

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD JANUARY 4, 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, Kathy Bingham, Jared L. Clawson, Paul C. James, and Craig 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, and seventeen citizens. City Recorder Stephanie Fricke recorded the minutes.

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

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

INVOCATION: Councilmember James

OATH OF OFFICES:

MAYOR STEPHANIE MILLER, CITY COUNCILMEMBERS STEPHEN G. ADAMS, JARED L CLAWSON, AND PAUL C. JAMES.

Hyrum City Recorder Stephanie Fricke administered the Oath of Office to: Elected Mayor Stephanie Miller; Elected Council Member Stephen G. Adams; Elected Council Member Jared L. Clawson; and Elected Council Member Paul C. James.

APPROVAL OF MINUTES:

ACTION

Councilmember Bingham made a motion to approve the minutes of a regular meeting on December 7, 2017 as written. Councilmember James 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 Bingham made a motion to approve the agenda for January 4, 2018 as written. Councilmember James seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

AGENDA

6. OATH OF OFFICES
 - A. Mayor Stephanie Miller and City Councilmembers Stephen G. Adams, Jared L. Clawson, and Paul C. James.
7. APPROVAL OF MINUTES
8. AGENDA ADOPTION
9. PUBLIC COMMENT
10. PUBLIC HEARING:
 - A. The purpose of the public hearing is to provide citizens with pertinent information about the Community Development Block Grant program and to allow for discussion of possible applications. This public hearing will cover eligible activities, program requirements, and expected funding allocations in the region. The CDBG Program can fund a broad range of activities, including, but not limited to: construction of public works and facilities, e.g., water and sewer lines, fire stations, acquisition of real property, and provision of public services such as food banks or homeless shelters.
11. SCHEDULED DELEGATIONS:
 - A. Tony Nielsen, Woodcrest Townhomes - To request approval to amend the Final Plat of Woodcrest Townhouses a six-plex apartment complex for lot line adjustments to allow individual ownership of apartments at 328 East 100 North.
 - B. Friend Weller - To report on the transfer of Hyrum City's Low Power FM Radio License.
12. INTRODUCTION AND APPROVAL OF RESOLUTIONS:
 - A. Resolution 18-01 - A resolution authorizing a Councilmember to automatically succeed to the position of Mayor Pro Tempore.
 - B. Resolution 18-02 - 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 (*Southeast Annexation*

- Wilkinson's Rosehill Dairy, JN Farms, Clawson, Nielsen, Harrison, Nielsen, Petersen, and Evans - 238.64 acres).

- C. Resolution 18-03 - A resolution adopting the Hyrum City Water Management and Conservation Plan.
13. OTHER BUSINESS:
- A. Consideration and approval of a noise permit for Utah Department of Transportation (UDOT) for the Project, known as, Highway 101 between Highway 165 and Hardware Ranch.
 - B. Mayor and City Council reports.
14. 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.

PUBLIC HEARING:

THE PURPOSE OF THE PUBLIC HEARING IS TO PROVIDE CITIZENS WITH PERTINENT INFORMATION ABOUT THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND TO ALLOW FOR DISCUSSION OF POSSIBLE APPLICATIONS. THIS PUBLIC HEARING WILL COVER ELIGIBLE ACTIVITIES, PROGRAM REQUIREMENTS, AND EXPECTED FUNDING ALLOCATIONS IN THE REGION. THE CDBG PROGRAM CAN FUND A BROAD RANGE OF ACTIVITIES, INCLUDING, BUT NOT LIMITED TO: CONSTRUCTION OF PUBLIC WORKS AND FACILITIES, E.G., WATER AND SEWER LINES, FIRE STATIONS, ACQUISITION OF REAL PROPERTY, AND PROVISION OF PUBLIC SERVICES SUCH AS FOOD BANKS OR HOMELESS SHELTERS.

Mayor Miller said Hyrum City will now open its 1st Public Hearing for the 2018 Community Development Block Grant Small Cities program. The purpose of this hearing is to gain citizen input regarding community needs and potential CDBG projects.

Approximately \$6000,000 is expected to be available in the Bear River Region for CDBG projects, \$450,000 of which will be available through competitive grants for projects that meet U.S. Department of Housing and Urban Development national objectives to benefit low and moderate income individuals. All eligible activities that can be accomplished under this program are identified in the CDBG Application Policies and Procedures Manual in the City Office and

interested parties can review it at any time. Projects may include local infrastructure projects such as water system improvements, construction of a fire station, or purchase of playground equipment; or projects that improve the availability and quality of housing for low- and moderate-income individuals and families such as purchasing land for subsidized housing, or rehabilitation of homes and apartments. Hyrum City applied for these funds in 2015 to make improvements the Family Place Center. Hyrum City has also acted as sponsor for non-profit organization applicants in the past such as The Family Place and Neighborhood Nonprofit Housing Corporation. Hyrum City will list eligible activities in the City Capital Improvement List, which is also available for public review upon request.

