

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD SEPTEMBER 19, 2019, AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 P.M.

CONDUCTING: Mayor Pro-Tempore Kathy Bingham

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

EXCUSED: Mayor Stephanie Miller

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

OTHERS PRESENT: City Administrator Ron Salvesen, and twelve citizens. City Recorder Stephanie Fricke recorded the minutes.

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

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

INVOCATION: Councilmember James

APPROVAL OF MINUTES:

ACTION

Councilmember James made a motion to approve the minutes of a regular meeting held on September 5, 2019 as written. Councilmember Clawson seconded the motion and Councilmembers Adams, Bingham, Clawson, James, 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 James made a motion to approve the agenda for September 19, 2019 as written. Councilmember Clawson seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

AGENDA

9. PUBLIC HEARING:
 - A. To receive public comment in response to a petition filed by Cache County Corp., and LaGrand Johnson Construction Co., 84.108 acres more or less of real property, located at approximately 400 North to 600 North between Highway 165 and 1200 East.
10. SCHEDULED DELEGATIONS:
 - A. Derick Myers - To request a rezone of property from Commercial C-1 to Manufacturing M-1 at approximately 850 North 700 East TIN #03-063-0013 consisting of 5 acres.
 - B. Joe Darger, Green Haven Homes - To request preliminary plat approval for Scenic Mountain Estates a Planned Unit Development a 71 unit multi-family townhome complex and commercial lot at approximately 730 North 700 East.
 - C. Brandon Smith - To request site plan approval for an automobile repair shop and used car sales at 1655 Anvil Road in the Blacksmith Fork Industrial Park.
 - D. Cache County - To request site plan approval for a Road Department Facility at approximately 400 North 1000 East.
 - E. Ben Russell, Canyon Estates Subdivision - To discuss utility easements and connections.
11. OTHER BUSINESS:
 - A. Annexation agreements.
 - B. Mayor and City Council reports.
12. ADJOURNMENT

PUBLIC COMMENT:

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

There being no public comment, Mayor Pro-Tempore moved to the next agenda item.

PUBLIC HEARING:

TO RECEIVE PUBLIC COMMENT IN RESPONSE TO A PETITION FILED BY CACHE COUNTY CORP., AND LAGRANDE JOHNSON CONSTRUCTION CO., 84.108 ACRES MORE OR LESS OF REAL PROPERTY, LOCATED AT APPROXIMATELY 400 NORTH TO

600 NORTH BETWEEN HIGHWAY 165 AND 1200 EAST.

Mayor Pro Tempore Bingham said Hyrum City has received a petition from Cache County Corporation and LaGrande Johnson Construction regarding annexation of approximately 84.108 acres of real property located at approximately 400 North to 600 North between Highway 165 and 1200 East. She then asked for a motion to open the public hearing.

ACTION

Councilmember James made a motion to open the public hearing at 6:35 p.m. to receive public comment regarding an annexation petition filed by Cache County Corporation and LaGrande Johnson Construction regarding annexation of approximately 84.108 acres of real property located at approximately 400 North to 600 North between Highway 165 and 1200 East. Councilmember Clawson seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

Mayor Pro-Tempore Bingham asked for public comment, there being none she asked for a motion to close the public hearing.

ACTION

Councilmember James made a motion to close the public hearing at 6:36 p.m. to receive public comment regarding an annexation petition filed by Cache County Corporation and LaGrande Johnson Construction regarding annexation of approximately 84.108 acres of real property located at approximately 400 North to 600 North between Highway 165 and 1200 East. Councilmember Clawson seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

SCHEDULED DELEGATIONS:

DERICK MYERS - TO REQUEST A REZONE OF PROPERTY FROM COMMERCIAL C-1 TO MANUFACTURING M-1 AT APPROXIMATELY 850 NORTH 700 EAST TIN #03-063-0013 CONSISTING OF 5 ACRES.

