

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD NOVEMBER 20, 2014 AT THE CIVIC CENTER, 83 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 p.m.

CONDUCTING: Mayor Stephanie Miller

ROLL CALL: Councilmembers Aaron Woolstenhulme and Paul C. James present, and Councilmembers Jared L. Clawson and Martin L. Felix participated by telephone.

EXCUSED: Councilmember Scot M. Allgood

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 nineteen citizens. City Recorder Stephanie Fricke recorded the minutes.

WELCOME: Mayor Miller welcomed everyone in attendance.

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 November 6, 2014 were approved as written.

ACTION Councilmember James made a motion to approve the minutes of November 6, 2014 as written. Councilmember Woolstenhulme seconded the motion and Councilmembers Clawson, Felix, James, and Woolstenhulme voted aye. The motion passed.

The minutes of November 13, 2014 were approved as written.

ACTION Councilmember Woolstenhulme made a motion to approve the minutes of November 13, 2014 as written. Councilmember James seconded the motion and Councilmembers Clawson, Felix, James, and Woolstenhulme voted aye. The motion passed.

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.

Mayor Miller said due to two City Councilmembers participating by telephone she recommended amending the agenda by moving item 9.A. and 9.B. to the end of the agenda since these items do not need a motion.

ACTION

Councilmember Felix made a motion to approve the agenda for November 6, 2014 as published. Councilmember Clawson seconded the motion and Councilmembers Allgood, Clawson, Felix, and James voted aye. The motion passed.

AGENDA

8. PUBLIC COMMENT
9. SCHEDULED DELEGATIONS:
 - A. ~~Janac Wood and Vanessa Eorges - To express appreciation for use of the Elite Hall for Lincoln and Canyon Elementary Schools PTA Reflection Program.~~
 - B. ~~Mike Stauffer, Hyrum Historical Committee - To discuss the goals and direction of the Hyrum Historical Committee.~~
 - C. Matt Lundgren - To request approval of a Home Occupation Business License at 133 South 1250 East to provide Martial Arts and Self Defense Instruction classes.
 - D. Derek Page, JBS Swift Inc. - To request site plan approval for a box cooler storage addition at 410 North 200 West.
 - E. Ron Salvesen, Hyrum City Administrator - To request site plan approval for a new City Office building to be connected to the Hyrum Library at 50 West Main.
10. INTRODUCTION AND ADOPTION OF AN ORDINANCE:
 - A. Ordinance 14-10 - An ordinance amending Chapter 9.52 (the Cigarettes, Tobacco, and Psychotoxic Chemicals Ordinance) of the Hyrum City Municipal Code to prohibit cigarettes, tobacco, ends, and psychotoxic chemicals at outdoor venues.
 - B. Ordinance 14-11 - An ordinance amending Sections 16.12.030, 16.16.160, 16.20.050, 16.20.150 and 16.20.200 of Title 16 (the Subdivision Ordinance) of the Hyrum City Municipal Code by amending the Preliminary Plat content to no longer include Title Blocks; allow recording of an amended plat if no new lots are created; repeal the additional 5% for subdivision impact fees; allow a developer to dedicate land for a park rather than paying park impact fees; require lots shown on final plat to meet minimum zoning requirements; and to require construction in flood plain areas to meet requirements of Chapter 5.56.

- C. Ordinance 14-12 - An ordinance amending Sections 17.04.070, 17.08.150, 17.20.010, and 17.49.020 of Title 17 (the Zoning Ordinance) of the Hyrum City Municipal Code to amend the definition of storage of auto/RV's in good repair to be allowed within a 6' enclosure, wall, or fence; further define rezone applications as a discretionary legislative decision; to delete the listing of the R-4 Residential Zone; and to allow bakeries, food processing mills, office buildings, and retail sales as a permitted use rather than a conditional use in the M-2 Manufacturing Zone.
9. SCHEDULED DELEGATIONS:
- A. Janae Wood and Vanessa Eorges - To express appreciation for use of the Elite Hall for Lincoln and Canyon Elementary Schools PTA Reflection Program.
- B. Mike Stauffer, Hyrum Historical Committee - To discuss the goals and direction of the Hyrum Historical Committee.
11. OTHER BUSINESS:
- A. Mayor and City Council reports.
12. ADJOURNMENT

PUBLIC COMMENT:

Councilmember Woolstenhulme arrived at 6:35 p.m.

Mayor Miller said if a citizen has a question or would like to make a comment to please keep it under three minutes.

No public comment was given.

