

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD SEPTEMBER 6, 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, Paul C. James, and Craig L. Rasmussen.

EXCUSED: Councilmember Jared L. Clawson

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

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

WELCOME: Mayor Stephanie 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: Mayor Miller

APPROVAL OF MINUTES:

The minutes of a regular City Council Meeting held on August 16, 2018 were approved as written.

ACTION

Councilmember James made a motion to approve the minutes of a regular City Council Meeting held on August 16, 2018 as written. Councilmember Bingham seconded the motion and Councilmembers Adams, Bingham, 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.

Mayor Miller said item 11.A. "Certification of the SouthEast Annexation Petition" should state "Certification of the Clawson

Annexation".

ACTION

Councilmember Bingham made a motion to approve the agenda for September 6, 2018 with the above amendment. Councilmember Adams seconded the motion and Councilmembers Adams, Bingham, James, and Rasmussen voted aye. The motion passed.

AGENDA

9. SCHEDULED DELEGATIONS:
 - A. Bethany Ballady, CAPSA - To present and request approval of a Proclamation In Recognition and Support of Domestic Violence Awareness Month.
 - B. Brent Haslam - To request Final Plat approval for a five-lot single-family dwelling subdivision at 100 South 700 East.
 - C. Jake Thompson, Cobblecreek Townhomes - To request Preliminary Plat approval Cobblecreek Townhomes PUD located at approximately 230 North 800 East consisting 2 sixplexes, 1 eightplex, 1 sevenplex, and 2 commercial sites on 3 acres.
10. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND AN ORDINANCE:
 - A. Resolution 18-19 - A resolution setting a small wireless facilities fee.
 - B. Resolution 18-20 - A resolution amending the Elite Hall Rental fees and Deposit Schedule.
 - C. Ordinance 18-08 - An ordinance amending Section 2.12.050 Bonds of Chapter 2.12 Municipal Officers Generally of Title 2 Administration and Personnel of the Hyrum City Municipal Code.
11. OTHER BUSINESS:
 - A. Certification of the Clawson Annexation Petition.
 - B. 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 further public comment, Mayor Miller moved to the next agenda item.

SCHEDULED DELEGATIONS:

BETHANY BALLADY, CAPSA - TO PRESENT AND REQUEST APPROVAL OF A

PROCLAMATION IN RECOGNITION AND SUPPORT OF DOMESTIC VIOLENCE AWARENESS MONTH.

Bethany Ballady with CAPSA said CAPSA is asking for Hyrum to approve a Proclamation in recognition and support of Domestic Violence Awareness Month.

Mayor Miller read the Proclamation from CAPSA in Recognition and Support of Domestic Violence Awareness Month.

ACTION Councilmember James made a motion to approve a Proclamation in Recognition and Support of Domestic Violence Awareness Month. Councilmember Bingham seconded the motion and Councilmembers Adams, Bingham, James, and Rasmussen voted aye. The motion passed.

BRENT HASLAM - TO REQUEST FINAL PLAT APPROVAL FOR A FIVE-LOT SINGLE-FAMILY DWELLING SUBDIVISION AT 100 SOUTH 700 EAST.

City Administrator Ron Salvesen said City Staff and the City Engineer has reviewed the Final Plat for a five lot single family dwelling subdivision at 100 south 700 East and is recommending approval with the condition that the Construction Drawings for the sewer laterals be approved by the City Engineer.

ACTION Councilmember James made a motion to approve the Final plat for a five lot single-family dwelling subdivision at 100 South 700 East with the condition that the City Engineer approve the Construction Drawing for the sewer laterals. Councilmember Bingham seconded the motion and Councilmembers Adams, Bingham, James, and Rasmussen voted aye. The motion passed.

JAKE THOMPSON, COBBLECREEK TOWNHOMES - TO REQUEST PRELIMINARY PLAT APPROVAL COBBLECREEK TOWNHOMES PUD LOCATED AT APPROXIMATELY 230 NORTH 800 EAST CONSISTING 2 SIXPLEXES, 1 EIGHTPLEX, 1 SEVENPLEX, AND 2 COMMERCIAL SITES ON 3 ACRES.

