

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD FEBRUARY 20, 2020, AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 P.M.

CONDUCTING: Mayor Stephanie Miller

ROLL CALL: Councilmembers Steve Adams, Jared Clawson, Paul C. James, Vicky McCombs, and Craig L. Rasmussen.

CALL TO ORDER: There being five members present and five members representing a quorum, Mayor Miller called the meeting to order.

OTHERS PRESENT: City Administrator Ron Salvesen, Zoning Administrator Matt Holmes, and 36 citizens. City Recorder Stephanie Fricke recorded the minutes.

WELCOME: Mayor Miller welcomed everyone in attendance and invited audience participation.

PLEDGE OF ALLEGIANCE: Councilmember Rasmussen led the governing body and the citizens in the Pledge of Allegiance.

INVOCATION: Councilmember Adams

APPROVAL OF MINUTES:

The minutes of January 16, 2020 were approved as written.

ACTION Councilmember James made a motion to approve the minutes of a regular meeting held on January 16, 2020 as written. Councilmember McCombs seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

AGENDA ADOPTION: A copy of the notice and agenda for this meeting was emailed to The Herald Journal, posted on the Utah Public Notice Website and Hyrum City's Website, provided to each member of the governing body, and posted at the City Offices more than forty-eight hours before meeting time.

ACTION Councilmember Clawson made a motion to approve the agenda for February 20, 2020 as written. Councilmember James seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

AGENDA

9. SCHEDULED DELEGATIONS:

- A. Jessica Nelson - To request approval of a Home Occupation Business License at 540 South 770 East for makeup artistry.
- B. Alex Nielson- To request approval of a Home Occupation Business License at 535 West 300 North for automobile repair and sales.
- C. Carston Smith, Mountain Crest High School - To request free rental of the Elite Hall for an FFA dance.
- D. JayDee Gunnell, USU Extension Office - To discuss implementing a community garden in Hyrum City
- E. Dan Larsen, Kartchner Homes - To request Concept Plan approval of Auburn Hills Phase 7 a Planned Unit Development for 58 homes on 14.91 acres located at approximately Highway 165 to 600 East between 600 South and 700 South.

10. OTHER BUSINESS:

- A. Discussion with Millville City and Nibley City regarding wastewater treatment options with Hyrum City and entering into a combined community rate study for wastewater treatment.
- B. Discussion of electric utility equipment and expansion of system.
- C. Mayor and City Council reports.

11. ADJOURNMENT

PUBLIC COMMENT:

Mayor Miller said if a citizen has a question or would like to make a comment to please keep it under three minutes.

Tracy Peterson said she is concerned about the density and lot sizes being proposed in Auburn Hills Phase 7. Hyrum City is growing so quickly that it concerns her that the City may not be getting the type of development right. There is only so much land and once its gone there is nothing that can be done to provide the type or quality of housing Hyrum needs. She doesn't love or care for the type development going on in Hyrum. The City Council was elected to represent the citizens of Hyrum and she doesn't feel like the current residents are being represented. High density housing is needed but not all over Hyrum and not at the quantities it is being approved. She wants to be proud of living in Hyrum and she wants Hyrum to be a place where people live and retire, but the type of housing Hyrum is starting to provide isn't creating

sustainable neighborhoods. Development is going to happen and it needs to happen but she hopes the representatives of the City uses their best judgement and that development happens responsibly.

Pat Brimhall said she lives in Hyrum and growth is vital but it also needs to be done responsibly. Hyrum City is quickly becoming a City of high density and small lots. Many people moved to Hyrum for its rural atmosphere and our disappointed to see it changing so rapidly. The type of development Hyrum is getting will change Hyrum and it will be changed forever.

Suzanne Folghan said she bought a home in Auburn Hills last year and she understands that in order to provide people a place to live that high density housing is necessary. She has lived in a neighborhood like what is being proposed tonight and she would rather have higher density with a park than the same type of density with no park. There needs to be areas for first time home buyers and lower income families so they too can have a place of their own.

Jana Bushman said she moved to Hyrum fifteen years ago and before they bought their home, she researched Hyrum City's General Plan and the zoning of the property around the home she was interested in purchasing before buying it. Hyrum City's General Plan stated the southside of Hyrum to be more rural with larger lots. However, a few years ago the City changed its lot size too even smaller lots and this was approved for all areas of Hyrum. It wasn't what she had planned for when purchasing her house but they lived with it. Now with the proposed density she feels betrayed by the City and doesn't understand why the City isn't following its General Plan.

