

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD JUNE 19, 2014 AT THE CIVIC CENTER, 83 WEST MAIN, HYRUM, UTAH.

**CONVENED:** 6:30 p.m.

**CONDUCTING:** Mayor Stephanie Miller

**ROLL CALL:** Councilmembers Scot M. Allgood, Jared L. Clawson, Martin L. Felix, and Paul C. James present.

**EXCUSED:** Councilmember Aaron Woolstenhulme

**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 five citizens. City Recorder Stephanie Fricke recorded the minutes.

**WELCOME:** Mayor Miller welcomed everyone in attendance.

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

**INVOCATION:** Councilmember Allgood

**APPROVAL OF MINUTES:**

The minutes of June 5, 2014 were approved as written.

**ACTION** Councilmember James made a motion to approve the minutes of June 5, 2014 as written. Councilmember Allgood seconded the motion and all four councilmembers present voted aye.

**AGENDA ADOPTION:** A copy of the notice and agenda for this meeting was faxed to The Herald Journal, mailed to each member of the governing body, and posted at the Civic Center more than forty-eight hours before meeting time.

**ACTION** Councilmember Felix made a motion to approve the agenda for June 19, 2014 as written. Councilmember Clawson seconded the motion and all four councilmembers present voted aye.

#### AGENDA

8. PUBLIC COMMENT

9. SCHEDULED DELEGATIONS:

A. Roy Jones, Jones Enterprises of Utah, LLC. - To request site plan approval for a Fiberglass Manufacturing

Business at 1750 East Anvil Road.

- B. Trent Cragun, Lifestyle Homes - To request concept plan approval for Mt. Sterling Farms a 95 lot residential Planned Unit Development, at approximately 675 West 100 North Hyrum.
10. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:
- A. Resolution 14-12 - A resolution amending the 2013-2014 General Fund, Water Fund, Sewer Fund, Electric Fund, Irrigation Fund, Storm Water Fund, Capital Projects Fund, and Library Trust Fund Operating Budgets.
  - B. Resolution 14-13 - A resolution establishing the Municipal Certified Tax Rate for Fiscal 2014-2015.
  - C. Resolution 14-14 - A resolution approving and adopting the Fiscal 2014-2015 Operating Budgets for Hyrum City's General Fund, Culinary Water Fund, Sewer Fund, Electric Fund, Irrigation Water Fund, Storm Water Fund, Capital Projects Fund, and Library Trust Fund.
  - D. Ordinance 14-03 - An Ordinance amending Chapter 2.12, Section 2.12.010 of the Hyrum City Municipal Code, to provide for adjustments in the salaries of officers and employees of Hyrum City.
  - E. Ordinance 14-04 - An ordinance amending Title 17 (Zoning Ordinance) of the Hyrum City Municipal Code as follows: Section 17.45.020 to allow Commercial Storage Units as a permitted use in the Commercial C-2 Zone; and to amend the side yard width which faces the street to not less than 25 feet for main buildings in Residential R-1 and R-2 Zones, Residential Agricultural R-A Zone, and Commercial C-1 and C-2 Zones.
  - F. Ordinance 14-05 - An ordinance amending Title 17 (Zoning Ordinance) of the Hyrum City Municipal Code to allow a trailer, camper, or RV on residential lots for temporary use with no permit for the first 30 days of occupancy, if additional time is needed and requested the City may issue two successive 30 day permits.
  - G. Ordinance 14-06 - An ordinance adding Chapter 17.90 (Wind Energy Conversion Systems) to the Hyrum City Municipal Code to regulate and impose conditions and requirements with respect to the location and construction of wind energy conversion systems within the City in order to promote the general welfare and safety of residents of the City.
  - H. Ordinance 14-07 - An ordinance amending Title 17 (Zoning Ordinance) of the Hyrum City Municipal Code to comply with Cache County/Logan City Environmental Department policies by eliminating the requirement for dumpster areas to be fenced in Commercial, Manufacturing, and Professional Zones and other

miscellaneous changes.

11. OTHER BUSINESS:

A. 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.

Laura Lind said she is a member of Creative Anachronism which is a non-profit organization that holds live action role-playing games (LARP) where participants physically act out their characters actions from medieval times. The players pursue goals within a fictional setting represented by the real world while interacting with each other in character. The outcome of player actions may be mediated by game rules or determined by consensus among players. Event arrangers called gamemasters decide the setting and rules to be used and facilitate play. Every year they hold a large regional LARP event that lasts for four days. This year the date for the LARP is September 18 through September 21. Usually 300 people attend and the event has been held in Mantua Campground and North Fork Park outside of Ogden. They carry their own insurance and a LARP has the same insurance rating as a ping pong tournament. The group charges admission to the event to help cover costs. They are interested in renting the City's Left Hand property for the LARP this year and asked if the City would allow it and if so what would be the charge.

