

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD NOVEMBER 1, 2018, 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, Kathleen Bingham, Jared L. Clawson, and Craig L. Rasmussen. Councilmember Paul C. James arrived at 6:50 p.m.

**EXCUSED:** Councilmember Paul C. James

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

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

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

**PLEDGE OF ALLEGIANCE:** Mayor Miller led the governing body and the citizens in the Pledge of Allegiance.

**INVOCATION:** Mayor Miller

**APPROVAL OF MINUTES:**

The minutes of a regular City Council Meeting held on October 18, 2018 were approved as written.

**ACTION** Councilmember Bingham made a motion to approve the minutes of a regular City Council Meeting held on October 18, 2018 as written. Councilmember Adams seconded the motion and Councilmembers Adams, Bingham, 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 Bingham made a motion to approve the agenda for November 1, 2018 as written. Councilmember

**Clawson seconded the motion and Councilmembers Adams, Bingham, Clawson, and Rasmussen voted aye. The motion passed.**

## AGENDA

9. SCHEDULED DELEGATIONS:
  - A. Derek Dickey - To request a Home Occupation Business License at 165 South 400 East for Blue Line Performance a motorcycle service and repair shop.
  - B. Ryan Pierson - To request site plan approval for a metal fabrication business at 225 South 1720 East in the Blacksmith Fork Industrial Park.
  - C. Ron Hales, Centerpoint Construction - To request concept plan approval of a 140 lot subdivision at 700 East 6600 South and 900 East 6600 South.
10. INTRODUCTION AND APPROVAL OF RESOLUTIONS:
  - A. Resolution 18-26 - A resolution accepting a petition for annexation of certain real property under the provisions of Section 10-2-405, Utah Code Annotated, 1953, as amended (Hyrum City Municipal Corp, William E and Christine Elaine Christoffersen Trust, Bob Mathew and Melynda Ropelato, Kris & B Holdings LLC, Miller Companies LLC, 5 M Farms LLC, and Ernest J. Miller Trust containing 291.71 acres).
  - B. Resolution 18-27 - A resolution setting Culinary Water Rates.
11. OTHER BUSINESS:
  - A. Budget Report.
  - B. Appointment to the Hyrum Historic Preservation Committee.
  - C. Consideration and approval of Hyrum Museum Vision and Mission Statement.
  - D. Mayor and City Council reports.

**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 further public comment, Mayor Miller moved to the next agenda item.

**SCHEDULED DELEGATIONS:**

**DEREK DICKEY - TO REQUEST A HOME OCCUPATION BUSINESS LICENSE AT 165 SOUTH 400 EAST FOR BLUE LINE PERFORMANCE A MOTORCYCLE SERVICE**

**AND REPAIR SHOP.**

Derek Dickey said he has a workshop behind (north) of his house at 165 South 400 East. He has been repairing motorcycles for himself and his friends and since his repair business is growing, he wanted to make sure he was in compliance with the law and needs a business license. He doesn't want his business to impact the neighborhood and will not do repair work after 9:00 p.m. The shop is already divided in half and there is a wall that is completely insulated to help with noise issues. He said he will have an average of one customer a week.

**ACTION**

**Councilmember Clawson made a motion to approve a Home Occupation Business License for Derek Dickey at 165 South 400 East for motorcycle service and repair with the stipulation that there was no repair work being done after 9:00 p.m. Councilmember Bingham seconded the motion and Councilmembers Adams, Bingham, Clawson, and Rasmussen voted aye. The motion passed.**

**RYAN PIERSON - TO REQUEST SITE PLAN APPROVAL FOR A METAL FABRICATION BUSINESS AT 225 SOUTH 1720 EAST IN THE BLACKSMITH FORK INDUSTRIAL PARK.**

City Administrator Ron Salvesen said the Planning Commission on October 11, 2018 recommended site plan approval for a metal fabrication business at 225 South 1720 East in the Blacksmith Fork Industrial Park with the following condition: 1. That a 12' area between the building and Anvil Road be landscaped. Ryan was not in attendance at the City Council on October 18, 2018 but made a motion to continue this discussion when the applicant could be in attendance to discuss one controlled access rather than 195' of direct road access and parking lot, and to discuss landscaping between building and road.

Ryan Pierson said he moved the parking lot away from the curb and closer to the building and added landscaping to the corner of the intersection. He is unsure what the developers of the park will require in its CC&R's in regards to landscaping.

Councilmember Rasmussen said he would like to see columnar trees planted with a combination of shrubs and decorative rocks in the 12' area and to the intersection.

**ACTION**

**Councilmember Clawson made a motion to approve the Site Plan for a metal fabrication business at 225 South 1720**

East in the Blacksmith Fork Industrial Park with the following condition that the 12' area between the building and road be landscaped with a combination of columnar trees, shrubs, and decorative rocks. Councilmember Adams seconded the motion and Councilmembers Adams, Bingham, Clawson, and Rasmussen voted aye. The motion passed.

