

**RICHMOND CITY COUNCIL**

**DECEMBER 19, 2024**

The regular meeting of the Richmond City Council was held at the Park Community Center located at 90 South 100 West, Richmond, Utah on Thursday, December 19, 2024. The meeting began at 6:09 P.M.; Mayor Paul Erickson was in the chair. The opening remarks were made by Joel Draxler.

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

City Administrator HollyJo Karren, Shane Lewis, Bryan Tolbert, City Engineer Weston Bellon and City Recorder Justin Lewis were also in attendance.

VISITORS: Mike Hall, Todd Smith, Brad Jensen, Katie Reams, Jeff Young, Roger Priest, Tucker Thatcher, Cindy Smith, Kip Panter, Dave Cavanaugh

**APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM NOVEMBER 21, 2024.**

\*\*\*A motion to approve the November 21, 2024 city council meeting minutes was made by Bryce, seconded by Lyle and the vote was unanimous.\*\*\*

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

No Vote: None

**DISCUSSION AND POSSIBLE APPROVAL OF AMENDMENTS TO THE EMPLOYEE PERSONNEL MANUAL.**

**JUSTIN:** In the past we have given employees raises of \$1.00 per hour when they have received culinary water and sewer certifications. It has been an unwritten rule. We would like to include this in the Personnel Manual so moving forward there is no confusion in this regard on the amount which can be obtained. It is proposed that for each culinary water certification received that the employee receive a \$1.00 per hour raise. For Sewer Treatment I, Sewer Collection I, Sewer Treatment II, and Sewer Collection II the raise would be \$0.50 per certification received. Sewer Treatment III and IV are much different and it is proposed the amount of the raise for either of these certifications would be determined by the mayor and city council. We have also included a \$1.00 per hour raise for an employee that receives their CDL (Commercial Drivers License) if it is needed for their job and they don't have it when they are hired. I was also asked to include a section regarding tuition assistance if an employee is seeking a bachelor's or master's degree. It is proposed that the city would pay 50% of the cost of tuition for up to eight credits per semester or quarter. I was only able to find one other local city that offered this type of tuition assistance. It also states if an employee receives tuition assistance, they have to sign an agreement with the city to continue their employment here for a minimum of three years or they would have to pay the city back the tuition funds. Tuition assistance would need to be approved by the mayor.

**MAYOR:** I did this with my former employer. They made me sign a promissory note. I left early and had to pay the funds back to the bank. They offered about what we are offering.

**AMBER:** I am willing to invest in our employees. This is a good opportunity for them and the community. I don't think this is unreasonable as long as we have a commitment from the employee. What about the certifications?

**JUSTIN:** There is not a requirement to stay employed here if those are obtained.

**MAYOR:** We currently have some employees studying for the Sewer Treatment III certification. The test is on different things than our sewer system. It is a hard certification to obtain.

**DARYL:** I have done this with employees in the past. I think it would cost the city around \$2,500 a semester for eight credits depending on the institution. If it will help with the job they do for the city, I am fine with it. If they are getting a degree in something else that doesn't benefit the city and will leave in three years, I don't support that. Neither the employee wants to be here nor we will want them here if they are going down a different career path.

**AMBER:** Should we make it degree specific?

**MAYOR:** I think it is quite specific as written.

**BRYCE:** The degree needs to directly benefit the city.

**DARYL:** That is also subject to interpretation by whomever authorizes the tuition assistance.

**MAYOR:** We could add that it requires mayor and city council approval.

**DARYL:** I would feel better about that. I think we should approve what we want them to pursue if we are paying for it.

**MAYOR:** It does include a clause about a three-year employment commitment and we could include it is subject to mayor and city council approval.