Mayor Pro-Tempore Bingham said the Planning Commission held a public hearing to consider rezoning the property at 850 North 700 East from Commercial C-1 to Manufacturing M-1 on September 12, 2019. The Planning Commission is recommending approval of the rezone.

Derick Myers said he is the property manager for Armor Storage who owns this property. The owners Doug and Sandra Heiner purchased this property during the annexation process and was not able to

change the zoning that was originally requested. They want the property rezoned so they can build additional storage units.

The City Council discussed the issue and asked for an ordinance to be presented at the next City Council Meeting to rezone the property from Commercial C-1 to Manufacturing M-1.

JOE DARGER, GREEN HAVEN HOMES - TO REQUEST PRELIMINARY PLAT APPROVAL FOR SCENIC MOUNTAIN ESTATES A PLANNED UNIT DEVELOPMENT A 71 UNIT MULTI-FAMILY TOWNHOME COMPLEX AND COMMERCIAL LOT AT APPROXIMATELY 730 NORTH 700 EAST.

Councilmember Rasmussen declared a conflict of interest since he is the engineer of this project and will be representing Green Haven Homes for this agenda item. Councilmember Rasmussen secluded himself from the City Council and sat as a member of the audience.

Mayor Pro-Tempore Bingham said the Planning Commission has reviewed the Preliminary Plat for Scenic Mountain Estates a Planned Unit Development a 71 unit multi-family townhome complex and commercial lot at approximately 730 North 700 East and is recommending approval with the following conditions: 1. An agreement be reached for stormwater with the Canal Company; 2. The HOA have a plan for managing garbage cans in the development; 3. No curb and gutter required for 650 East Road behind storage units; and 4. Striping and signage be added to 600 East near the 700 North intersection to help alert traffic of new intersection layout.

Craig Rasmussen said he is the project engineer and the west end has a higher ground water table which will require the storm water retention basin to be built above grade.

ACTION

Councilmember James made a motion to approve the preliminary plat for Scenic Mountain Estates a Planned Unit Development a 71 unit multi-family townhome complex and commercial lot at approximately 730 North 700 East and is recommending approval with the following conditions: 1. An agreement be reached for stormwater with the Canal Company; 2. The HOA have a plan for managing garbage cans in the development; 3. No curb and gutter required for 650 East Road behind storage units; 4. Striping and signage be added to 600 East near the 700 North intersection to help alert traffic of new intersection layout; and 5. The City Engineer's recommendations are made. Councilmember Adams seconded the motion and Councilmembers Adams, Bingham, Clawson,

and James voted aye. The motion passed.

BRANDON SMITH - TO REQUEST SITE PLAN APPROVAL FOR AN AUTOMOBILE REPAIR SHOP AND USED CAR SALES AT 1655 ANVIL ROAD IN THE BLACKSMITH FORK INDUSTRIAL PARK.

Mayor Pro-Tempore Bingham said the Planning Commission is recommending approval of the site plan for an automobile repair shop and used car sales at 1655 Anvil Road in the Blacksmith Fork Industrial Park with the following conditions: 1. A landscape and maintenance plan be submitted and approved by City Staff; 2. Appropriate parking area be expanded as car sales increase and additional area is necessary for cars to be parked on; and 3. Future fencing be required for any outside storage.

Brandon Smith said he wants to repair cars and then once they are fixed he will sell the cars at this location. His building will meet all fire and building codes. He submitted a landscaping plan and said he wants to keep an area undeveloped for future expansion. He is hoping to be able to become an impound yard. He will have a clean and orderly lot for his car sales. He will not have vehicles just sitting there like a junkyard.

Councilmember Rasmussen said he is concerned about the lot becoming overcrowded with nonrunning vehicles.

Brandon Smith said he would be willing to move each vehicle once a month so that they are not in the same place and there wouldn't be storage of cars that didn't run sitting in his yard for over a month.

