

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD SEPTEMBER 5, 2019, AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN, HYRUM, UTAH.

**CONVENED:** 6:30 P.M.

**CONDUCTING:** Mayor Stephanie Miller

**ROLL CALL:** Mayor Stephanie Miller, Councilmembers Steve Adams, Jared L. Clawson, and Craig L. Rasmussen.

**EXCUSED:** Councilmembers Kathleen Bingham and Paul C. James

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

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

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

**PLEDGE OF ALLEGIANCE:** City Administrator Ron Salvesen led the governing body and the citizens in the Pledge of Allegiance.

**INVOCATION:** Councilmember Rasmussen

**APPROVAL OF MINUTES:**

**ACTION** Councilmember Clawson made a motion to approve the minutes of a regular meeting held on August 15, 2019 as written. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, 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 Adams made a motion to approve the agenda for September 5, 2019 as written. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, and Rasmussen voted aye. The motion passed.

9. SCHEDULED DELEGATIONS:
  - A. Steve Barrett, Renaissance Recovery - To request waiving the Left Hand Rental Fees for a retreat September 13 & 14, 2019.
10. INTRODUCTION AND ADOPTION OF A RESOLUTION AND AN ORDINANCE:
  - A. Resolution 19-19 - A resolution amending the Personnel Policies and Procedures Manual for Hyrum City Corporation Section VI. Employee Code of Conduct to Define Incidental Personal Use of Public Property for purposes of House Bill 163.
  - B. Ordinance 19-08 - An ordinance amending Section 10.20.180 of Title 10 of the Hyrum City Municipal Code to prohibit camping on residential property for more than five nights and repealing Section 12.16.010 Overnight Camping.
11. OTHER BUSINESS:
  - A. Certification of Annexation Petition - West Point Dairy.
  - B. Consideration and approval of Election Judges.
  - C. Consideration and appointment to the Planning Commission.
  - D. Consideration and acceptance of South Cache Subdivision Phase 4.
  - E. Open and Public Meetings Act training.
  - F. Mayor and City Council reports.
12. 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.

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

***SCHEDULED DELEGATIONS:***

**STEVE BARRETT, RENAISSANCE RECOVERY - TO REQUEST WAIVING THE LEFT HAND RENTAL FEES FOR A RETREAT SEPTEMBER 13 & 14, 2019.**

Mayor Miller said Steve Barrett with Renaissance Recovery was not in attendance. She said Steve had contacted her and asked if the City would waive the Left Hand rental fees for September 13 & 14 for a retreat they wanted to hold for people who are recovering

from an addiction.

The City Council discussed concerns with waiving the rental fee if the retreat or if Renaissance Recovery was a for profit corporation. If they are charging people and making a profit then they should pay the rental fees.

**ACTION**

Councilmember Clawson made a motion for City Staff to find out if Renaissance Recovery is a profit or non profit organization, if they are a nonprofit organization then City Staff is authorized to waive the Left Hand Rental Fees for September 13 and 14. If Renaissance Recovery is holding the retreat for a profit then to charge the resident rental fee rate. Councilmember Rasmussen seconded the motion and Councilmembers Adams, Clawson, and Rasmussen voted aye. The motion passed.

**RESOLUTION 19-19 - A RESOLUTION AMENDING THE PERSONNEL POLICIES AND PROCEDURES MANUAL FOR HYRUM CITY CORPORATION SECTION VI. EMPLOYEE CODE OF CONDUCT TO DEFINE INCIDENTAL PERSONAL USE OF PUBLIC PROPERTY FOR PURPOSES OF HOUSE BILL 163.**

Mayor Miller said House Bill 163 was passed and went into law July 1, 2019. This bill made it a felony for City employees to use City equipment or property for personal use. For example, if an employee was driving home from a conference in a city car and the employee stopped at a store in the City car it would be a felony. Cache County Attorney's Office wrote this resolution to allow employees to use equipment or property for personal use if permission is given by the Personnel Policy or City Administration.

**ACTION**

Councilmember Clawson made a motion for to approve Resolution 19-19 a resolution amending the Personnel Policies and Procedures Manual for Hyrum City Corporation Section VI. Employee Code of Conduct to Define Incidental Personal Use of Public Property for purposes of House Bill 163. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, and Rasmussen voted aye. The motion passed.