**JOEL:** When I worked for the county, they agreed to do this for my position. I see this as a big problem. When people leave it is hard to get the money paid back and that was a challenge. In one case there was a lawsuit. The employee who left took a different job than they were doing for the county and didn't feel they owed it because of that. I don't think it is necessary for the city to pay for an employee's education. I would rather give the employee a pay increase when they receive their degree if it benefits the city. I am against the tuition assistance portion of this proposal.

**AMBER:** Can we amend this to what we want?

**JOEL:** I think we should review if an employee gets a degree to see if it helps us. As an example, if an employee obtains an accounting degree but we don't need that for the job the employee is doing I don't think we should pay for it.

\*\*\*A motion to adopt an Educational Assistance Section to the Employee Personnel Manual amending the Section to NOT include Sections B, C, and D was made by Joel, seconded by Bryce and the vote was unanimous.\*\*\*

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

No Vote: None

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## Section 7 – Classification and Career Progression

### Article 7 – Educational Assistance

- A. Certification(s) necessary for the city to maintain municipal, state and federal regulations: Actual cost paid to obtain the certification. Employee is expected to study during available work hours, as approved by the Mayor or City Administrator, as well as on personal time. City shall maintain an approved compensation schedule listed below for when certification(s) are obtained.
- For each Culinary Water Certification obtained, starting 01/01/25 and after, a wage increase of \$1.00 or approximately \$2,080 per year will be approved starting on the first day of the pay period after the certification is obtained.
  - For Sanitary Sewer Certifications obtained, starting 01/01/25 and after, the following wage increases will be approved starting the first day of the pay period after the certification is obtained.
  - Treatment I - \$0.50 per hour or approximately \$1,040 per year
  - Collection I - \$0.50 per hour or approximately \$1,040 per year
  - Treatment II - \$0.50 per hour or approximately \$1,040 per year
  - Collection II - \$0.50 per hour or approximately \$1,040 per year
  - Treatment III – Will be determined and approved by the City Administrator, City Council & Mayor
  - Treatment IV - Will be determined and approved by the City Administrator, City Council & Mayor

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- For a CDL (Commercial Driver's License) obtained, starting 01/01/25 and after, and required for the employee's job, a wage increase of \$1.00 or approximately \$2,080 per year will be approved starting on the first day of the pay period after the certification is obtained.

~~B. For bachelor's and master's degree courses, from a recognized reputable educational institution, in which the course will directly benefit the City through the employee acquiring new and additional skills, the City will reimburse employees an amount equal to fifty percent (50%) of the tuition and required fees upon successful completion of the course. For undergraduate degree programs the employee must receive a grade of "C" or higher, and in graduate degree programs the employee must receive a grade of "B" or higher to have successfully completed the course. Employees shall not normally be approved for reimbursement in excess of eight (8) credits per semester or quarter. Typically, the positions for which this section applies would be City Administrator, City Treasurer, City Recorder / Director of Finance and Department Heads.~~

~~C. Employees receiving educational assistance as listed in Item B shall be required to sign an agreement with the City agreeing to stay employed with the City for three (3) years after completing the training or educational course(s) or reimburse the City for actual costs paid.~~

~~D. All educational assistance requests shall be subject to approval by the Mayor.~~

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**MAYOR:** I find it interesting that you all supported it until Joel spoke. I think it is a mistake not including it.

### STAFF REPORTS AND MONTHLY FINANCIAL REVIEW.

**HOLLY:** Bryan and Shane have been installing new street address signs throughout the city. We are going to be installing stop signs along 300 East for east/west bound traffic. We will make sure and advertise when this happens. The new water meter connectors will be installed next month. They will cover different areas of the city. The meters will now be able to be remotely read from the city office. It will not require employee assistance. These were approved as part of the current budget. Right now, if we get a bad meter read, we have to send someone out to read it again. This will cut down on the time needed and make us more efficient.

