

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD AUGUST 16, 2007 AT THE CIVIC CENTER, 83 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 p.m.

CONDUCTING: Mayor Pro-Tempore Douglas L. Stipes

ROLL CALL: Councilmembers Paul C. James, Stephanie Miller, Craig L. Rasmussen, and Douglas L. Stipes present.

EXCUSED: Mayor W. Dean Howard, and Councilmember Martin L. Felix

CALL TO ORDER: There being four members present and four members representing a quorum, Mayor Pro-Tempore Stipes called the meeting to order.

OTHERS PRESENT: City Administrator D. Brent Jensen, Zoning Administrator Ron Salvesen and seven citizens. City Recorder Stephanie Fricke recorded the minutes.

WELCOME: Mayor Pro-Tempore Stipes welcomed everyone in attendance and invited audience participation.

PLEDGE OF ALLEGIANCE: Mayor Pro-Tempore Stipes led the governing body and the citizens in the Pledge of Allegiance.

INVOCATION: City Administrator D. Brent Jensen

MINUTES:

The minutes of July 19, 2007 were approved as written.

ACTION Councilmember James made a motion to approve the minutes of July 19, 2007 as written. Councilmember Rasmussen seconded the motion and all four councilmembers present voted aye.

AGENDA ADOPTION: A copy of the notice and agenda for this meeting was faxed to The Herald Journal, mailed to each member of the governing body, and posted at the Civic Center more than forty-eight hours before meeting time.

Mayor Pro-Tempore Stipes said developer Zach Clyde is not ready to present the Preliminary Plat for Rolling Hills Subdivision Phases II through V. He recommended removing item "8.B. Zach Clyde, Rolling Hills Subdivision - To request preliminary plat approval for Rolling Hills Subdivision Phases II through V located at approximately 450 East between 400 and 600 South." from the City Council agenda.

ACTION Councilmember Rasmussen made a motion to approve the

agenda with the above amendment. Councilmember Miller seconded the motion and all four councilmembers present voted aye.

AGENDA

8. SCHEDULED DELEGATIONS:
- A. Demar Hansen, Wasatch View Subdivision Phase V - To request final plat approval for Wasatch View Subdivision Phase V located at approximately 200 South 1400 East.
 - B. ~~Zach Clyde, Rolling Hills Subdivision~~ - ~~To request preliminary plat approval for Rolling Hills Subdivision Phases II through V located at approximately 450 East between 400 and 600 South.~~
9. INTRODUCTION AND ADOPTION OF ORDINANCES:
- A. Ordinance 07-10 - An ordinance amending the Municipal Zoning Map and annexing certain real property and extending the Corporate Limits of Hyrum City, Utah (Savage/Poppleton Property). *Second Reading*
 - B. Ordinance 07-12 - An ordinance amending Title 17 (the Zoning Ordinance) of the Hyrum City Municipal Code with multiple revisions pertaining to the approval of Hyrum City's General Plan. *Second Reading*
10. OTHER BUSINESS:
- A. Acceptance of Southridge Acres Phase 3 Subdivision.
 - B. Appointment to the Senior Center Board.
 - C. Award of bid for Main Street Sidewalk Project.
 - D. Mayor and City Council reports.

SCHEDULED DELEGATIONS:

DEMAR HANSEN, WASATCH VIEW SUBDIVISION PHASE V - TO REQUEST FINAL PLAT APPROVAL FOR WASATCH VIEW SUBDIVISION PHASE V LOCATED AT APPROXIMATELY 200 SOUTH 1400 EAST.

Demar Hansen said there are only a few lots remaining in Wasatch Phase IV. In order to have lots ready for houses this coming spring he needs to get started on Phase V.

Zoning Administrator Ron Salvesen said the City Engineer and City Staff has reviewed the plat and is recommending the City Council approve the final plat for Phase V of Wasatch View Subdivision.

ACTION Councilmember Rasmussen made a motion to approve the final plat and construction drawings for Wasatch View Subdivision Phase V. Councilmember James seconded the motion and all four councilmembers present voted aye.

INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

ORDINANCE 07-10 - AN ORDINANCE AMENDING THE MUNICIPAL ZONING MAP AND ANNEXING CERTAIN REAL PROPERTY AND EXTENDING THE CORPORATE LIMITS OF HYRUM CITY, UTAH (SAVAGE/POPPLETON PROPERTY). SECOND READING

Leon Savage said he has provided Hyrum City with a letter from the Bureau of Reclamation regarding the Little Feeder Ditch Irrigation Shares. It acknowledges the descriptions of the water rights and contracts as being fairly accurate. It ~~emphasizes~~ emphasizes that the yield of Hyrum Irrigation Company shares and the Wellsville East Field Canal shares would depend on several factors outside of Reclamation's Hyrum Project.

AMENDED
09-20-07

ACTION

Councilmember James made a motion to adopt Ordinance 07-10 amending the Municipal Zoning Map and annexing certain real property and extending the Corporate Limits of Hyrum City, Utah (Savage/Poppleton Property). Councilmember Miller seconded the motion and all four councilmembers present voted aye.

ORDINANCE 07-12 - AN ORDINANCE AMENDING TITLE 17 (THE ZONING ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE WITH MULTIPLE REVISIONS PERTAINING TO THE APPROVAL OF HYRUM CITY'S GENERAL PLAN. SECOND READING

Mayor Pro-Tempore Stipes said the Planning Commission is recommending approval of Ordinance 07-12 with the following conditions: 1) Minimum frontage requirement of 82 ½ feet shall be allowed in future mini-subdivisions for lots currently existing in zones R-1, R-2, R-3 and R-4; 2) City staff address legality issues to exclude adolescents and sex offenders treatment facilities; 3) Rename Residential Zone R-1-40 to Residential Zone R-5; 4) Commercial Zone C-1, Manufacturing M-1, M-2, and PT need a landscaping plan added as follows: Landscaping - A well planned landscaping design and appropriate maintenance plan is required; 5) Under the heading, movement of structures throughout out entire document, delete "This restriction does not apply to trailers or mobile homes placed within an approved mobile home park."; 6) Commercial Zone C-1, Manufacturing M-1, M-2 and PT need a lighting plan added as follows: Lighting Plan - Copy Commercial Zone C-2 lighting plan striking out "No Cobra-style light standards are allowed."; and 7) Delete 17.40.110 - Landscaping. There has also been discussion about excluding the Rural Agricultural Zone from this ordinance until the Planning Commission has a chance to further review it. He suggested the City Council address the Planning Commission's recommendations individually.

Councilmember Rasmussen said Hyrum City recently updated its General Plan. The General Plan addresses residents wanting a rural atmosphere in Hyrum. Part of a rural atmosphere means

preserving open space throughout the original blocks in Hyrum. If all of the lots in the original part of Hyrum end up being 82½' it will change the rural feel of Hyrum significantly.

Councilmember James said the Planning Commission voted unanimously to keep the frontage at 82½' for lots in the original part of Hyrum.

Zoning Administrator Ron Salvesen said he has spoken with several property owners that have lots large enough to divide with 82 ½' of frontages but will not be able to divide if the frontage is changed to 100'. These people are very much against changing the frontage requirements and are concerned about the financial impact it will have on them since they will not be able to subdivide their property.

ACTION Councilmember Rasmussen made a motion to not accept the Planning Commission's recommendation to keep the frontage for the original platted blocks at 82 ½'. The motion failed due to a lack of a second.

ACTION Councilmember James made a motion to accept the Planning Commission's recommendation to keep the frontage for the original platted blocks at 82 ½'. Councilmember Miller seconded the motion and Councilmembers James, Miller, and Stipes voted aye and Councilmember Rasmussen voted nay. The motion passed.

Zoning Administrator Ron Salvesen said he is waiting for a legal opinion from Hyrum City's attorney and Utah Local Government Trust Attorney David Church regarding the legality issues of excluding adolescents and sex offenders treatment facilities.

ACTION Councilmember Rasmussen made a motion to accept the Planning Commission's recommendation to rename the Residential Zone R-1-40 to Residential Zone R-5. Councilmember Miller seconded the motion and all four Councilmembers present voted aye.

ACTION Councilmember Miller made a motion to accept the Planning Commission's recommendation for the Commercial Zone C-1 and C-2, Manufacturing M-1, M-2, and PT to include a landscaping plan added as follows: Landscaping - A well planned landscaping design and appropriate maintenance plan is required. Councilmember Rasmussen seconded the motion and all four Councilmembers present voted aye.