SCHEDULED DELEGATIONS:

MATT LUNDGREN - TO REQUEST APPROVAL OF A HOME OCCUPATION BUSINESS LICENSE AT 133 SOUTH 1250 EAST TO PROVIDE MARTIAL ARTS AND SELF DEFENSE INSTRUCTION CLASSES.

Matt Lundgren said he teaches martial arts and self-defense instruction classes at Utah State University. He recently bought a house in Hyrum and wants to offer evening classes at his home. There would be a maximum of eight students per class but most classes would range between one to four students. He lived in Hyrum before and rented the Elite Hall for classes but he would like the classes to be smaller and it isn't feasible to have small classes if he rents the Elite Hall.

Councilmember James asked if he had enough off road parking spaces to accommodate parking needs during his classes.

Matt Lundgren said he hopes his driveway will provide enough parking spaces. Some of his students will be taking the bus and there is a CVTD stop near his home and younger students will be dropped off by parents.

ACTION

Councilmember James made a motion to approve a Home Occupation Business License for Matt Lundgren at 133 South 1250 East to provide martial arts and self defense instruction classes with the condition that the license gets reviewed annually to ensure there are no parking or traffic issues. Councilmember Woolstenhulme seconded the motion and Councilmembers Clawson, Felix, James, and Woolstenhulme voted aye. The motion passed.

DEREK PAGE, JBS SWIFT INC. - TO REQUEST SITE PLAN APPROVAL FOR A BOX COOLER STORAGE ADDITION AT 410 NORTH 200 WEST.

City Administrator Ron Salvesen said on November 13, 2014 the Planning Commission recommended approval of a conditional use permit for JBS Swift, Inc.'s site plan for a box cooler storage addition at 410 North 200 West with the following conditions: 1. Traffic flow and patterns at the JBS Swift Plant stay the same; 2. No increase in noise decibel levels, it must not go above current levels; 3. Adjustment of the east boundary line so it doesn't go through the building; 4. Adjustment of the north property line so that it doesn't go through the building; 5. Contact and approval from Cache County on city/county boundary lines; 6. Remove only the pavement necessary to construct the new box cooler addition and leaving enough pavement for the road; and 7. Install of dark sky lighting on building especially on the South side of the building.

Jay Rawlings, JBS Site Manager for the Hyrum Plant, said the box cooler addition is Phase I of the plant expansion. The box cooler addition will be approximately 318' x 233'. The traffic flow will not change in this phase. The exit and entrance on 200 West will remain the same. A temporary parking area will be provided north of the railroad tracks.

Councilmember James asked how many trailer bays would be on the building and expressed his concern of noise from the refrigerated trailers constantly running.

Jay Rawlings said there would be 17 docks on the eastside of the building. The last three docks will be for dry storage and shouldn't have refrigerated trailers parked there. Refrigerated trailers are quieter now and the trailers will only be parked

there during down time. He walked the area and currently the majority of the noise is from the cattle pens and the addition of this building should block some of that noise.

Councilmember James said the last three docks that would have dry storage would still fit a refrigerated trailer and he is concerned about the increase of noise and the affect it will have on the surrounding neighbors. He would prefer a wall be built on the southeast corner of the building to deflect the noise.

Jay Rawlings said a sound barrier is included in Phase 2 of the plant expansion. He doesn't want to build a sound barrier wall to tear it down when Phase 2 is built.

Councilmember Clawson said he is concerned also about the refrigerated trailer noise and agreed with Councilmember James that a sound barrier wall should be built.

ACTION

Councilmember James made a motion to approve a the Site Plan for JBS Swift, Inc. for a box cooler addition at 410 West 200 North with the following conditions: 1. Traffic flow and patterns at the JBS Swift Plant stay the same; 2. No increase in noise decibel levels, it must not go above current levels; 3. Adjustment of the east boundary line so it doesn't go through the building; 4. Adjustment of the north property line so that it doesn't go through the building; 5. Contact and approval from Cache County on city/county boundary lines; 6. Remove only the pavement necessary to construct the new box cooler addition and leaving enough pavement for the road; 7. Installation of dark sky lighting on building especially on the South side of the building; and 8. The southeast wall be extended as long as a semi-trailer to serve as a sound barrier.

Jay Rawlings said he doesn't want additional noise either and doesn't believe that additional noise will be created. He would prefer the City allow them to move forward with the box cooler as submitted and if there is a problem with noise to address it then. The engineering and construction of the wall would be costly and this will not be a permanent structure. A sound barrier wall will be proposed in Phase 2 of the plant expansion.

Councilmember James withdrew his motion.

Councilmember James said the noise from the expansion may create an impact on the neighborhood and JBS Swift needs to take responsibility for any additional noise since they are the ones

that are creating the potential problem.