City Administrator Ron Salvesen said on August 15, 2018 the City Council made a motion to continue this discussion on preliminary plat for Cobblecreek Townhomes PUD Located at approximately 230 North 800 East consisting of 2 sixplexes, 1 eightplex, 1 sevenplex, and 2 commercial sites on three acres until the following conditions are addressed: 1. Architectural design of the buildings be as shown; 2. Vinyl fence on the north, south, and east sides of property; 3. A decorative four foot fence across the front of

townhomes on west side; 4. Landscaping meet City Code with 2" caliper trees and 30% evergreens, etc.; 5. Playground equipment needs to be shown on final plat; 6. Commercial area be irrigated and maintained until development; 7. Provide updated open space calculation with sidewalks at north and south of units as shown; 8. Tree requirements note needs to be adjusted for a PUD including counting trees to ensure 1 tree per 1,000 square feet etc.; 9. In the Notes item 12. Delete the word "considered"; 10. There is problem with the property line and sidewalk and curb and gutter requires an easement or adjustment of the property line on the south side of the townhomes; 11. Is the curb and gutter for drainage because it is not drawn as such; 12. There is a steep slope on east side of property that may affect drainage by bringing the water to the building; 13. Minimum slope for bottom of detention pond for drainage infiltration needs to be shown; 14. Infiltration tests will need to be conducted in the stormwater retention pond; 15. Show ADA ramps from sidewalk to pavement; 16. How is the stormwater managed from existing storage units since the drainage can no longer be sent north; 17. Add valve and connect water line to loop system on south side of property; 18. The commercial frontage on Highway 165 will need to have sidewalk replaced after removing existing access; 19. Type of fencing and height needs to be shown on plat; 20. Stop sign at access onto Highway 165; and 21. Separate services from main line or have a 2" or 4" service with a manifold at the apartment meters. These items have been addressed and amendments made to the plat.

ACTION

Councilmember Rasmussen made a motion to approve the preliminary plat for Cobblecreek Townhomes PUD Located at approximately 230 North 800 East consisting of 2 sixplexes, 1 eightplex, 1 sevenplex, and 2 commercial sites on three acres with the condition that a decorative fence be installed also on east side of the property line. Councilmember Bingham seconded the motion and Councilmembers Adams, Bingham, James, and Rasmussen voted aye.

INTRODUCTION AND ADOPTION OF RESOLUTIONS AND AN ORDINANCE:**RESOLUTION 18-19 - A RESOLUTION SETTING A SMALL WIRELESS FACILITIES FEE.**

Mayor Miller said the Utah League of Cities and Towns is recommending each City approve a Resolution Setting a Small Wireless Facilities Fee. State Law requires cities to allow access in its right-of-ways to install small wireless facilities and utility poles, and to collocate small wireless facilities on non-

electric municipal poles. A small wireless facility consists of an antenna of 6ft or less, and is collocated or installed on a utility pole no taller than 50 feet.

ACTION

Councilmember James made a motion to approve Resolution 18-19 Setting a Small Wireless Facilities Fee with the following amendment on the fourth Whereas change "t\$250". Councilmember Rasmussen seconded the motion and Councilmembers Adams, Bingham, James, and Rasmussen voted aye.

RESOLUTION 18-20 - A RESOLUTION AMENDING THE ELITE HALL RENTAL FEES AND DEPOSIT SCHEDULE.

City Recorder Stephanie Fricke said she prepared the Resolution amending the Elite Hall Rental Fees and Deposit Schedule based on the information the City Council gave her at the August 16, 2018 City Council Meeting. While preparing the fee schedule she was made aware of different fees that were being charged around Cache Valley for rental of facilities. Four different facilities in Cache Valley charge a rental fee between \$1,595 to \$2,500 with a deposit of \$1,800 to \$2,500.

