what happens. The district is more than just the city so it runs through the county.

LYLE: A person has to live in the district to be considered for the board?

JUSTIN: That is correct as well as be a registered voter.

COUNCIL MEMBER REPORTS

LYLE: Based on new legislation a water conservation plan must be included in the general plan. We need to create a plan for the city. I compiled a list of rates of what some of the other cities in Utah are charging.

JUSTIN: Park City is charging \$26.81 per 1,000 gallons used as their highest tier.

LYLE: We are about the highest charge in Cache Valley. Cornish is the only other city locally which is close to what we charge. We have a lot of infrastructure to pay for and not many connections to pay for it. We need to start conserving moving forward. We could consider options to change our base rate or tiered rate structure. The downside to changing the base rate is then we are forcing people to use water or we cannot meet our budget. We could consider making an adjustment to the tiers so the highest users pay more.

JUSTIN: For the last utility billing cycle here is how our water use was per account:

<u>Accounts</u>	<u>Gallons Consumed</u>
832	0 – 10,000
48	10,000 – 20,000
19	20,000+

JUSTIN: We plan to compile this information at least every other month moving forward so we can see the areas which would possibly need to be changed from a tiered perspective. It is a proven fact the number one way to get people to conserve is to charge them more. One local city has tried to educate the residents and get them to conserve and cutback. Last year it did not work by asking for help. They are in the process of adjusting their highest tiered rate to \$18.00 per 1,000 gallons used. They are forcing people to stop watering by charging them an exceedingly high rate. We are charging \$2.00 per 1,000 gallons used at our highest tiered rate. Our new budget includes a \$1.00 increase to the base rate like in previous years. We are not proposing an increase to the tiered rate at this time. We want to watch growth and see if people are willing to conserve before we make a change.

MAYOR: Our primary water source was drilled around ten years ago. It would produce about 500 to 600 gallons per minute at the maximum amount.

JEREMY: Last year, we pulled at our highest rate 490 gallons per minute. If we ran the well at 100%, we could pull around 580 gallons or so per minute. The reality is when we pulled a lot of water all at once the well drew down quite a bit. Running at around 80-85% produces around 500 gallons per minute. Late last summer we were around 430 gallons per minute.

MAYOR: We won't adjust the rate for no reason. We will continue to monitor our water situation. We also don't want the state telling us what to do with our water.

JUSTIN: Our current base rate is \$61.00 per month and includes 10,000 gallons. The monthly tiered rate is as follows:

<u>Gallons</u>	<u>Rate</u>
0 – 10,000	Included in base rate
10,001 – 100,000	\$1.00 per 1,000 gallons used
100,001+	\$2.00 per 1,000 gallons used

JUSTIN: The base rate will increase on July 1st from \$61.00 to \$62.00.

TERRIE: When I lived outside of Utah the base rate did not include any water. All water use was billed on top of the base rate. Our rates are high. Inflation is a factor. Any changes will affect singles, retirees and families. It is hard to make a change.

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LYLE: About how much per year do we budget in water overage fees?

JUSTIN: Approximately \$71,000 per year. The rest of the revenue is from the base rate.

DAREK: I work with the AWWA (American Water Works Association). It is hard to compare base rates. We don't budget for impact fees because we don't know what they will be. I would be very cautious about reducing the base rate and then charging for all gallons used. Including 10,000 gallons with the base rate is pretty standard. The average family will use 10,000 gallons per month. I am surprised Clarkston includes 70,000 gallons in their base rate. Preston includes 30,000 gallons. Our debt must be serviced. You cannot rely on water usage to pay bills. You can adjust the tiered rates but don't change the base rate. Cities are starting to set a high tiered rate to make it painful for those who waste water. Some people will just pay it no matter what the cost is. Others will cut back and help conserve. The Weber Basin Water Conservancy District has already notified the farmers on their system they will be cut back 60% to start this year and as much as 90% if water becomes even more limited.

LYLE: We don't have the ability to really change our base rate or we cannot meet our obligations.

TERRIE: I have seen stories where people actually did conserve and then the city could not meet budget.