ACTION

Councilmember James made a motion to approve the Site Plan for JBS Swift, Inc. for a box cooler addition at 410 West 200 North with the following conditions: 1. Traffic flow and patterns at the JBS Swift Plant stay the same; 2. No increase in noise decibel levels, it must not go above current levels; 3. Adjustment of the east boundary line so it doesn't go through the building; 4. Adjustment of the north property line so that it doesn't go through the building; 5. Contact and approval from Cache County on city/county boundary lines; 6. Remove only the pavement necessary to construct the new box cooler addition and leaving enough pavement for the road; 7. Installation of dark sky lighting on building especially on the South side of the building; and 8. Hyrum City have documented readings of the noise level before construction so that if the noise decibel level ever increases then JBS Swift will have to immediately address the problem. Councilmember Woolstenhulme seconded the motion.

Jay Rawlings said the plant and property boundaries between Hyrum City and Cache County are being reviewed. JBS Swift has had conversations with Cache County and they will need to annex property into Hyrum City so the addition is not built half in Hyrum City Limits and half in Cache County.

Councilmember James amended his motion to include that JBS Swift proceed with its proposal for annexation of property into Hyrum City so that the box cooler addition is completely inside Hyrum City Limits. Councilmember Woolstenhulme accepted Councilmember James' amendment to his motion and Councilmembers Clawson, Felix, James, and Woolstenhulme voted aye. The motion passed.

RON SALVESEN, HYRUM CITY ADMINISTRATOR - TO REQUEST SITE PLAN APPROVAL FOR A NEW CITY OFFICE BUILDING TO BE CONNECTED TO THE HYRUM LIBRARY AT 50 WEST MAIN.

City Administrator Ron Salvesen said on November 14, 2014 the Planning Commission recommended approval of Hyrum City's site plan for the new City Office Building at 50 West Main. Notice for acceptance of bids will be advertised in December and hopefully awarded in January.

ACTION Councilmember Woolstenhulme made a motion to approve the Site Plan for Hyrum City for a new City Office Building at 50 West Main. Councilmember Felix seconded the motion and Councilmembers Clawson, Felix, James, and Woolstenhulme voted aye. The motion passed.

INTRODUCTION AND ADOPTION OF ORDINANCES:

ORDINANCE 14-10 - AN ORDINANCE AMENDING CHAPTER 9.52 (THE CIGARETTES, TOBACCO, AND PSYCHOTOXIC CHEMICALS ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE TO PROHIBIT CIGARETTES, TOBACCO, ENDS, AND PSYCHOTOXIC CHEMICALS AT OUTDOOR VENUES.

ACTION Councilmember James made a motion to approve Ordinance 14-10 amending Chapter 9.52 (the Cigarettes, Tobacco, and Psychotoxic Chemicals Ordinance) of the Hyrum City Municipal Code to prohibit cigarettes, tobacco, ends, and psychotoxic chemicals at outdoor venues. Councilmember Clawson seconded the motion and Councilmembers Clawson, Felix, James, and Woolstenhulme voted aye. The motion passed.

ORDINANCE 14-11 - AN ORDINANCE AMENDING SECTIONS 16.12.030, 16.16.160, 16.20.050, 16.20.150 AND 16.20.200 OF TITLE 16 (THE SUBDIVISION ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE BY AMENDING THE PRELIMINARY PLAT CONTENT TO NO LONGER INCLUDE TITLE BLOCKS; ALLOW RECORDING OF AN AMENDED PLAT IF NO NEW LOTS ARE CREATED; REPEAL THE ADDITIONAL 5% FOR SUBDIVISION IMPACT FEES; ALLOW A DEVELOPER TO DEDICATE LAND FOR A PARK RATHER THAN PAYING PARK IMPACT FEES; REQUIRE LOTS SHOWN ON FINAL PLAT TO MEET MINIMUM ZONING REQUIREMENTS; AND TO REQUIRE CONSTRUCTION IN FLOOD PLAIN AREAS TO MEET REQUIREMENTS OF CHAPTER 5.56.

ACTION Councilmember James made a motion to approve Ordinance 14-11 amending Sections 16.12.030, 16.16.160, 16.20.050, 16.20.150 and 16.20.200 of Title 16 (the Subdivision Ordinance) of the Hyrum City Municipal Code by amending the Preliminary Plat content to no longer include Title Blocks; allow recording of an amended plat if no new lots are created; repeal the additional 5% for subdivision impact fees; allow a developer to dedicate land for a park rather than paying park impact fees; require lots shown on final plat to meet minimum zoning requirements; and to require construction in flood plain areas to meet requirements of Chapter 5.56. Councilmember Clawson seconded the motion and Councilmembers Clawson, Felix, James, and Woolstenhulme voted aye. The motion passed.