ACTION

Councilmember Rasmussen made a motion to approve the Site Plan for an automobile repair shop and used car sales at 1655 Anvil Road in the Blacksmith Fork Industrial Park with the following conditions: 1. Fence be installed prior to being used as an impound yard or for any outside storage; 2. All weather surface area be installed to access impound yard; 3. Vehicles for sale or waiting to be repaired be stored on an all weather durable surface area in an orderly manner and as the number of car sales increase and additional space is necessary then the durable surface area be increased; and 4. The parking strip between road and sidewalk be landscaped with grass along the entire frontage of the lot. Councilmember James seconded the motion and

Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

CACHE COUNTY - TO REQUEST SITE PLAN APPROVAL FOR A ROAD DEPARTMENT FACILITY AT APPROXIMATELY 400 NORTH 1000 EAST.

Mayor Pro-Tempore Bingham said the Planning Commission is recommending approval of the site plan for a road department facility at approximately 400 North 1000 East with the condition that approval is based upon completion of annexation.

Zan Murray with JUB Engineering said he is the engineer for this project and Cache County wants to build a maintenance shop and an administrative building at 400 North 1000 East. He has been working with Kilgore (LaGrande Johnson Construction) on sharing an access and road with them. There will be two roads that access the facility the north will be the employee access and the south road will be for equipment.

Councilmember James said he is concerned about the speed limit on Highway 165 adjacent to the entrance to this property. He has safety concerns about trucks trying to turn left on a hill. People will not be able to get a good view of traffic and the speed is higher there which could create an accident. He recommended the County and City work together to petition UDOT to decrease the speed limit on that portion of the highway.

ACTION

Councilmember Adams made a motion to approve the site plan for the Cache County Road Department Facility at approximately 400 North 1000 East with the condition that approval is based upon completion of annexation. Councilmember Clawson seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

BEN RUSSELL, CANYON ESTATES SUBDIVISION - TO DISCUSS UTILITY EASEMENTS AND CONNECTIONS.

Ben Russell with Canyon Estates Subdivision said he has been working the property owners on the east side of Highway 165 to get easements for utility lines. Several property owner have expressed in exchange for the utility easement they would like a free connection to the water, sewer, and pressurized irrigation lines. He would be willing to stub the connections if the City would give them a free connection.

ACTION

Councilmember Rasmussen made a motion for the City to waive the impact fees for one culinary water connection, one pressurized irrigation connection, and one sewer connection for the following parcels of property #01-073-0015 Aldon & Michele Watkins, #01-074-0001 Don & Janice Clawson, #01-07-0003 JN Farms LLC, and #01-074-0017 Clifford & Chong Abbott. Parcel #01-074-0017 would have to be annexed into the City before a connection would be allowed to any utilities. The free connections are in exchange for the property owners giving Hyrum City a utility easement across his/her property. The developer will stub a connection to the sewer line only. The City is not waiving the water requirement of three acre feet per acre of ground for these properties. Before a culinary water or pressurized irrigation connection or stub is made into the main lines the property owner must submit water rights or shares equivalent to three acre feet of water per acre of ground. Councilmembers Clawson, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

OTHER BUSINESS:**ANNEXATION AGREEMENTS.**

City Recorder Stephanie Fricke said she has been working on annexation agreements for the Cache County Annexation and West Point Dairy Annexation. Both petitioners are in a hurry to finish the annexation process so they can start building before winter. She asked if the City Council would be okay with allowing her to give the residential property owners of the West Point Annexation their agreements. The agreements are the basic annexation agreements but do not require water to be turned in since the property owners already turned in irrigation shares when the pressurized irrigation system was built.

The City Council authorized her to write the annexation agreements and allow West Point Dairy to start getting signatures from the residential property owners.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Rasmussen said the Fall Harvest Festival at the Elite Hall was September 7 and it raised over \$800.

Councilmember Clawson said the library is having an adult book club with the Blacksmith Assisted Living Center.

Mayor Pro-Tempore Bingham said the parades are over for this year, and since she is not running for City Council again this year, the parades will be someone else's responsibility next year.

ADJOURNMENT:

ACTION **There being no further business before the City Council,
the Council Meeting adjourned at 8:10 p.m.**

Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: October 3, 2019