MAYOR: It is a delicate balance. What do we use our impact fees to pay for?

JUSTIN: Sewer impact fees are used to pay the debt service on the MBR Plant. Water impact fees are used to pay the debt service on the water tank and infrastructure project. We used sewer impact fees to pay for a sewer line upsize project at about 150 North 200 West a few years ago.

LYLE: There are other ways to encourage water conservation. There is a water wise website. We need to educate the residents. Some cities have a plant list. Smithfield has a tree list of what trees are allowed to be planted in the park strip.

TERRIE: Utah State University Extension Services put out a book on this topic. I purchased one and gave to the library. It talks about water wise landscaping as well as deer and drought resistant trees and plants.

JUSTIN: It would be nice to have a tree list to provide people for park strips. We don't want trees with canopies which would cover the sidewalk or road. We don't want trees which would break the sidewalk.

LYLE: Sprinkler systems are a good conservation tool. Times can be adjusted. Systems can be cutback when needed. Santa Clara has an ordinance which states only 8.00% of a yard can be grass. I don't think that is fair as a person with a one-acre lot is allowed a lot more grass than a person with a ¼ acre lot. I think the square footage of allowed grass should be the same no matter the size of the lot.

MAYOR: We are not buying water from another entity so that is nice. We take what comes out of the ground. Most years our springs cover our usage and we are not turning on the well. The city will need to be an example of how to cut back and conserve.

LYLE: Turf on hillsides uses more water. Certain slopes are not allowed grass in places. We need to look at our city buildings and park strips. The park strips we have in town are very wide. Maybe rock could be put in the park strip in place of grass. It would take a lot of time, money and maintenance on the part of the city to do this but we would save water. North Logan has a water shortage management policy. I like it for many reasons. It is a six-phase plan. It talks about what everyone needs to do when certain things happen such as a low water level in the water tank. The plan is based on science and not opinion. Trigger points are put in place where people cannot water during the day or wash their car in their driveway. The water rate does not increase during any of these phases. If you are caught not complying during one of the phases your culinary water service is turned off and you are fined \$100. If you are caught a second time it is a \$300 offense.

TUCKER: We have an entire new subdivision which will be built on a gravel pit. The water will run right through the ground. It is a struggle in these areas. I am concerned about how much water will be used in these types of areas. Some clay might need to be put down and then some topsoil to hold the moisture in the ground.

MAYOR: What about secondary water to the two new subdivisions?

JEREMY: There is pipe in the ground but it is not hooked onto the irrigation system.

TERRIE: Traditionally the new subdivision on the gravel pit has not been watered with irrigation water in the past.

DAREK: We were going to hook onto the pipe at 500 North and run an irrigation line to the White Pine Park but we never did it.

MAYOR: I want to thank Lyle for the time he has spent on this.

LYLE: In Utah about 82% of the water is used by farmers.

MAYOR: I know Hyde Park had serious water issues last summer.

AMBER: I know there are probes which can monitor the soil. They can tell people when they are overwatering. Rather than say someone is overwatering we could scientifically show them.

MAYOR: Irrigation flow will be down this year. The irrigation company can use the water from April 1st through October 1st. Where do we go from here on water conservation?

TUCKER: Rates will be a battle. Education is needed and we can start almost immediately in that regard.

TERRIE: I like the North Logan plan. We need something like that here.

MAYOR: In the next month all of us should take the time to read the North Logan plan.

CITY ADMINISTRATOR REPORT

JEREMY: The new fuel tanks are in place at the Maintenance Shop. By filling them when we did, we saved over \$1.00 per gallon based off of the current price. They are self-contained and can be moved if needed. We are working with some developers to get their approved final plats recorded. The bonding is the biggest hurdle in some cases. We will need to start thinking of ways to tie the irrigation systems in the new subdivisions into the irrigation system. We will need to work with the irrigation company on this.

MAYOR: What can we use the water dedication payments to pay for?

JUSTIN: Only the purchase of water rights or water shares.