ORDINANCE 14-12 - AN ORDINANCE AMENDING SECTIONS 17.04.070, 17.08.150, 17.20.010, AND 17.49.020 OF TITLE 17 (THE ZONING ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE TO AMEND THE DEFINITION OF STORAGE OF AUTO/RV'S IN GOOD REPAIR TO BE ALLOWED WITHIN A 6' ENCLOSURE, WALL, OR FENCE; FURTHER DEFINE REZONE APPLICATIONS AS A DISCRETIONARY LEGISLATIVE DECISION; TO DELETE THE LISTING OF THE R-4 RESIDENTIAL ZONE; AND TO ALLOW BAKERIES, FOOD PROCESSING MILLS, OFFICE BUILDINGS, AND RETAIL SALES AS A PERMITTED USE RATHER THAN A CONDITIONAL USE IN THE M-2 MANUFACTURING ZONE.

ACTION

Councilmember James made a motion to approve Ordinance 14-12 amending Sections 17.04.070, 17.08.150, 17.20.010, and 17.49.020 of Title 17 (the Zoning Ordinance) of the Hyrum City Municipal Code to amend the definition of storage of auto/RV's in good repair to be allowed within a 6' enclosure, wall, or fence; further define rezone applications as a discretionary legislative decision; to delete the listing of the R-4 Residential Zone; and to allow bakeries, food processing mills, office buildings, and retail sales as a permitted use rather than a conditional use in the M-2 Manufacturing Zone. Councilmember Woolstenhulme seconded the motion and Councilmembers Clawson, Felix, James, and Woolstenhulme voted aye. The motion passed.

Councilmember Clawson excused himself at 7:00 p.m. from the meeting by telephone.

SCHEDULED DELEGATIONS:

JANAE WOOD AND VANESSA GORGES - TO EXPRESS APPRECIATION FOR USE OF THE ELITE HALL FOR LINCOLN AND CANYON ELEMENTARY SCHOOLS PTA REFLECTION PROGRAM.

Janae Woods said her and Vanessa Gorges on behalf of Canyon and Lincoln Elementary Schools expressed their appreciation for the use of the Elite Hall for the Reflection Program. This year they had an amazing turnout and over 48 students participated when usually there are fewer than 10.

MIKE STAUFFER, HYRUM HISTORICAL COMMITTEE - TO DISCUSS THE GOALS AND DIRECTION OF THE HYRUM HISTORICAL COMMITTEE.

Stan Young said Mike Stauffer was unable to attend tonight's meeting. The Hyrum Historical Preservation Committee has held

a couple of meetings are is looking for direction from the City Council. The Committee has been discussing the possibility of restoring the outside of the Elite Hall. The Elite Hall has been painted twice and in order for the Elite Hall to be historically relevant the paint needs to be removed. The Cache County Courthouse was restored and the paint removal was \$140,000. The committee is trying to find grants available for the restoration but needs the City Councils approval since grants are usually 50/50. The City Council needs to decide if the building is worth restoring and if there is enough value and use of the building.

ACTION Councilmember James made a motion to approve \$3,000 to \$6,000 with a matching grant to hire an engineering firm to conduct a study on the Elite Hall to see if the building is structurally safe before any improvements are made. Councilmember Woolstenhulme seconded the motion and Councilmembers Felix, James, and Woolstenhulme voted aye. The motion passed.

OTHER BUSINESS:

MAYOR AND CITY COUNCIL REPORTS.

Councilmember James reminded the city Council of Hyrum's Holiday at Hardware Ranch on December 6 from 11:00 to 2:00.

Mayor Miller said Hyrum City's History Book will be available at the City Offices on December 19 for \$38.00. Interview for the Youth Council were held and assignments are being made. The Youth Council will be sworn into office before the first City Council Meeting in January. The Christmas Lighting Ceremony in honor of Guy Ray McBride is Tuesday, November 25 at 6:00 p.m. She is visiting Hyrum City's single seniors' homes the end of November and throughout December. She is taking them a loaf of bread, honey, and slippers. She wants the seniors to know how much they are appreciated and valued in our community.

City Administrator Ron Salvesen said Mountain Star Health Care is looking for property in Hyrum to build a health facility. The City was contacted about the property it owns on Main Street where the old grocery store was.

ADJOURNMENT:

ACTION There being no further business before the City Council, the Council Meeting adjourned at 7:45 p.m.

Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: December 4, 2014
As written