**DARYL:** Will this flag the system when someone has a leak or high usage?

**HOLLY:** Yes. We should receive an alert. The cement pad for the Cherry Creek well generator was installed. The generator was put in place. Now all that is remaining is for Rocky Mountain Power to pull the required wiring. J Rock Concrete will finish the containment basin at a later date. At the MBR plant, the new equipment from HACH is being installed. The basins need to be drained and cleaned. When this happens John will assist Bryan, Shane and Troy as four people are needed for the job. We recently held a safety meeting down there. The new mixer was installed last week. All the cassettes from the last two orders have been installed. The Relief Society building roof was tarped thanks to the assistance of the Smithfield Fire Department and the use of their ladder truck. They assisted John and Shane with the project. We received a grant in the amount of \$5,000 to help pay for the new roof on the building. Eight new zoning clearances were approved for the Richmond Village, one in The Knolls and two in the City Creek Subdivision. There are two subdivisions in process: Harris and Mendez. The Holiday Festival was great. All of the employees helped out. I am really excited the community showed up for this event. I was nervous nobody would come.

**MAYOR:** Any idea how many attended?

**HOLLY:** No.

**AMBER:** There was a constant line waiting for the wagon ride.

**MAYOR:** How was this funded?

**HOLLY:** Donors from the community donated enough to pay for everything but the concert. It was fun to see all of the Christmas trees. There were 22 in total. Many different groups were involved in decorating the trees. They are now displayed in the north end of the Park Community Center.

**JUSTIN:** We had a good sales tax month and received \$62,658. We finished using the ARPA (American Rescue Plan Act) Funds this month as they needed to be spent and projects completed by the end of the year. A new air handler and furnace was installed at the library with some of this funding. I submitted a COG (Council of

Governments) reimbursement request this week for the 400 West road project. The total cost for the road portion so far is approximately \$744,000 and we anticipate getting reimbursed \$689,048 or 92% of that amount as the grant requires an eight percent match. Some irrigation water shares were transferred to the city in lieu of the developer paying water dedication payments. The water dedication payment is \$5,000 so we value the shares at \$5,000 each. We did not receive cash; we received an irrigation share in the Richmond Power & Irrigation system.

**MAYOR:** The generator for the Cherry Peak well was paid for with ARPA funds?

**JUSTIN:** Yes.

**MAYOR:** What is remaining on the 400 West road project?

**WESTON:** To finish the landscaping and driveway at the Mike Harris residence. He requested we not finish the project until springtime.

**MAYOR:** Will we get another reimbursement?

**JUSTIN:** This project will finish in the spring and we will file one final reimbursement request before June 30<sup>th</sup>. In January, we will amend the budget where we are at the halfway point of the fiscal year. Next week the conversion to .gov email accounts will start. We will all transition to @richmondutah.gov email addresses and the website will be changed from [www.richmondutah.org](http://www.richmondutah.org) to [www.richmondutah.gov](http://www.richmondutah.gov). This change is being made because of a government mandate.

**WESTON:** We are still working on the wastewater master plan. The culinary water master plan is being worked on as some modeling is being done right now. We are looking at adding some new pressure zones and some other options. I am also working with Holly on a couple of subdivision reviews.

#### COUNCIL MEMBER AND MAYOR REPORTS

**LYLE:** The sewer master plan is being finished up. It is over 200 pages in length.

**AMBER:** I informed the DUP (Daughters of Utah Pioneers) about receiving the \$5,000 grant for the Relief Society building roof project. The DUP thanked us for our support in preserving the building. The tarp will help until the new roof can be completed. The DUP has really stepped up and been involved lately. The Park Bench did a soap class and it was so successful they are going to do a second one. There were only three weeks in November for Park Bench lunches due to Thanksgiving. There were 109 lunches served with 20 to-go lunches made. I delivered some of them. There were 837 food pantry items distributed. Thanksgiving bags were created for some of the members who live alone. There were 23 volunteer hours. There is always a need for volunteers in the kitchen. Eighty food bags were distributed. We have some members who live outside of the community and they want to live here now because they feel included. The Jingle & Joy Market was a success. There were 16 vendors. The event was held on a Saturday from 10am to 7pm. There was a steady flow of traffic all day. The seniors had a booth and sold some items. All of the food the youth council prepared sold out. The Holiday Festival was held last week and there were a lot of community members who attended it who don't regularly attend city events.