The City Council discussed the proposed fee and deposit schedule and decided to increase the rental fee and deposit fees for Admission Charge or Commercial Dance/Activity, Family Party, Reunion, Birthday Party, Wedding etc. that is limited to 500 people from the proposed rental fee of \$400 to \$800 for residents and from \$1,000 to \$1,200 for nonresidents. Also when the building is being used by a private business and is charging a fee to students, participants, etc. for lessons and/or practices to charge them an additional \$1.00 per person per month. A monthly fee of \$50 will be charged if an instructor wants to rent the ticket booth to store supplies and/or equipment.

ACTION

Councilmember James made a motion to approve Resolution 18-20 Amending the Elite Hall Rental Fees and Deposit Schedule with the following amendments: Admission Charge or Commercial Dance/Activity, Family Party, Reunion, Birthday Party, Wedding etc. that is limited to 500 people have a rental fee of \$800 for residents and \$1,200 for nonresidents; Include an additional \$1.00 per person per month rental fee if the building is being used by a private business and is charging a fee to students, participants, etc. for lessons and/or practices; and include a monthly rental fee of \$50 for

rental of the ticket booth space. Councilmember Adams seconded the motion and Councilmembers Adams, Bingham, James, and Rasmussen voted aye.

ORDINANCE 18-08 - AN ORDINANCE AMENDING SECTION 2.12.050 BONDS OF CHAPTER 2.12 MUNICIPAL OFFICERS GENERALLY OF TITLE 2 ADMINISTRATION AND PERSONNEL OF THE HYRUM CITY MUNICIPAL CODE.

Mayor Miller said Hyrum City is amending its ordinance to only require City officials to have bonds that are required by the State of Utah rather than individually listing bond amounts for elected and appointed officials.

ACTION Councilmember Adams made a motion to adopt Ordinance 18-08 amending Section 2.12.050 Bonds of Chapter 2.12 Municipal Officers Generally of Title 2 Administration and Personnel of the Hyrum City Municipal Code. Councilmember Rasmussen seconded the motion and Councilmembers Adams, Bingham, James, and Rasmussen voted aye.

OTHER BUSINESS:

CERTIFICATION OF THE CLAWSON ANNEXATION PETITION.

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 Tuesday, October 9, 2018. If no protests are filed the public hearing for this annexation will be held on October 18, 2018. 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 James made a motion to accept the Certification of the Clawson Annexation Petition. Councilmember Adams seconded the motion and Councilmembers Adams, Bingham, James, and Rasmussen voted aye. The motion passed.

MAYOR AND CITY COUNCIL REPORTS.

Electric Superintendent Matt Draper said he wanted to make the City Council aware and get its approval to move ahead with an exchange of electrical distribution lines with Rocky Mountain Power and Hyrum City. Hyrum City owns and maintains distribution lines outside of Hyrum City limits and Rocky Mountain Power owns and maintains distribution lines inside Hyrum City limits. Several years ago the law changed and Hyrum City can only supply power to residents inside City limits and Rocky Mountain Power can only supply power to residents outside of City limits. However, each utility company was allowed to keep and continue to serve those customers that they already had outside of the new legal distribution area. Hyrum City was approached by a developer and Rocky Mountain Power about serving an area across the dam where Hyrum City already has power lines. This property has been approved for development by Cache County but Rocky Mountain Power is unable to obtain an easement for a new electrical line that will access the property wanting to be developed. Rocky Mountain Power has asked the City to allow the developer to build onto its line and both Hyrum City and Rocky Mountain Power work together to redistribute its customers as per the new law. Any decision Rocky Mountain Power make has to go before the Public Service Commission and it make take several years for the Public Service Commission to make a decision. Until that time Rocky Mountain Power would like Hyrum City to agree to allowing the developer to connect to the City's existing power lines. The developer would pay for all improvements and the improvements would be made to both Hyrum City and Rocky Mountain Power's standards. The benefits to the City for negotiating with Rocky Mountain Power for the customers inside City limits to be served by Hyrum and customers outside City limits to be served by Rocky Mountain Power will most likely benefit Hyrum. Currently Hyrum is responsible for the power lines upto the power plant in Blacksmith Fork Canyon. The estimated cost of repair and replacement of that line is over four million dollars, also the property across the dam Hyrum City doesn't have an easement for and if the dam is ever repaired Hyrum City would have to pay full costs of relocating and rebuilding that power line which is estimated at \$40,000. Hyrum City would receive the customers in the industrial park, along with Staker Parsons Asphalt Plant, and a couple of houses. There is a formula that is set by Law that determines the cost of the equipment and distribution lines. This formula will be used to determine the cost of the lines and which utility company will owe the other utility company for buying out utility customers. Rocky Mountain Power will most likely owe Hyrum City money for the lines outside City limits and