ACTION Councilmember James made a motion to accept the Planning Commission's recommendation under the heading,

movement of structures throughout out entire document, delete "This restriction does not apply to trailers or mobile homes placed within an approved mobile home park." Councilmember Miller seconded the motion and all four Councilmembers present voted aye.

ACTION Councilmember Miller made a motion to accept the Planning Commission's recommendation for the Commercial Zone C-1, Manufacturing M-1, M-2 and PT to include a lighting plan added as follows: Lighting Plan - Copy Commercial Zone C-2 lighting plan striking out "No Cobra-style light standards are allowed." Councilmember Rasmussen seconded the motion and all four Councilmembers present voted aye.

ACTION Councilmember Rasmussen made a motion to accept the Planning Commission's recommendation to delete 17.40.110-Landscaping. Councilmember James seconded the motion and all four Councilmembers present voted aye.

ACTION Councilmember James made a motion to remove mink as a conditional use. Councilmember Miller seconded the motion and all four Councilmembers present voted aye.

ACTION Councilmember James made a motion to adopt Ordinance 07-12 amending Title 17 the Zoning Ordinance of the Hyrum City Municipal Code with the following amendments: 1) Minimum frontage requirement of 82 ½ feet shall be allowed in future mini-subdivisions for lots currently existing in zones R-1, R-2, R-3 and R-4; 2) City staff address legality issues to exclude adolescents and sex offenders treatment facilities; 3) Rename Residential Zone R-1-40 to Residential Zone R-5; 4) Commercial Zone C-1, Manufacturing M-1, M-2, and PT need a landscaping plan added as follows: Landscaping - A well planned landscaping design and appropriate maintenance plan is required; 5) Under the heading, movement of structures throughout out entire document, delete "This restriction does not apply to trailers or mobile homes placed within an approved mobile home park."; 6) Commercial Zone C-1, Manufacturing M-1, M-2 and PT need a lighting plan added as follows: Lighting Plan - Copy Commercial Zone C-2 lighting plan striking out "No Cobra-style light standards are allowed."; 7) Delete 17.40.110 - Landscaping; 8) Remove mink as a conditional use; and 9) Exclude the Rural Agricultural Zone until it has been readdressed by the Planning Commission. Councilmember Miller seconded the motion and all four councilmembers present voted aye.

OTHER BUSINESS:**ACCEPTANCE OF SOUTHRIDGE ACRES PHASE 3 SUBDIVISION.**

Mayor Pro-Tempore Stipes said Hyrum City's Engineer Craig Neeley has recommended that the improvements for Southridge Acres Phase 3 Subdivision be accepted by the City and that the two year durability period commence retroactively starting July 1, 2007. Durability obligations will remain in effect until June 30, 2009.

A final inspection will be completed prior to releasing the project from durability.

ACTION Councilmember Rasmussen made a motion for Hyrum City to accept the improvements for Southridge Acres Phase 3 and that the two year durability period remain in effect until June 30, 2009. Councilmember James seconded the motion and all four councilmembers present voted aye.

APPOINTMENT TO THE SENIOR CENTER BOARD.

ACTION Councilmember James made a motion to appoint Sharon Long to serve on the Hyrum Senior Center Board. Councilmember Miller seconded the motion and all four councilmembers present voted aye.

AWARD OF BID FOR MAIN STREET SIDEWALK PROJECT.

Mayor Pro-Tempore Stipes said Hyrum City received three bids to replace the sidewalk on Main Street between 200 West and 400 West:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Bailey Construction	\$42,000.00
Evans Concrete	\$39,207.50
<i>Terry Bingham Construction</i>	<i>\$37,850.00</i>

ACTION Councilmember James made a motion to award the replacement of sidewalk on Main Street between 200 West and 400 West to Terry Bingham Construction for \$37,850.00. Councilmember Miller seconded the motion and all four councilmembers present voted aye.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Miller said Hyrum City's Fair Booth won the Sweepstakes award at the Cache County Fair and it will represent Cache County at the State Fair in September. Stephanie Carlson does an amazing job with the City's fair booth, however, she has said this will be her last year and the City will need to find

someone else to do it next year.

Councilmember James thanked everyone that helped with the National Night Out Against Crime. There were over 550 people that attended this event.

ADJOURNMENT:

ACTION **There being no further business before the Council, the Council Meeting adjourned at 7:30 p.m.**

W. Dean Howard
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: September 20, 2007
 As written