**MAYOR:** There have been a lot of recent improvements to the community building as well. It was recently painted.

**AMBER:** The bench along the north wall had to be removed because the wood underneath was rotting.

**HOLLY:** The south side bench is still there.

**AMBER:** It was also nice to see the theatre utilized for this event.

**JOEL:** Lyle attended the planning commission meeting in my behalf this month.

**LYLE:** It was a super long meeting with only one agenda item.

**JOEL:** It took them a few hours to get things they wanted done.

**LYLE:** They added a bonus density section to the proposed multi-family ordinance. Cache Christensen did a presentation that took a long time but was very informative.

**JOEL:** Karrie Ann works for the food pantry. Every Wednesday she goes to the Logan food pantry to pick up items and bring them back here. On Thursday she gets to distribute them. She loves it. The seniors make her feel valued. The Park Bench is a great thing the city has done for young and old. The Holiday Festival was a great event to bring the entire city together. It is one of the reasons we live here. Thank you to all who made it happen.

**BRYCE:** The youth council was involved in the Jingle & Joy Market as well as the Holiday Festival. They did well in their fundraising. They had good participation. They are getting more kids to each event. The kids are taking more responsibility. If any of you see Kassy, we need to thank her. She is doing an amazing job. It is unreal what she does

for The Park Bench, as a crossing guard and for the youth council. She is a great leader. The festival was great. The concert was good. The city only had to pay about 25% of the normal cost of the concert.

**DARYL:** I enjoyed the Holiday Festival. I appreciate everyone who helped out. It was an excellent night and the weather was perfect. The irrigation company is receiving a lot of complaints about the midyear invoices they sent out. The system is aging. People need to expect these types of bills on an aging system.

**PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING ORDINANCE 2024-16, AN ORDINANCE AMENDING THE RICHMOND CITY MUNICIPAL CODE, TITLE 1-000 "GENERAL PROVISIONS", CHAPTER 1-300 "PUNISHMENTS", ADDING IN ITS ENTIRETY PART 1-324 "DEFAULT FINE SCHEDULE".**

**JUSTIN:** There has been some confusion for the sheriff's office regarding the city code and the bail schedule associated with certain misdemeanors or infractions. The sheriff's office has not been able to cite anyone because they said they cannot find a bail schedule in our code to use. We talked to legal counsel, both the prosecutor and our regular attorney and they said we could do a simple new section in the code where it would be a catch all for sections that do not have a specific bail schedule listed. Legal counsel drafted the proposed Ordinance. For example, there is a bail schedule listed for dogs so it applies to that section of the code. There is not a bail schedule listed for noise control or winter parking so the proposed Ordinance would be the bail schedule for those types of items from what I was told by legal counsel. Misdemeanors and infractions are listed separately in the Ordinance with different amounts. Infractions would be \$25 for a first offense, \$50 for a second offense and \$100 for a third offense. The intent is to not really hurt someone financially but make them comply with the code if they aren't and have been previously warned. The intent is for this Ordinance to make the job of the sheriff's office easier.

**MAYOR:** Holly, please provide the background on this.

**HOLLY:** Melissa was the court clerk for many years. She has been working with our prosecutor, Kelly Smith, on this Ordinance. Legal counsel helped draft it. This Ordinance will help with enforcement in the future.

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

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

No Vote: None

*The public hearing opened at 6:51 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 Amber, seconded by Joel and the vote was unanimous.\*\*\*

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

No Vote: None

*The public hearing closed at 6:52 P.M.*

**DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 2024-16.**

**MAYOR:** We have a bail schedule for barking dogs. We have other items like RV's that are parked long term when it is not allowed and this Ordinance would apply to that where it does not have a specific bail schedule listed.