Hyrum City will not have to pay out any money. This is a lengthy process and because the Public Service Commission is involved there is no guarantee that this exchange will go through, but he wanted the City Council's approval before moving forward. The City Council will have several other opportunities to back out of the exchange if it changes its mind.

The City Council discussed the issue and recommended that the exchange of lines with Rocky Mountain Power be further looked into.

Councilmember Rasmussen said the Fall Festival at the Elite Hall is September 8th from 5:30 to 7:30 p.m. with a Harvest Hoedown Dance from 7:30 p.m. to 10:30 p.m. This event is a fundraiser will all proceeds benefiting the restoration of the Elite Hall. They are going to have soup bowls for \$5.00 and there will be a bake sale, games, and activities.

Councilmember James said he would like to make a recommendation that the City waive half of all burial fees for the Hyrum City Cemetery (lot fee, open and closing fee, and perpetual care fee) for a death of an active employee (residing inside or outside of City limits), or active employee's spouse or child. This would only apply to burials in the Hyrum City Cemetery. The City would only waive these fees for one lot at the time of the death, multiple spaces would not receive the waiver of half price. This would apply to all employees that are on Hyrum City's payroll. This type of thing doesn't happen very often and would be a kind gesture and show thoughtfulness from the City to its employees.

The City Council agreed that the City should waive half of all burial fees for the Hyrum City Cemetery (lot fee, open and closing fee, and perpetual care fee) for a death of an active employee (residing inside or outside of City limits), or active employee's spouse or child. This would only apply to burials in the Hyrum City Cemetery. The City would only waive these fees for one lot at the time of the death, multiple spaces would not receive the waiver of half price. This would apply to all employees that are on Hyrum City's payroll.

Councilmember Bingham said the last parade is the Mountain Crest Homecoming Parade at the end of September. Applications for Youth Council will start being accepted October 1, 2018 for the 2019 year.

Mayor Miller said the employee luncheon was held yesterday and JBS Sponsored the lunch and Jason Watterson from the Utah Local

Government Trust provided safety training. The Utah League of Cities and Towns is September 12 through September 14.

City Administrator Ron Salvesen said the City has had an agreement with Wayne Petersen for an exchange of Hyrum City's Highline Canal shares for Wayne Petersen's Hyrum Irrigation Shares. Wayne Petersen and Jeff Clawson met with him last week to discuss if the City was still going to lease its Highline Canal shares to Wayne since the City now uses its Highline Canal Water. The City's agreement with Wayne was that the City would continue to allow Wayne to use its Highline Water until the City could use it. The City can now use its Highline Water and that water is extremely valuable to the City.

The City Council asked City Administrator Ron Salvesen to write Wayne Petersen a letter stating the City is terminating its agreement with him and will not exchange the City's Highline Canal Irrigation Shares for his Hyrum Irrigation Shares for 2019 and future.

City Administrator Ron Salvesen said Senior Director Vicky McCombs has a lady that wants to teach an Exercise Wellness Class for seniors at the Senior Center. This is a business and she is hoping Hyrum City will sponsor her and allow the building to be used for free and she will ask Nibley City to pay her a wage.

The City Council agreed that if Nibley City will pay her a wage that she is willing to take then Hyrum City will sponsor the building and not charge a rental fee. This is a service to the seniors and she will not be charging the seniors a fee.

ADJOURNMENT:

ACTION

**There being no further business before the City Council,
the Council Meeting adjourned at 8:15 p.m.**

Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: _____
September 20, 2018
As Written