**RON HALES, CENTERPOINT CONSTRUCTION - TO REQUEST CONCEPT PLAN APPROVAL OF A 140 LOT SUBDIVISION AT 700 EAST 6600 SOUTH AND 900 EAST 6600 SOUTH.**

City Administrator Ron Salvesen said the Planning Commission on October 11, 2018 recommended approval of the Concept Plan for a 140 lot subdivision at 700 East 6600 South and 900 East 6600 South with the following conditions: 1. Double frontage lots along the highway and canal have fencing or a wall and landscaping; 2. 750 East access to 6600 South be eliminated; 3. 6525 South be stubbed into neighboring property; 4. Privacy fence be installed on the boundaries of the existing mink shed property; and 5. Encourage developer to consider larger lots that would have animal rights to abut the mink sheds. The City Council discussed this item on October 18, 2018 and made a motion to continue this discussion until numerous changes could be made to the concept plan.

Ron Hales with Centerpoint Construction he met with UDOT regarding the access on 6600 South and UDOT has asked for a traffic study. Once the traffic study is completed, he would like City Staff to participate in a teleconference with UDOT to discuss UDOT's and City's requirements and concerns with 6600 South. There will be no access to the Highway from the property he is developing. The irrigation canal is in UDOT's right-of-way and not on the property he is going to develop. UDOT will be very limited in what it can require from his development due to no access from his property onto Highway 165.

Councilmember James arrived at 6:50 p.m.

Councilmember Rasmussen said Highway 165 is a main corridor to Paradise and Avon and needs to have a 99' right-of-way. This highway will be widened one day just like it was through Nibley.

City Administrator Ron Salvesen said UDOT does not have this portion of Highway 165 on its long term plan and there is no width requirement from UDOT at this time. The traffic from this development will affect the intersection of 6600 South and Highway

165 and that is what UDOT will be looking at.

Councilmember Rasmussen said there are lots that are less than 22,000 square feet that show animal rights. Hyrum City's code does not allow animal rights on lots under 22,000 square feet and recommended that the lots stating animal rights under 22,000 square feet that the verbiage is removed. The street addresses need to be changed from a County address to a City address. The stubbed road to the west in Phase 2 should be removed and replaced with a stubbed road going south in Phase 6. He also suggested the developer look at his original concept plan that was submitted because he preferred the layout of that plan since it had varied lot sizes and frontages.

Ron Hales said he appreciates the suggestions but he has met the City's annexation agreements and city code. He will look at it with his engineer but is unsure if he will change the plan to varied lot sizes.

Councilmember Clawson asked Ron Hales where the stormwater from these developments would go.

Ron Hales said this is only a concept plan but he was looking at draining the storm water into an irrigation ditch.

Councilmember Clawson said most likely the irrigation company will not give approval for that and recommended to Ron Hales that he finds another solution for stormwater.

Councilmember Rasmussen said the City needs to plan for the future and preserve a 99' right-of-way on Highway 165.

**ACTION**

**Councilmember Rasmussen made a motion to approve the Concept Plan for Canyon Estates located at approximately 700 East 6600 South and 900 East 6600 South, a 140 lot subdivision with the following conditions: 1. Phase 2 the stubbed road west on 6660 South be removed and on Phase 6 a stubbed road be added to the north of 650 East; 2. The developer consider adjusting lot lines to make a variety of lot sized; 3. A 99' right-of-way be preserved on Highway 165 with equal dedication on both sides of road; 4. An agricultural statement advising people of the smells, noises, mink, and other nuisances associated with agriculture; 5. A fence be installed on the stubbed road in Phase 6; 6. Double frontage lots along the highway and canal have fencing or a wall and landscaping;**

and 7. Privacy fence be installed on the boundaries of the existing mink shed property. Councilmember Adams seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

Ron Hales said he would like to work with the City on a pioneering agreement to help reimburse his costs or trade services for extension costs on the utilities.

City Administrator Ron Salvesen said Ron Hales has also suggested for the City to waive the money for the water rights he would have to purchase in lieu of installing utility lines. The City could then get reimbursed from developers for connection to the utility lines.

**INTRODUCTION AND APPROVAL OF RESOLUTIONS:**

**RESOLUTION 18-26 - A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION OF CERTAIN REAL PROPERTY UNDER THE PROVISIONS OF SECTION 10-2-405, UTAH CODE ANNOTATED, 1953, AS AMENDED (HYRUM CITY MUNICIPAL CORP, WILLIAM E AND CHRISTINE ELAINE CHRISTOFFERSEN TRUST, BOB MATHEW AND MELYNDA ROPELATO, KRIS & B HOLDINGS LLC, MILLER COMPANIES LLC, 5 M FARMS LLC, AND ERNEST J. MILLER TRUST CONTAINING 291.71 ACRES).**

Mayor Miller said Hyrum City's Wastewater Treatment Plant is in Cache County and not Hyrum City. Hyrum City approached Cache County about its approval process to get a building permit to expand its Wastewater Treatment Plant and was told that the Wastewater Treatment Plant was no longer allowed in the zone it is in. Hyrum City would have to rezone the property in order to expand its plant. The City determined it would be beneficial to annex its property into Hyrum City so that the City would oversee its own property. In order to annex the Wastewater Treatment Plant the City needed to have several property owners agree to annex so that it was contiguous to City limits and didn't create any islands. The necessary property owners all agreed to the annexation. As agreed upon by the City Council the City waived the annexation fees for these property owners since the City was the one in need and asking them to annex their ground.