Mayor Miller said the City's Left Hand Property is available September 18 through September 21 and has been tentatively reserved for the group. The City is in the process of reviewing its rental fees and rental policies for Left Hand and should be able to give them an answer by August 8.

Laura Lind said in conjunction with the LARP one of the activities is a homemade brew contest. She asked if the City would allow this activity and how much the City would charge. North Fork Park charged a \$1,000 for the four days plus a \$1.25 fee per person over 100 people.

Mayor Miller said the City does not allow alcohol on City property. The fee could possibly be over a \$1,000 per week.

There being no further public comment was given.

***SCHEDULED DELEGATIONS:***

**ROY JONES, JONES ENTERPRISES OF UTAH, LLC. - TO REQUEST SITE**

**PLAN APPROVAL FOR A FIBERGLASS MANUFACTURING BUSINESS AT 1750 EAST ANVIL ROAD.**

City Administrator Ron Salvesen said this business was started illegally in another building in the Industrial Park. Since that time Roy Jones wants to move his business to 1750 East Anvil Road and has met with City Officials to bring the building and his business into compliance. Before the City can issue a business license he needs to receive site plan approval from the City Council and the building has to meet all fire and building code regulations.

Roy Jones said he initially started his Fiberglas Business in one of Steve Albertsen's buildings in Hyrum's Industrial Park with the intention to purchase a building. He needed more space than what Steve has available so he is trying to relocate his business to John Green's building at 1750 East Anvil Road. He has hired an architect to come and look at the building and determine what improvements have to be made to meet building and fire codes. He wants to have a good relationship and keep his business in Hyrum. Currently his main business is building rock climbing walls for Spectrum Sports. He has been manufacturing fiberglass products for 35 years and is very safety oriented. He makes sure his employees are well trained and understands the hazards associated with his business. He is working with Bridgerland Applied Technology College to have students do internships and training at his business.

**ACTION**

**Councilmember James made a motion to approve Roy Jones site plan for a fiberglass manufacturing business at 1750 East Anvil Road with the following conditions: the building and business complies with City Code, OSHA regulations, and meets all Fire and Building Codes. Councilmember Allgood seconded the motion and all four councilmembers present voted aye.**

**TRENT CRAGUN, LIFESTYLE HOMES - TO REQUEST CONCEPT PLAN APPROVAL FOR MT. STERLING FARMS A 95 LOT RESIDENTIAL PLANNED UNIT DEVELOPMENT, AT APPROXIMATELY 675 WEST 100 NORTH HYRUM.**

City Administrator Ron Salvesen said the Planning Commission held a public hearing on the concept plan for Mt. Sterling Farms on June 12. The only residents in attendance were members of the Poppleton family and the Savage family who own property adjacent to this development. The discussion was very positive and the consensus was it would be a great addition to Hyrum City. The Planning Commission recommended Concept Plan approval with the following conditions: 1. The Little Feeder Ditch be piped on the east side of the property; 2. Groundwater evaluations

conducted on each lot before a house is built; 3. A draft of the CC&R's be submitted with the preliminary plat that includes how the HOA will be funded; 4. As part of the preliminary plat the stubbed road is in the appropriate place to connect the Savage property; and 5. The 675 West road that connects to the South Cache Subdivision and Savage lower property on the southeast be 33' of asphalt.

Trent Cragun with Lifestyle Homes said he is in the process of purchasing 34 acres of land owned by Craig Poppleton at approximately 675 West 100 North. The design plan for this property is to create a legacy subdivision that gets prettier and more desirable to live in over time. There is an execution model that will be in place outlining every construction and design detail of the subdivision. Mt. Sterling Farms is designed to promote an active lifestyle with walking trails, wide sidewalks, play areas with commercial playground equipment (swingsets, NBA sized basketball court, tennis and pickleball courts), a splash pad, sledding hills, five acres of open space and neighborhood gardens and orchards throughout the development. There are three distinct lot sizes and the houses will have strict design standards including front porches and garages that are pushed back behind the front of the house. All front yards will be professionally landscaped, and streets lined with closely planted trees that offer a variety of color in spring and fall. The planter strips will be 8' feet wide to handle stormwater and a place for snow removed from the roads.

**ACTION**

Councilmember James made a motion to approve the Concept Plan for Mt. Sterling Farms a 95 lots residential Planned Unit Development at approximately 675 West 100 North with the following conditions: 1. The Little Feeder Ditch be piped on the east side of the property; 2. Groundwater evaluations conducted on each lot before a house is built; 3. A draft of the CC&R's be submitted with the preliminary plat that includes how the HOA will be funded; 4. As part of the preliminary plat the stubbed road is in the appropriate place to connect the Savage property; and 5. The 675 West road that connects to the South Cache Subdivision and Savage lower property on the southeast be 33' of asphalt. Councilmember Allgood seconded the motion and all four councilmembers present voted aye.

***INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:***

**RESOLUTION 14-12 - A RESOLUTION AMENDING THE 2013-2014 GENERAL FUND, WATER FUND, SEWER FUND, ELECTRIC FUND, IRRIGATION FUND, STORM WATER FUND, CAPITAL PROJECTS FUND, AND LIBRARY TRUST FUND**

**OPERATING BUDGETS.**

Mayor Miller said the Hyrum City Council held a Public Hearing on June 5, 2014 to discuss the 2013-2014 Budget Adjustments, to establish the 2014-2015 Certified Tax Rate, to present the proposed 2014-2015 Operating Budgets for Hyrum City, and the proposed adjustments of salaries for officers and employees of Hyrum City.

**ACTION** Councilmember Felix made a motion to approve Resolution 14-12 amending the 2013-2014 General Fund, Water Fund, Sewer Fund, Electric Fund, Irrigation Fund, Storm Water Fund, Capital Projects Fund, and Library Trust Fund Operating Budgets; Resolution 14-13 establishing the Municipal Certified Tax Rate for Fiscal 2014-2015; and Resolution 14-14 approving and adopting the Fiscal 2014-2015 Operating Budgets for Hyrum City's General Fund, Culinary Water Fund, Sewer Fund, Electric Fund, Irrigation Water Fund, Storm Water Fund, Capital Projects Fund, and Library Trust Fund. Councilmember Clawson seconded the motion and all councilmembers present voted aye.

**RESOLUTION 14-13 - A RESOLUTION ESTABLISHING THE MUNICIPAL CERTIFIED TAX RATE FOR FISCAL 2014-2015.**

Resolution 14-13 was approved in the motion under Resolution 14-12.

**RESOLUTION 14-14 - A RESOLUTION APPROVING AND ADOPTING THE FISCAL 2014-2015 OPERATING BUDGETS FOR HYRUM CITY'S GENERAL FUND, CULINARY WATER FUND, SEWER FUND, ELECTRIC FUND, IRRIGATION WATER FUND, STORM WATER FUND, CAPITAL PROJECTS FUND, AND LIBRARY TRUST FUND.**

Resolution 14-14 was approved in in the motion under Resolution 14-12.

**ORDINANCE 14-03 - AN ORDINANCE AMENDING CHAPTER 2.12, SECTION 2.12.010 OF THE HYRUM CITY MUNICIPAL CODE, TO PROVIDE FOR ADJUSTMENTS IN THE SALARIES OF OFFICERS AND EMPLOYEES OF HYRUM CITY.**

**ACTION** Councilmember James made a motion to adopt Ordinance 14-03 amending Chapter 2.12, Section 2.12.010 of the Hyrum City Municipal Code, to provide for adjustments in the salaries of officers and employees of Hyrum City. Councilmember Clawson seconded the motion and all four councilmembers present voted aye.

**ORDINANCE 14-04 - AN ORDINANCE AMENDING TITLE 17 (ZONING ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE AS FOLLOWS: SECTION 17.45.020 TO ALLOW COMMERCIAL STORAGE UNITS AS A PERMITTED USE IN THE COMMERCIAL C-2 ZONE; AND TO AMEND THE SIDE YARD WIDTH WHICH FACES THE STREET TO NOT LESS THAN 25 FEET FOR MAIN BUILDINGS IN RESIDENTIAL R-1 AND R-2 ZONES, RESIDENTIAL AGRICULTURAL R-A ZONE, AND COMMERCIAL C-1 AND C-2 ZONES.**

Mayor Miller said the Planning Commission held a public hearing on June 12, 2014 and is recommending approval of allowing commercial storage units as a permitted use in the Commercial C-2 Zone, and to amend the side yard with which faces the street to not less than 25 feet for main buildings in Residential R-1 and R-2 Zones, Residential Agricultural R-A Zone, and Commercial C-1 and C-2 Zones.

**ACTION**

Councilmember Felix made a motion to adopt Ordinance 14-04 amending Title 17 (Zoning Ordinance) of the Hyrum City Municipal Code as follows: Section 17.45.020 to allow Commercial Storage Units as a permitted use in the Commercial C-2 Zone; and to amend the side yard width which faces the street to not less than 25 feet for main buildings in Residential R-1 and R-2 Zones, Residential Agricultural R-A Zone, and Commercial C-1 and C-2 Zones. Councilmember James seconded the motion and all four councilmembers present voted aye.