Clinton Buchanan said he owns a home in Auburn Hills and he is in favor of the higher density with the condition that a park is put in. He prefers to have a park in his neighborhood and some open space. There is not a park close by to this development and this subdivision will have a lot of young families with young children. Once all the houses are built there will be a huge demand for a park. The lots are smaller in this area and the kids will need some place to play. He doesn't want the City to miss out on an opportunity to have some open space and park in this neighborhood. He suggested the City Council plan for and require parks in all areas of Hyrum before development occurs. Parks are a benefit to developers, home buyers, residents, and the City.

Tyla Darley said she lives in Hyrum and is a realtor. A park in

any area with high density is absolutely necessary but a park is also necessary in areas with the smaller lot size's Hyrum allows. She is not in favor of allowing higher density in Auburn Hills for the small park that is being proposed. The park should have been required without the higher density being proposed. As a realtor she sees the turnover in Hyrum and some of its neighborhoods. High density housing and starter homes will have a greater turnover rate compared to areas with middle income homes. She doesn't want Hyrum to continue to approve subdivisions that will result in constant change over type of the neighborhood. A park will not help the turnover in Auburn Hills with the proposed trade of higher density. Hyrum City has several parks on the east side including Pride Park, East Park, Soccer Fields, and Blacksmith Park. Parks are expensive to maintain and even though a developer is proposing paying to build the park the City will have to pay to maintain it.

Michael Nelson said he moved to Hyrum a few years ago and he is not in favor of the proposed changes to Auburn Hills. He has spent over a week reviewing Hyrum City's Code, Hyrum City's General Plan, and the plans for Auburn Hills. Auburn Hills has over 224 incidents that either do not comply with Code or are not consistent with the General Plan. There are so many problems with the proposed development that he doesn't understand how this could have been presented and possibly approved. The City needs to review developers plans to ensure it meets Hyrum City's Code and Hyrum City's General Plan. He doesn't know how this plan was ever approved to go before the Planning Commission or City Council. He suggested the City further review it before making any decisions.

Abby Bushman said there are people that say the rising generation doesn't want large lots and they want to live in areas with no maintenance and that is simply not true. Smaller lots with no grass areas are the only thing being offered so that is why there is a demand. She is younger and she doesn't want to move into a home without space and a yard. She spent her childhood playing in open space and creating adventures outside. She doesn't want Hyrum City to lose its rural feel and turn into a high density housing area for everyone in the Valley.

Mike Stauffer said he has lived in Hyrum all his life and he is opposed to the type of development being proposed in Auburn Hills. He is opposed to having compressed housing areas all over Hyrum. Small lots and higher density housing don't create a neighborhood feel. Hyrum needs to be careful in allowing too many of these types of transitional housing areas. He understands why a developer would propose and want higher density and smaller lots

because it adds profitability to the developer, however, it is the City's responsibility to manage growth and to do what is best for its residents not to ensure the developer makes a profit.

Dennis Ostermiller said he served on the Planning Commission for many years and was on the Planning Commission when Wapiti Bluff Estates was approved. The City made a lot of concessions for the developer: smaller lots, small frontages, narrow roads, no sidewalks, etc. in exchange for a common area. The developer also told the City this would be a senior housing area and showed pictures of heavily landscaped lots, a beautiful park, higher end homes, etc. However, the promises the developer made never were kept and there are problems all over in Wapiti because of a development that probably shouldn't have been approved because there were so many variances from the normal code given to the developer since it was a PUD. The type of development being proposed isn't a good fit for Hyrum and he understands there is a need for a park but that should have been required in the beginning by the City. The park that is being proposed is so small that it isn't worth the concessions the developer is asking for. This isn't a good plan and he hopes the City Council doesn't approve this plan.

Amy Coke said she moved to Hyrum five years ago from Nibley. She moved here because Nibley was developing so quickly and it was horrible to watch. There were things that shouldn't have been approved but were approved because the City didn't know any better. She loves Hyrum's small town feel and understands growth has to happen but at what cost to the City's current residents who have invested their money and life into Hyrum. Hyrum is creating a lot of first time homeowner neighborhoods and these people will move in and out quickly. Hyrum needs to focus on what its residents want and that is traditional neighborhoods and lots.