City Recorder Stephanie Fricke explained the different zoning that each land owner was asking for. This is the first step in annexation and if the City Council approves it then she and the City Attorney will certify the annexation and present it at the next City Council Meeting.

**ACTION**

Councilmember James made a motion to approve Resolution 18-26 A resolution accepting a petition for annexation of certain real property under the provisions of Section 10-2-405, Utah Code Annotated, 1953, as amended (Hyrum City Municipal Corp, William E and Christine Elaine Christoffersen Trust, Bob Mathew and Melynda Ropelato, Kris & B Holdings LLC, Miller Companies LLC, 5 M Farms LLC, and Ernest J. Miller Trust containing 291.71 acres). Councilmember Clawson seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

**RESOLUTION 18-27 - A RESOLUTION SETTING CULINARY WATER RATES.**

Mayor Miller said over the past several City Council Meetings the City Council has discussed increasing culinary water rates.

**ACTION**

Councilmember Rasmussen made a motion to approve the Resolution 18-27 A resolution setting culinary water rates with the following amendment: 1. Item 2 under each year change, "per 1,000 gallons from 11,000 gallons through 50,000 gallons per month" to "per 1,000 gallons from 10,001 gallons through 50,000 per month" and "per 1,000 gallons for all water used over 50,000 gallons per month." To "per 1,000 gallons for all water used over 50,001 gallons per month."; and 2. Item 3 under each year change, "per 1,000 gallons from 11,000 gallons through 50,000 gallons per month" to "per 1,000 gallons from 10,001 gallons through 50,000 per month" and "per 1,000 gallons for all water used over 50,000 gallons per month." To "per 1,000 gallons for all water used over 50,001 gallons per month." Councilmember Adams seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

***OTHER BUSINESS:*****BUDGET REPORT.**

City Administrator Ron Salvesen reviewed the 2018-2019 General Fund and reported that the City was in great financial shape for the first quarter of the budget year.

**APPOINTMENT TO THE HYRUM HISTORIC PRESERVATION COMMITTEE.**

**ACTION** Councilmember Rasmussen made a motion to appoint David Bates to the Hyrum Historic Preservation Committee. Councilmember Clawson seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

**CONSIDERATION AND APPROVAL OF HYRUM MUSEUM VISION AND MISSION STATEMENT.**

**ACTION** Councilmember James made a motion to approve the Hyrum Museum Vision and Mission Statement as follows: Mission - The Hyrum City Museum creates and maintains interpretive exhibits, provides educational activities, and actively collects and cares for artifacts and historical materials to provide a resource for visitors to make connections with local heritage and our community; and Vision - To provide an inviting space for all visitors to feel a sense of belonging by learning, interacting with one another, and engaging with local heritage that is sustainable and employs museum best practices. Councilmember Clawson seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

**MAYOR AND CITY COUNCIL REPORTS.**

Councilmember Adams said he is amending the parade applications to charge a \$20 fee for a commercial business that isn't a float. He will also include a statement that anyone throwing candy must be walking to the side of the float or the Cache County Sheriff's Office will not allow them in the parade and this will be strictly enforced throughout the parade route.

Councilmember Rasmussen said Holidays at Hardware Ranch is Saturday, December 1 and is hoping for the City Council's and Youth Council's help with the event again this year.

Councilmember Bingham said she is working on the Hyrum City Princess Pageant that will take place in January. Youth Council interviews are being conducted and the appointment will take place the first City Council Meeting of January.

Councilmember Clawson said he found out today that the 150 apartment units that were to be in Elk Mountain PUD were approved as 150 units that have their own tax identification number and will be individually owned. He wanted the City Council to know



this incase the City Council was under the same assumption he was.

Mayor Miller asked Councilmember James if taping pickleball court lines on the Elite Hall floor would be sufficient or if he wanted it done some other way. Councilmember James said taping the lines would be fine and to have the Elite Hall opened during the day for people to use the pickleball courts for free in the Elite Hall during city office business hours unless something was scheduled in the building. A key would have to be picked up at the office and something left (like a drivers license) that could be returned when the key was brought back. The Hyrum City Christmas Party is December 12 at 6:30 p.m. in the Civic Center. She updated the City Council on the Regional Sewer Plant efforts and also the equipment it bought for its sewer plant from an oil fracking business.

City Administrator Ron Salvesen said he spoke with Rural Water today and there is grant money available for water and sewer infrastructure. He is going to look into the grants to see if Hyrum City's sewer plant would qualify for a grant also replacement of culinary water lines.

**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: November 15, 2018  
As Written