**ORDINANCE 19-08 - AN ORDINANCE AMENDING SECTION 10.20.180 OF TITLE 10 OF THE HYRUM CITY MUNICIPAL CODE TO PROHIBIT CAMPING ON RESIDENTIAL PROPERTY FOR MORE THAN FIVE NIGHTS AND REPEALING SECTION 12.16.010 OVERNIGHT CAMPING.**

Mayor Miller said this ordinance will restrict people from camping in residential yards for more than five days. There are a couple of residents who have had guests staying in tents and trailers all summer long. The neighbors have asked the City for help since these long term guests are causing a nuisance. This ordinance will allow the sheriff's office to issue citations and force property owners to not have outside guests for more than five days. This ordinance will not prohibit children being able to camp outside of their parent home during the summer months for a fun activity.

**ACTION**

**Councilmember Rasmussen made a motion for to approve Ordinance 19-08 an ordinance amending Section 10.20.180 of Title 10 of the Hyrum City Municipal Code to prohibit camping on residential property for more than five nights and repealing Section 12.16.010 Overnight Camping. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, and Rasmussen voted aye. The motion passed.**

***OTHER BUSINESS:*****CERTIFICATION OF ANNEXATION PETITION - WEST POINT DAIRY.**

City Recorder Stephanie Fricke said she and City Attorney Jonathon Jenkins reviewed the annexation petition and have determined that the petition meets the requirements of Sections 102-403 (3), (4), and (5) of the Utah Code. Hyrum City may grant the petition and annex this property unless a written protest is received by the Cache County Boundary Commission. If a protest is received the Cache County Boundary Commission will have to determine if it is a legal protest. Any protest must be filed by October 7, 2019. The public hearing for this annexation will be held on October 17, 2019. The Notice of Certification of Annexation Petition will be mailed to all property owners included in the annexation and to all affected entities; and will be published in the Herald Journal once a week for three consecutive weeks.

**ACTION**

**Councilmember Adams made a motion to accept the Certification of the West Point Dairy Annexation Petition. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, and Rasmussen voted aye. The motion passed.**

**CONSIDERATION AND APPROVAL OF ELECTION JUDGES.**

City Recorder Stephanie Fricke said the City Council received a list of Election Judges for the General Election on November 5, 2019. There will be two sets of Receiving and Counting Judges.

**ACTION** Councilmember Clawson made a motion to approve the General Election Judges as requested. Councilmember Rasmussen seconded the motion and Councilmembers Adams, Clawson, and Rasmussen voted aye. The motion passed.

**CONSIDERATION AND APPOINTMENT TO THE PLANNING COMMISSION.**

City Administrator Ron Salvesen said Planning Commission Member Jeff Nielsen has moved out of Hyrum City and he is recommending to appoint Paul Willardson as an alternate member of the Planning Commission. Paul is an engineer for J.U.B. and would help fill the void from a construction standpoint that Jeff Nielsen will be leaving.

**ACTION** Councilmember Clawson made a motion to appoint Paul Willardson as an alternate member on the Planning Commission. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, and Rasmussen voted aye. The motion passed.

**CONSIDERATION AND ACCEPTANCE OF SOUTH CACHE SUBDIVISION PHASE 4.**

City Administrator Ron Salvesen said the City Engineer has approved the improvements in South Cache Subdivision Phase 4 and is recommending acceptance.

**ACTION** Councilmember Rasmussen made a motion to accept South Cache Subdivision Phase 4 as of August 15, 2019 with the condition that an agreement is approved regarding completion of drainage items. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, and Rasmussen voted aye. The motion passed.

**OPEN AND PUBLIC MEETINGS ACT TRAINING.**

City Recorder Stephanie Fricke said each year the Mayor and City Council must receive Open and Public Meetings Act Training. Mayor Miller, Councilmember James, and Councilmember Adams received training at the ULCT Conference in St. George. Councilmember

Bingham may have also received training at that conference. There is another class at the ULCT Conference next week for those needing training or they can watch the training by David Church on youtube.

**MAYOR AND CITY COUNCIL REPORTS.**

Councilmember Adams asked if anyone took pictures of National Night Out Against Crime. JBS Swift has asked for pictures since they donate the meat. Councilmember James said he took some pictures and would send them to Councilmember Adams.

Councilmember Rasmussen said the Fall Harvest Festival at the Elite Hall is September 7 from 5:30 to 7:30 there is food, games, crafts, petting zoo, and a bake sale; and then from 7:30 to 9:30 there is a dance. They are going to display architectural plans, and artist renderings for the addition that should take place this coming year.

Mayor Miller reminded the City Council of the ULCT Conference next week.

***ADJOURNMENT:***

**ACTION**

**There being no further business before the City Council,  
the Council Meeting adjourned at 7:15 p.m.**

\_\_\_\_\_  
Stephanie Miller  
Mayor

ATTEST:

\_\_\_\_\_  
Stephanie Fricke  
City Recorder

Approved: September 19, 2019  
As Written