Alice Ostermiller said as she looks around the room she sees people from various areas of Hyrum, at various ages and stages of life and these people have taken time to come here tonight to express their concerns about the City's ordinance and growth. The things said tonight should not be ignored. She is sympathetic to housing needs but the City shouldn't make mistakes. It should have a greater vision in mind for the type of growth it wants in Hyrum. There are backyards that face the highways throughout Hyrum and it is not inviting to look at. She is concerned about Auburn Hills and the density. A park should have been planned for in the beginning, and now the developer wants even higher density and he will build a park. The park being proposed isn't big enough to

serve the needs of the residents in this area and is not worth increasing the density.

Greg Richman said the developer is putting in enough homes in that area and should already be required to build a park. Hyrum City doesn't need further high density housing. He has friends who live in the north part of Cache Valley and they talk badly about Hyrum and call it the armpit of the Valley. Hyrum City needs to work on creating neighborhoods where people want to live and that will better Hyrum. He doesn't want people to continue to talk about Hyrum badly. He is proud to live in Hyrum and Hyrum has a lot to offer.

There being no further public comment, Mayor Miller moved to the next agenda item.

SCHEDULED DELEGATIONS:

JESSICA NELSON - TO REQUEST APPROVAL OF A HOME OCCUPATION BUSINESS LICENSE AT 540 SOUTH 770 EAST FOR MAKEUP ARTISTRY.

Jessica Nielsen said she wants to do makeup artistry in her home at 540 South 770 East. She would never have more than one client at her home since she can only apply makeup one person at a time. She has room in her driveway for her clients to park.

ACTION

Councilmember Clawson made a motion to approve a Home Occupation Business License at 540 South 700 East for makeup artistry. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye the motion passed.

ALEX NIELSON- TO REQUEST APPROVAL OF A HOME OCCUPATION BUSINESS LICENSE AT 535 WEST 300 NORTH FOR AUTOMOBILE REPAIR AND SALES.

Alex Nielson said he wants a Home Occupation Business License at 535 West 300 North for automobile repair and sales. He needs a business license in order to purchase vehicles at an auction. He is planning on rebuilding salvaged cars and then putting them up for sale after. He will not repair the vehicles at his home nor will he have more than one car at his house for sale at a time. There will be no storage of vehicles or parts on the property. All car repair and autobody work be done off site.

ACTION

Councilmember Rasmussen made a motion to approve a Home Occupation Business License at 535 West 300 North for an

office for an automobile repair and sales business with the following conditions: 1. The application be amended and refiled to state that the license is only for an office and all repair and autobody work will be conducted off site; 2. Only one repaired car will be on the property at a time; and 3. Car needing repaired can only be located on the property for a maximum of two weeks until it can be transported to repair shop. Councilmember McCombs seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye the motion passed.

CARSTON SMITH, MOUNTAIN CREST HIGH SCHOOL - TO REQUEST FREE RENTAL OF THE ELITE HALL FOR AN FFA DANCE.

Carston Smith was not in attendance, this item was not discussed.

JAYDEE GUNNELL, USU EXTENSION OFFICE - TO DISCUSS IMPLEMENTING A COMMUNITY GARDEN IN HYRUM CITY.

Feliz Winger said Jaydee Gunnell was not able to be in attendance and asked her to attend instead. She is a student in the Master Gardner Program and Utah State University. In order to get a certificate each student has to volunteer so many hours working in gardens. She is a resident of Hyrum and she is hoping Hyrum City would be willing to provide a location for a Community Garden. The students in the Master Gardner Program could do all of the set-up work and it would be ready for the residents of Hyrum to use. Hyrum City could charge a small fee for garden space if necessary. Community gardens are a great way for people with small lots to still provide food for themselves. Hyrum City could also plant fruit trees around the City that residents could pick, eat, and preserve.

Councilmember Rasmussen said he has spoken with Jaydee Gunnell about the City providing a community garden in the Blacksmith Park. The City has a Master Plan for the park and a community garden is included in it. This is a great idea and he would like to invite Jaydee to attend the next City Council meeting to discuss his ideas.

DAN LARSEN, KARTCHNER HOMES - TO REQUEST CONCEPT PLAN APPROVAL OF AUBURN HILLS PHASE 7 A PLANNED UNIT DEVELOPMENT FOR 58 HOMES ON 14.91 ACRES LOCATED AT APPROXIMATELY HIGHWAY 165 TO 600 EAST BETWEEN 600 SOUTH AND 700 SOUTH.