**ORDINANCE 14-05 - AN ORDINANCE AMENDING TITLE 17 (ZONING ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE TO ALLOW A TRAILER, CAMPER, OR RV ON RESIDENTIAL LOTS FOR TEMPORARY USE WITH NO PERMIT FOR THE FIRST 30 DAYS OF OCCUPANCY, IF ADDITIONAL TIME IS NEEDED AND REQUESTED THE CITY MAY ISSUE TWO SUCCESSIVE 30 DAY PERMITS.**

Mayor Miller said the Planning Commission held a public hearing on June 12, 2014 and is recommending allowing a trailer, camper, or RV on residential lots for temporary use with no permit for the first 30 days of occupancy, if additional time is needed and requested the City may issue two successive 30 day permits.

Councilmember James said he would prefer a permit be required after the first seven days to help better regulate and control the number of trailers and RVs on residential lots. He also would like to see provisions to allow a fee to be charged for the permit, if the City decides to require a permit fee.

**ACTION** Councilmember James made a motion to table Ordinance 14-05 amending Title 17 (Zoning Ordinance) of the Hyrum City Municipal Code to allow a trailer, camper, or RV on residential lots for temporary use with no permit for the first 30 days of occupancy, if additional time is needed and requested the City may issue two successive 30 day permits until the above recommendations have been included in the ordinance. Councilmember Allgood seconded the motion and all four councilmembers present voted aye.

ORDINANCE 14-06 - AN ORDINANCE ADDING CHAPTER 17.90 (WIND ENERGY CONVERSION SYSTEMS) TO THE HYRUM CITY MUNICIPAL CODE TO REGULATE AND IMPOSE CONDITIONS AND REQUIREMENTS WITH RESPECT TO THE LOCATION AND CONSTRUCTION OF WIND ENERGY CONVERSION SYSTEMS WITHIN THE CITY IN ORDER TO PROMOTE THE GENERAL WELFARE AND SAFETY OF RESIDENTS OF THE CITY.

Mayor Miller said the Planning Commission held a public hearing on June 12, 2014 and is recommending approval of adding Chapter 17.90 Wind Energy Conversion Systems to regulate and impose conditions and requirements for wind energy conversion systems.

**ACTION** Councilmember Clawson made a motion to adopt Ordinance 14-06 adding Chapter 17.90 (Wind Energy Conversion Systems) to the Hyrum City Municipal Code to regulate and impose conditions and requirements with respect to the location and construction of wind energy conversion systems within the City in order to promote the general welfare and safety of residents of the City. Councilmember Felix seconded the motion and all four councilmembers present voted aye.

ORDINANCE 14-07 - AN ORDINANCE AMENDING TITLE 17 (ZONING ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE TO COMPLY WITH CACHE COUNTY/LOGAN CITY ENVIRONMENTAL DEPARTMENT POLICIES BY ELIMINATING THE REQUIREMENT FOR DUMPSTER AREAS TO BE FENCED IN COMMERCIAL, MANUFACTURING, AND PROFESSIONAL ZONES AND OTHER MISCELLANEOUS CHANGES.

Mayor Miller said the Planning Commission held a public hearing on June 12, 2014 and is recommending approval of the proposed changes to no longer require all dumpster areas to be fenced in. These changes were recommended by Logan City Environmental Department.

**ACTION** Councilmember Felix made a motion to adopt Ordinance 14-07 amending Title 17 (Zoning Ordinance) of the Hyrum City Municipal Code to comply with Cache



**County/Logan City Environmental Department policies by eliminating the requirement for dumpster areas to be fenced in Commercial, Manufacturing, and Professional Zones and other miscellaneous changes. Councilmember Allgood seconded the motion and all four councilmembers present voted aye.**

***OTHER BUSINESS:***

**MAYOR AND CITY COUNCIL REPORTS.**

Councilmember Felix said the Museum's Fund Raiser Hot Wheels and Hot Dogs was a huge success, they made a profit of \$2,017.

Councilmember James said he received the proof of insurance from the company wanting to have a bounce house on City property on the 4<sup>th</sup> of July. The Cache Valley Radio Group will play Patriotic music at 10:00 p.m. on July 4<sup>th</sup> for the City fireworks.

Councilmember Clawson said he will be putting new sheeting on the City float. The City has received over thirty booth applications so far for the City Square on July 4<sup>th</sup>.

Councilmember Allgood reviewed the final arrangements with the City Council for the July 4<sup>th</sup> Celebration.

Mayor Miller said she received an invitation from Congressman Rob Bishop to attend a luncheon on June 30, 2014 from 11:30 to 1:00 p.m. if any of the City Councilmembers want to attend let her know.

***ADJOURNMENT:***

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

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Stephanie Miller  
Mayor

ATTEST:

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Stephanie Fricke  
City Recorder

Approved: July 17, 2014  
As written