**DARYL:** Is \$25 even worth the time it takes to write the ticket and handle the ticket?

**MAYOR:** We need a mechanism to enforce the code.

**DARYL:** What are some examples of where this would apply?

**HOLLY:** Winter parking and the noise ordinance.

**AMBER:** What does our code say about dogs?

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**JUSTIN:** In Part 13-255 it is \$25 for the first offense, \$50 for the second offense, \$100 for the third offense, \$200 for the fourth offense and \$500 for the fifth offense.

**AMBER:** What happens if someone doesn't pay?

**JUSTIN:** Eventually a warrant would be issued from what I understand.

**MAYOR:** Once a citation is issued, they need to resolve it with the court.

**DARYL:** Twenty-five dollars is pretty cheap. How much of that do we get back?

**JUSTIN:** I don't have that information available.

**BRYCE:** How often does this happen in the code? Are we looking for reasons to cite people?

**JUSTIN:** There are several sections in the code where a bail schedule is not listed and rather than go section by section this Ordinance would be a catch all for all of those.

**HOLLY:** Right now, without a bail schedule a person cannot be cited. It is a continuous circle with some people. They keep breaking the code and won't stop because they are never cited. We are just trying to stop repeat offenders.

**JOEL:** What is the most common issue?

**HOLLY:** Barking dogs, noise from new construction outside of allowed hours, debris left on the road from construction, illegally parked vehicles, illegal connections to the sewer or water system, overnight parking on city streets and panhandling. Winter parking will be an issue as soon as it snows.

**JOEL:** I don't like this being open ended. I don't want the sheriff's office being code enforcers. I am for removing illegal trailers and illegal utility connections. I understand there is a need for enforcement on things like that. I would rather implement this section by section. Focus on the issues at hand and not make a blanket open-ended schedule.

**BRYCE:** I agree.

**HOLLY:** We have no guidance of how to proceed right now. We cannot help the residents who are experiencing issues without anything in the code.

**MAYOR:** We have a list of common occurrences.

**JOEL:** For example, I don't want someone who doesn't mow the weeds in their park strip being cited. There are things like that where a citation should not be issued.

**AMBER:** We have a contract with the sheriff's office. People have concerns. Why have a contract if they cannot enforce anything? We need to support the sheriff's office in doing their job. Rather than continually have to update each section of the code this would give us something to fall back on.

**HOLLY:** When we get complaints, we try and contact them twice about the issue before contacting the sheriff's office. We only want this bail schedule in place to help with habitual offenders.

**JOEL:** Do we have people who don't do anything when they are contacted about an issue?

**HOLLY:** Yes. They don't pay attention to the city staff on the first two offenses and then there is nothing the sheriff's office can do on their side in regard to enforcement when it keeps on continuing.

**BRYCE:** I think our sheriff's office contract is for safety related items such as dog bites. I don't want nuisance calls bogging them down. They should only enforce what is important.

**MAYOR:** How do you propose we do that? Have the sheriff's office come in and address this issue?

**BRYCE:** I think that is a great idea. We need to tell them to only address the important things.

**LYLE:** I understand we need some teeth in our code. What I don't want is when a person hates their neighbor and wants to punish them so they keep calling the city and sheriff's office. I don't know how we deal with both sides of this. We don't want to lose our neighborly feel. I am not sure how to resolve this.

**AMBER:** The protocol we are already doing is to try and educate people before the sheriff's office is called.

**JOEL:** The staff will change over time and there is no guarantee the new staff will contact people. I want the sheriff's office working on bad cases not code enforcement. I support them dealing with winter parking issues and dogs.

**AMBER:** How many sections of the code cannot be enforced?

**HOLLY:** I don't know but there are many.

**JOEL:** If the sheriff's office showed up at my house to issue a citation for mud on the road I would be upset and fight it. They should not be wasting their time on things like that.

**AMBER:** What about people who are illegally parked? We are putting the snowplow staff at risk when that happens.

**BRYCE:** I think we can look at this on a case-by-case basis and review it. The code can be updated where needed. It is always good to review and update the code over time.

**DARYL:** We have a winter parking ordinance now?

**HOLLY:** Yes, but there is not a bail schedule attached to it.

**DARYL:** I do have a concern about protecting our snowplow staff.

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**HOLLY:** We want them to be safe, especially where they are out in the early AM hours by themselves.

**AMBER:** I think you can adopt this and then look at the code case by case and change if needed.

**JOEL:** I don't think we should do that. I think we should just do it right the first time.

**JUSTIN:** If you are going to go section by section you will want to deny this ordinance as it does not apply on a section-by-section basis.

**DARYL:** This would be a fine schedule for existing code?

**JUSTIN:** Correct.

**JOEL:** I am opposed to it being open ended as written. I think we take the five hot top issues and address them individually rather than implement a blanket approval.

**AMBER:** How often are we calling the sheriff's office?

**HOLLY:** Very seldom right now because they cannot enforce anything.

**AMBER:** There is a need for this Ordinance.

**HOLLY:** We are not notifying them of many issues because there is nothing they can do. We want to value and respect people who are calling in the complaint as well and let the sheriff's office do their job when needed.

\*\*\*A motion to adopt Ordinance 2024-16, an Ordinance amending the Richmond City Municipal Code, Title 1-000 "General Provisions", Chapter 1-300 "Punishments" and adding a Default Fine Schedule for Violations of the Richmond City Municipal Code was made by Daryl, seconded by Amber and the motion passed by a vote of 3-2.\*\*\*

Yes Vote: Bair, Ervin, Black

No Vote: Draxler, Wood

*The council meeting took a temporary recess at 7:19 P.M.*

*The council meeting was reconvened at 7:29 P.M.*

**CLOSED MEETING TO HOLD A STRATEGY SESSION TO DISCUSS A PROJECT PROPOSAL WHERE THE PUBLIC DISCUSSION WOULD PREVENT THE PUBLIC BODY FROM COMPLETING THE TRANSACTION ON THE BEST POSSIBLE TERMS. UTAH CODE ANNOTATED 52-4-205 (1) (D) (II).**

\*\*\*A motion to close the regular council meeting and open the closed meeting was made by Bryce, seconded by Joel and the vote was unanimous.\*\*\*

*The closed meeting opened at 7:29 P.M.*

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

No Vote: None

Those in attendance: Mayor Erickson, Lyle Bair, Amber Ervin, Joel Draxler, Bryce Wood, Daryl Black, Justin Lewis, HollyJo Karren, Weston Bellon, Katie Reams, Shane Lewis, Bryan Tolbert, Tucker Thatcher, Mike Hall, Jeff Young, Brad Jensen and Kip Panter.

\*\*\*A motion to take a temporary recess from the closed meeting was made by Bryce, seconded by Joel and the vote was unanimous.\*\*\*

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

No Vote: None

*The closed meeting took a temporary recess at 8:58 P.M.*

\*\*\*A motion to reopen the closed meeting after the temporary recess was made by Bryce, seconded by Joel and the vote was unanimous.\*\*\*

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

No Vote: None

*The closed meeting was reconvened at 9:03 P.M.*

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

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

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

No Vote: None

*The closed meeting was closed at 9:32 P.M.*

\*\*\*A motion to adjourn was made by Bryce, seconded by Lyle, and the vote was unanimous.\*\*\*

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

No Vote: None

Adjournment at 9:33 P.M.

**RICHMOND CITY CORPORATION**

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Paul J. Erickson, Mayor

**ATTEST:**

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Justin B. Lewis, City Recorder