We would like to ask that representatives of the public and non-profit organizations that are in attendance specifically for this hearing please sign the attendance roll, including your name, address, and telephone number. If you have questions or comments, we would like to invite you to share them. Please identify yourself by name before you speak. The City Recorder will include your name in the minutes and we would like to specifically respond to your questions and suggestions during the hearing.

ACTION

Councilmember Bingham made a motion to open the public hearing at 6:35 p.m. to receive public comment regarding consideration of potential projects for which funding may be applied under the Community Development Block Grant Program (CDBG) CDBG Small Cities Program for Program Year 2018. The expected amount of CDBG funds for this Program Year will be discussed along with the range of projects eligible under this program and a review of previously funded projects. Councilmember Clawson seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

Mayor Miller asked for public comment. There being none Mayor Miller called for a motion to close the public hearing.

Gordon Younker said the Norma Miller Family Place in Hyrum is continuing to grow and is need of additional office space. The Norma Miller Family Place wants to apply for a CDBG Grant to help with the cost of finishing the basement in the Center. In order to apply for a CDBG Grant the City has to be willing to sponsor the application along with many other requirements. The Norma

Miller Family Place basement needs to be finished in accommodate growth at the center.

Hyrum City Administrator Ron Salvesen said the Hyrum Senior Center wants to apply for a CDBG Grant to help with funding for an electronic sign and a garage for additional parking space. The Senior Center is used by several communities.

Mark Williams with Neighborhood Nonprofit Housing said Neighborhood Nonprofit Housing wants to apply for a CDBG Grant to help fund a sewer lift station in the Mountain View Estates Subdivision.

ACTION **Councilmember Bingham made a motion to close the public hearing at 6:41 p.m. Councilmember Clawson seconded the motion Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.**

SCHEDULED DELEGATIONS:

TONY NIELSEN, WOODCREST TOWNHOMES - TO REQUEST APPROVAL TO AMEND THE FINAL PLAT OF WOODCREST TOWNHOUSES A SIX-PLEX APARTMENT COMPLEX FOR LOT LINE ADJUSTMENTS TO ALLOW INDIVIDUAL OWNERSHIP OF APARTMENTS AT 328 EAST 100 NORTH.

City Administrator Ron Salvesen said on December 4, 2017 the City Council tabled Tony Nielsen request to amend the Final Plat of Woodcrest Townhouses, a six-plex apartment complex for lot line adjustments to allow individual ownership of apartments at 328 East 100 North until the property owner can provide the following: 1. Home Owner's Association Bylaws written to cover future maintenance of common ground including exterior items, roofing, siding, water billing, snow removal, etc.; 2. If the law requires the units to meet current building and fire codes, since he is changing them from condominium units to townhomes units; 3. Provide proof that each unit has its own separate sewer lateral line; and 4. Each unit has to have its own separate water meter connection. Tony met with the Cache County Building Inspector and was told the County does not have records for inspections at the time these were built. The County Inspector said it appears they were built to standards at the time. Tony has decided to sell the units individually regardless of whether the final plat is amended or not. He will just leave everything as it is now.

Tony Nielsen said he will create an HOA to address snow removal and everyone will be responsible for the maintenance of their own property. The HOA will also address any common area repairs such as roof and siding.

ACTION

Councilmember Rasmussen made a motion to approve Tony Nielsen's request to amend the Final Plat of Woodcrest Townhouses, a six-plex apartment complex for lot line adjustments to allow individual ownership of apartments at 328 East 100 North with the following condition: Home Owner's Association Bylaws written to cover future maintenance of common ground including exterior items, roofing, siding, water billing, snow removal, etc. Councilmember Adams seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

FRIEND WELLER - TO REPORT ON THE TRANSFER OF HYRUM CITY'S LOW POWER FM RADIO LICENSE.

Friend Weller updated the City Council on the installation of the equipment for the Lower Power FM Radio at the Hyrum City Culinary Water Chlorinator Building. He ran the test on the Radio Station 94.9 and he could hear it all over the south and west end of Cache Valley, in Mantua, Hardware Ranch, and even parts of Logan Canyon. Once verification of connectivity is verified he can then finish development of a memo of understanding of what type of content will be played.

A short discussion ensued as to whether Friend Weller would have to pay Hyrum City for power for the radio equipment at the City's chlorinator building and it was decided if Friend will broadcast emergency information and Hyrum activity announcements that the City would provide the power for his radio equipment.