JEREMY: The two subdivisions which need to be tied in are Elk Meadows and the subdivision being done by Blake Davis. Realtors are telling people there is irrigation water available even though it is a dry system.

TERRIE: I know some cities took upwards of 25 years before being able to hook some systems up.

JEREMY: We are not under any obligation to a commitment a realtor makes.

MAYOR: Use from our culinary system goes down when irrigation water can be used.

JEREMY: We have been having issues with our chlorinator. We are getting some new parts to repair it.

MAYOR: How are things coming in regard to the new full-time job posting?

JEREMY: Interviews will happen tomorrow. There were seven applicants. I know people are not happy about the chip seal we do. The issue is picking up the loose chips. In the future we will do a slurry seal over the chip seal to help hold the chips down.

MAYOR: Holbrook Asphalt uses a product called HA5. I am told it works well. Chip seal does not look great cosmetically and is a pain to deal with. It has been proven chip seal will sustain roads for many years and is our most cost-effective option.

TUCKER: The slurry seal will make a huge difference.

JEREMY: The road will then be black which will help warm up the road surface quicker. Ice will melt better and the snowplows will not be as noisy when pushing snow. It is also another sealant barrier.

DAREK: Another name is flush coat. It helps to seal and glue down the chips. It looks like a new road when it is done.

JEREMY: It is still a sealant and not a resurface. This is always a big topic in the spring of each year when people see gravel in their yard from the snowplow trucks.

MAYOR: How did we do with salt this year?

JEREMY: We did not use much this year. I think we only ordered three loads. It was not a normal year for us.

AMBER: Someone dropped off a bucket at my house full of gravel. They said they got it out of the gutter in front of their house.

JEREMY: Most people don't realize the park strip is for city maintenance. I understand people will get mad. It is a pain to clean up the rocks in the spring. We used to use rejected chips. They are not consistent in size. We went away from that two years ago. The new chips we use are better interestingly enough I think our number of complaints have actually increased.

AMBER: We could tell residents we have a place to put them when they rake them up.

JEREMY: Complaints will always be a part of chip seal. We had an old sweeper donated to us many years ago. We should consider getting a new one in the future. We paid a private contractor about \$3,600 last year to pick up the loose chips.

TUCKER: And that contractor did not do a great job. Can the old sweeper be repaired?

JEREMY: We need a professional to look at it and tell us.

DAREK: We got that sweeper from another city when it was old and worn out and they purchased a new one.

MAYOR: How are things going at the MBR Plant?

JEREMY: Shane is doing great. He did a cleaning by himself. He is keeping the plant running and getting things done. He has great attention to detail. He has a lot to learn but is getting things done.

TUCKER: Has he passed any tests?

JEREMY: Not yet. We have not been able to get him any training yet.

TUCKER: How long before he can obtain a Level I certification?

JEREMY: I hope this year. He will be attending a Rural Water Conference later this year. A representative from Kubota was here for a half a day and we both learned a lot from him. The maintenance and repair of the plant is a lot easier to learn the science behind what we do. I am happy with what he is doing.

COUNCIL MEMBER REPORTS

TERRIE: The Trails Master Plan open house will be on Monday, April 11th from 6:30 to 7:30 P.M. here at the Park Community Center. Maps will be reviewed and people can leave comments. A virtual open house will be held the entire week. People can use a QR code and leave their comments. I am providing a copy of the First and Last Mile Study done by the Cache Valley Transit District (CVTD). The stop at 193 South State has been identified as the stop which can be improved the most and add the greatest benefit. CVTD will be holding an open house on Thursday, March 28th from 3:30 P.M. to 5:00 P.M.

AMBER: Layne Harris was approved as a commissioner on the planning commission last month. He has had a major life event and resigned his position.

MAYOR: Sadly, he lost his job at iFit after 27 years.

AMBER: He will be moving back to Idaho for employment reasons.

MAYOR: Do you have an update on the senior program?

AMBER: Very positive until I asked people to help. I sent out 23 emails asking for help and received seven responses of people willing to help. We have been discussing things via email to this point. One thought is to host a luncheon next month. A couple of different entities I know could help with the food. We could get the food at a discounted cost. I would be there to help oversee the luncheon. We could invite all of the seniors in the city. We can use the furthest north classroom on the west side but it needs some cosmetic improvements like paint. The seniors could tie quilts or play cards in that room. Those helping with food will need to have food handler's permits. Parking is a factor. Accessibility to the north end of the building is limited because of the two classrooms.

MAYOR: We could advertise getting rid of those buildings one more time. If someone wants them, they can have them. If nobody wants them, we will have them torn down and hauled away.

JUSTIN: We will write something up and get it advertised.

MAYOR'S REPORT

MAYOR: No progress has been made yet on a new garbage contract. Meetings are being scheduled with vendors. The county may offer the service to the cities in the valley. We have around 900 accounts which need to be dumped on a weekly basis. Smithfield has around 4,000 accounts. I think some communities will have to join together to offer this service. There are too many voices talking right now to get anything done. Logan is not the villain. We have benefited from their willingness to offer this service for many years. Most of the Black & White Days race stuff is figured out. The foot race will start at 7:30 A.M. at the Community Building. We are using some of the supplies from the Gran Fondo. The sprint bike race will be to the Cherry Peak Ski Resort. The running race will be done before the bicycle race starts. We have had some very generous donors for the bicycle race. The jerseys have been ordered. We are working on the t-shirts now. Wendy Christensen helped design the logo. I still need to talk with the horse committee and cattle committee.

TERRIE: The race registration is supposed to start on Monday and I have not been given anything to post on the website.

MAYOR: I think it is close to being ready. I will get with you on it.

TERRIE: I don't have anything for the Cow-A-Bunga race either.

MAYOR: We need to visit with Kelly.

TERRIE: Is Brandon handling the registration for both races?

MAYOR: I think so.

TERRIE: I would like to talk about the park strip email you sent out. Why do people only have 30 days to comply? Other cities allow as long as half a year for something like this. Logan City gave a year. I have received a number of phone calls about this. People are upset. There was not education provided as to why this is happening. I was asked why did this happen? I told people I didn't vote for it to happen.

MAYOR: It is time to enforce it. I will work with anyone. The code has never been enforced. It is time to be enforced. If someone needs time, I don't have an issue with that. Some good things have already happened. Some people have already complied. There is an abandoned burned down home by Linda Bair we are concerned about. The owner lives in California. We could levy a fine but I don't want to do that. I don't want to offend anyone. I want everyone to comply. Personal property items need to be on private property not city property. The law is on the books. I don't have a vendetta. This is concerning to me based on how I was raised. If my neighbor parks his truck on my property I am concerned. I feel the same for the city. If you park your private stuff on city property I am

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concerned. I don't care if a trailer comes and goes. Trailers that have not been moved for over three years are a problem. They need to be more than five to seven feet off the road.

TERRIE: This came out of the blue to 99% of the residents. It would be more courteous to say this Ordinance is on the books and we intend to start enforcing it. If you don't comply within 45 days, we will send you a letter. The council should have been given advance warning. It is a very obscure paragraph in the code which is being referenced. I expected this from you when you were elected. There is a different approach which is more gentle to get people to comply. We needed to do some advance education.

TUCKER: Where are we going to draw the line? There is a big number of operational vehicles in town parking there. I didn't realize we had this verbiage in our code. Where are we going to draw the line on this? Where can people park? I have been asked that as well. I have had people tell me it will correct problems with some of their neighbors. I have also heard from others who are concerned. The residents don't know what they can or cannot do.

LYLE: I need some clarification on the code. From what I remember the intent was to keep debris off of the sidewalks to keep them open. I think this section of code talks about roads and sidewalks not park strips. I don't think this code is referring to the park strip. It says items cannot be placed on the sidewalk.

MAYOR: I read it differently. It says between the road and private property.

LYLE: I don't think this is talking about between the road and private property.

AMBER: I don't support the email which was sent out. I was not aware of it. I received phone calls and had no idea what people were talking about. Nobody knew where this was coming from. Our Ordinance is very vague. I talked to other cities. Smithfield clearly defines the right-of-way. We need a clear definition as well. People don't know what we are talking about in that email. Yesterday, I received an email asking if the mayor is getting rid of the dirt piles next to the road in front of his house. Where are we going to draw the line? I wish as a council we would have driven through town to review this problem. Where is the safety issue? Where is the problem? We need to address this as a group not individually. We need to come together as it adds strength. We need to re-evaluate our code.

MAYOR: This is good feedback. The council makes the law and I enforce it. What do you want me to do? I thank each of you for speaking up. The law is what is on the books no matter what any of us think. I want the city to look as good as it possibly can. This is not about people parking in the mow strip. No letters have been sent out to this point. There are four or five real problem areas. We talked to Judge Funk about how the code reads. We have not enforced anything yet. Some of these areas in town really concern me.

AMBER: These are members of our community. We have 900 households and Smithfield has 4,400. They handle things differently than we do. People are family here. Why not have a discussion on this before something is sent out? Some people are going to dig in their heels on this because they don't know what is being requested. Let's have a discussion as a council. People want to live here but if things like this continue to happen, they won't want to be here.

LYLE: We all agree there are places which need to be cleaned up. The method in which you did it is harsh.

MAYOR: My feelings will not be hurt. I want to resolve this problem. You might not like it but it is time we dealt with it. The two previous mayors would not allow me to enforce this code.

LYLE: We know the areas. The council needs to be involved in this. One person might think it is inappropriate and others don't. I know it is on the books but I read it differently. Clarification is needed. If people get mad and stop mowing and maintaining the park strip, are we ready to start taking care of it?

AMBER: We tell people we want them to move their vehicles but it does not give any direction of what to do. What is acceptable? We need to offer something constructive for people to review and consider.

MAYOR: These are great points. I won't bring it up again. I won't make it an agenda item. It is up to you. Our code can be amended. This can happen respectfully. I appreciate your support in what I am trying to do.

AMBER: What are you asking us to support? Sending out letters?

MAYOR: Let's solve the problem which is existing with vehicles and trailers which are not complying.

AMBER: We all need to be aware of what you are doing. I don't like it when we don't know what is going on.

MAYOR: I have talked to several individuals. There are some I have not talked to yet. No letters have been sent. It is your responsibility to make the law. It is my responsibility to enforce it. I won't check with the council before I send out the letters.

LYLE: There are residents who are taking care of this area. What rights do they have to use the property? We need to tell people how they can use it.

MAYOR: You are the lawmakers. This is an issue. If the council wants to change the code, I will support it.

TERRIE: We need to see what other cities are doing. We need to make our ordinance easier to understand so residents can educate themselves on their own when they read it. Our code is easy to search. We need to make it easy to understand.

AMBER: This section of code was very hard to find.

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MAYOR: Thank you for all of your feedback. I will let you know who I have contacted or whom I am going to contact.

AMBER: You are sticking to the 30-day limit?

MAYOR: I am still working on that. The email was a shot across the bow asking people to comply.

TERRIE: I appreciate your explanation of why you did what you did.

The council took a short recess at 8:26 P.M.

The council meeting was reconvened at 8:33 P.M.

EXECUTIVE SESSION TO DISCUSS REASONABLY IMMINENT LITIGATION. UTAH CODE ANNOTATED 52-4-205 (1) (C).

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

Yes Vote: Thatcher, Bair, Wierenga, Ervin

No Vote: None

Absent: Crafts

The executive session opened at 8:33 P.M.

Those in attendance: Mayor Erickson, Council Members: Thatcher, Bair, Wierenga and Ervin, Justin Lewis and Jeremy Kimpton

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

Yes Vote: Thatcher, Bair, Wierenga, Ervin

No Vote: None

Absent: Crafts

The executive session closed at 9:47 P.M.

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

Yes Vote: Thatcher, Bair, Wierenga, Ervin

No Vote: None

Absent: Crafts

Adjournment at 9:48 P.M.

RICHMOND CITY CORPORATION

Paul J. Erickson, Mayor

ATTEST:

Justin B. Lewis, City Recorder