Dan Larsen with Kartchner Homes said Kartchner Homes is the biggest developer and supplier of homes in Hyrum City. As a developer they are trying to find ways to preserve the rural feel of Hyrum and not use all of the ground around the City. Residential subdivisions do not create a rural feel regardless of the lot size it is the open space that is preserved that creates a rural environment. Larger lots come at a larger cost and Kartchner Homes wants to provide housing to anyone who wants to live in Hyrum and that includes affordable housing. There is a gap of a \$100,000 from the cost of a townhome to single family home. The smaller lots he is proposing would reduce that price gap and would provide a middle area for those moving from a townhome and yet can't afford a single family home. The price of frontage is a great cost to the developer. The narrower the lots the more affordable the lots are to develop. The City needs to decide if it wants to provide an opportunity for people moving out of townhome but still can't afford a single family home by approving these smaller lots. They aren't trying to make a bigger profit and that is why they are proposing building a park in the development. The park would provide people a place to relax and go with their children. People are saying this proposal is high density, he doesn't consider this high density. High density is not one home on a 5,000 square foot lot. This park would be a benefit to the City and the residents of this neighborhood. Currently the residents in this area are walking to Pride Park. Kartchner Homes can not afford to develop a park without concessions from the City.

ACTION

Councilmember Clawson made a motion to deny the Concept Plan for Auburn Hills Phase 3 a Planned Unit Development for 58 homes on 14.91 acres located at approximately Highway 165 to 600 East between 600 South and 700 South. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye the motion passed.

OTHER BUSINESS:

DISCUSSION WITH MILLVILLE CITY AND NIBLEY CITY REGARDING WASTEWATER TREATMENT OPTIONS WITH HYRUM CITY AND ENTERING INTO A COMBINED COMMUNITY RATE STUDY FOR WASTEWATER TREATMENT.

Nibley City Mayor Sean Dustin said Mayor Hair from Millville had to leave tonight's meeting that he had a prior engagement. For the past six years there have been ideas about forming a regional wastewater treatment plant. Originally it was Nibley, Providence

and Hyrum and now it is Millville, Nibley and Hyrum. To help move forward with this process he is recommending that we enter into an agreement to have a community rate study conducted to determine the feasibility of a regional wastewater treatment plant. A committee would be formed of two people from each City to review the study and make recommendations. He asked the City Council to consider this and to make a decision at a later date.

DISCUSSION OF ELECTRIC UTILITY EQUIPMENT AND EXPANSION OF SYSTEM.

Hyrum City Lineman Blake Ballard said he has been working with Electrical Superintendent Matt Draper regarding improvements to equipment and the expansion of the system to provide reliable electrical service and to continue to build power lines for new developments. The electric utility needs a lot of very expensive upgrades and has been neglected over the past few decades. There are serious electrical transmission issues that need to be addressed and improved and in order to make these improvements Hyrum City may have to consider charging impact fees; increasing connection fees; and reevaluating the costs charged to developers for installation of electrical lines. There is basic equipment that the electric utility needs such as a wire puller, bore machine, and a new lift truck. Hyrum City's lift truck is old and it is time to be replaced. There are expansion costs and replacement costs for transmission equipment that will cost the City a lot of money in the future. The City is growing and with growth comes a lot of line installation and once also it is critical to maintain the existing system, which hasn't been done at an adequate level. The Electric Department wants the City to be aware of the increasing costs and needs to the system so it can plan funding accordingly. He passed out a paper with the immediate and near future needs for the electric utility.

ACTION

Councilmember James made a motion to amend the current year budget to include \$39,500 for a wire puller. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye the motion passed.

Mayor Miller thanked Blake Ballard for his report and asked the City Council to consider these suggestions and remember them at budget time.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Rasmussen said the Museum is preparing for the Smithsonian Exhibit Water Works to come to the Hyrum Museum next year.

Mayor Miller said she is conducting a tour of City facilities with the Youth Council this Saturday.

Councilmember McCombs said the Hyrum Princess Pageant is on February 29 at the Senior Center.

Councilmember Clawson said Ridley's has offered to donate 10,000 filled eggs for the Easter Egg Hunt.

ADJOURNMENT:

ACTION **There being no further business before the City Council, the Council Meeting adjourned at 9:00 p.m.**

Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: March 5, 2020
As Written