INTRODUCTION AND ADOPTION OF RESOLUTIONS:**RESOLUTION 18-01 - A RESOLUTION AUTHORIZING A COUNCILMEMBER TO AUTOMATICALLY SUCCEED TO THE POSITION OF MAYOR PRO TEMPORE.****ACTION**

Councilmember Clawson a motion to approve Resolution 18-01 authorizing Councilmember Rasmussen to automatically succeed to the position as Mayor Pro Tempore. Councilmember Bingham seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

RESOLUTION 18-02 - 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 (SOUTHEAST ANNEXATION - WILKINSON'S ROSEHILL DAIRY, JN FARMS, CLAWSON, NIELSEN, HARRISON, NIELSEN, PETERSEN, AND EVANS - 238.64 ACRES).

City Recorder Stephanie Fricke explained that the original petition for this annexation was withdrawn and a new annexation petition was submitted for this property on January 3, 2018. The petition was withdrawn because after Cache County reviewed the annexation boundaries they informed the contact sponsor an Hyrum City that a portion of the 6600 South road was left out of the original annexation legal description. Cache County wanted the 6600 South road to be included in the annexation petition or it would file a protest with the boundary commission. The annexation petition has been revised to include the 6600 South road that was inadvertently left out and now the process has to start over. If the City Council accepts this petition then she and the City Attorney will certify the annexation petition and present the certification at the next City Council meeting.

City Administrator Ron Salvesen said he has been working with the Cache County Road Department on road maintenance agreements for the roads that will be half owned by Hyrum City and half owned by Cache County. Once the road agreements have been approved by Cache County the Hyrum City Council will need to approve them also.

ACTION

Councilmember Adams made a motion to approve Resolution 18-02 accepting a petition for annexation of certain real property under the provisions of Section 10-2-405 Utah Code Annotated, 1952, as amended (Southeast Annexation - Wilkinson's Rosehill Dairy, JN Farms, Clawson, Nielsen, Harrison, Nielsen, Petersen, and Evans - 238,64 acres). Councilmember James seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

RESOLUTION 18-03 - A RESOLUTION ADOPTING THE HYRUM CITY WATER MANAGEMENT AND CONSERVATION PLAN.

Mayor Miller said Hyrum City is required to update this plan annually. It was sent to the State in October but now the City Council needs to approve it.

ACTION

Councilmember James made a motion to approve Resolution 18-03 adopting the Hyrum City Water Management and

Conservation Plan. Councilmember Bingham seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

OTHER BUSINESS:

CONSIDERATION AND APPROVAL OF A NOISE PERMIT FOR UTAH DEPARTMENT OF TRANSPORTATION (UDOT) FOR THE PROJECT, KNOWN AS, HIGHWAY 101 BETWEEN HIGHWAY 165 AND HARDWARE RANCH.

City Administrator Ron Salvesen said UDOT will be resurfacing Highway 101 from 800 Est to Hardware Ranch next summer. It has requested to be able to work at night on this project. It is asking for a permit as required by Hyrum City's noise ordinance to allow UDOT to work during night time hours. City ordinance requires the City Council to decide if a permit is to be issued. Most of the project will be in Cache County. UDOT is hoping to do the road construction at night so as to not interfere with traffic.

ACTION

Councilmember James made a motion to approve a properly UDOT's request for a noise permit when a permit has been properly filled out and turned into the City for the project known as Highway 101 between Highway 165 and Hardware Ranch, and for the City to make a recommendation to UDOT to not grind at night except for the intersection of Highway 101 and Highway 165. Councilmember Bingham seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Rasmussen said the Elite Hall Restoration Committee is hosting a movie night at the Elite Hall on January 12 at 6:30 p.m. Everyone is invited to attend, bring treats, and chairs. It is also hosting an art and quilt show at the Elite Hall March 22 and 23. In order for the show to be ready staff and volunteers need to set up on March 21. However, March 21 is already reserved for a dance class. He asked the City Council if it would be okay for City staff to call the individual who has the hall rented on March 21 to cancel that reservation. The City Council agreed that the dance class reservation should be cancelled since it is a City activity.

Councilmember James said he has been busy working on a speaker for this year's Patriotic Program. Baseball and softball registration

begins in March.

Councilmember Bingham said the Hyrum Princess Pageant is on January 27 in the Civic Center.

Mayor Miller said the NEMS Training is on Saturday, January 20 from 9:00 a.m. to 11:00 a.m. The South Cache Water Users is having an annual meeting on January 8 to discuss irrigation share cost increases because of the improvements to Hyrum Dam. The New Fire Station Committee will meet to interview companies that submitted RFP's for the new fire station on January 10 at 9:00 a.m. c

ADJOURNMENT:

ACTION

**There being no further business before the City Council,
the Council Meeting adjourned at 7:35 p.m.**

Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder