

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD JULY 19, 2012 AT THE CIVIC CENTER, 83 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 p.m.

CONDUCTING: Mayor W. Dean Howard

ROLL CALL: Councilmembers Aaron Woolstenhulme, Martin L. Felix, Paul C. James, Stephanie Miller, and Craig Rasmussen present.

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

OTHERS PRESENT: City Administrator D. Brent Jensen, Zoning Administrator Ron Salvesen, and eight citizens. City Recorder Stephanie Fricke recorded the minutes.

WELCOME: Mayor Howard welcomed everyone in attendance.

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

INVOCATION: Councilmember Felix

APPROVAL OF MINUTES:

The minutes of July 5, 2012 were approved as written.

ACTION Councilmember James made a motion to approve the minutes of July 5, 2012 as written. Councilmember Woolstenhulme seconded the motion and all five councilmembers 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 Miller made a motion to approve the agenda for July 19, 2012 as written. Councilmember Felix seconded the motion and all five councilmembers voted aye.

AGENDA

8. OATH OF OFFICE:
 - A. Administer Oath of Office to Justice Court Judge Paul Larsen.
9. SCHEDULED DELEGATIONS:

- A. Don Dunbar - To discuss Hyrum City's utilities.
 - B. Jay Stocking, South Cache Subdivision - To request a one-year extension for the recording of the final plat for South Cache Subdivision Phase II.
10. INTRODUCTION AND ADOPTION OF ORDINANCES:
- A. Ordinance 12-04 - An ordinance amending the Hyrum City Municipal Code Section 17.44.020 of Chapter 17.44 the Commercial C-1 Zone to eliminate examples of Conditional Uses, such as, welding, machine shops, warehouses, auto body shops, tire shops, etc. since these uses are a Permitted Use; and Section 17.45.020 of Chapter 17.45 the Commercial C-2 Zone to include light manufacturing as a Conditional Use.
 - B. Ordinance 12-05 - An ordinance amending Sections 17.85.010 and 17.85.020 of Chapter 17.85 Raising and Keeping of Animals of Title 17 Zoning Ordinance of the Hyrum City Municipal Code to allow rabbits as household pets; defining animal conditions that would be deemed a public nuisance; and to require adequate fencing for livestock.
11. OTHER BUSINESS:
- A. Appointment to Museum Board.
 - B. Irrigation water purchase.
 - C. Consideration and award of bid for 100 East Storm Drain Project.
 - D. Consideration and award of bid for the 4800 South Culinary Water and Irrigation Line Extension Project.
 - E. Armor Storage rezone request.
 - F. Mayor and City Council request.
12. ADJOURNMENT

OATH OF OFFICE:

ADMINISTER OATH OF OFFICE TO JUSTICE COURT JUDGE PAUL LARSEN.

City Recorder Stephanie Fricke administered the Oath of Office to Hyrum Justice Court Judge Paul Larsen.

SCHEDULED DELEGATIONS:

DON DUNBAR - TO DISCUSS HYRUM CITY'S UTILITIES.

Don Dunbar was not in attendance. This item was not discussed.

JAY STOCKING, SOUTH CACHE SUBDIVISION - TO REQUEST A ONE-YEAR EXTENSION FOR THE RECORDING OF THE FINAL PLAT FOR SOUTH CACHE

SUBDIVISION PHASE II.

Zoning Administrator Ron Salvesen said due to current economic conditions Jay Stocking with South Cache Subdivision has asked for a one year extension on the final plat approval for South Cache Subdivision Phase II.

ACTION Councilmember James made a motion to approve a one year extension for the recording of the final plat for South Cache Subdivision Phase II. Councilmember Woolstenhulme seconded the motion and all five councilmembers voted aye.

INTRODUCTION AND ADOPTION OF ORDINANCES:

ORDINANCE 12-04 - AN ORDINANCE AMENDING THE HYRUM CITY MUNICIPAL CODE SECTION 17.44.020 OF CHAPTER 17.44 THE COMMERCIAL C-1 ZONE TO ELIMINATE EXAMPLES OF CONDITIONAL USES, SUCH AS, WELDING, MACHINE SHOPS, WAREHOUSES, AUTO BODY SHOPS, TIRE SHOPS, ETC. SINCE THESE USES ARE A PERMITTED USE; AND SECTION 17.45.020 OF CHAPTER 17.45 THE COMMERCIAL C-2 ZONE TO INCLUDE LIGHT MANUFACTURING AS A CONDITIONAL USE.

Zoning Administrator Ron Salvesen said the Planning Commission has reviewed and is recommending the proposed changes to Title 17 of the Hyrum City Municipal Code. It removes several examples of conditional uses from Commercial C-1 because they are already permitted uses and adds light manufacturing to Commercial C-2 as a conditional use.

ACTION Councilmember Felix made a motion to adopt Ordinance 12-04 an ordinance amending the Hyrum City Municipal Code Section 17.44.020 of Chapter 17.44 the Commercial C-1 Zone to eliminate examples of Conditional Uses, such as, welding, machine shops, warehouses, auto body shops, tire shops, etc. since these uses are a Permitted Use; and Section 17.45.020 of Chapter 17.45 the Commercial C-2 Zone to include light manufacturing as a Conditional Use. Councilmember James seconded the motion and all five councilmembers voted aye.

ORDINANCE 12-05 - AN ORDINANCE AMENDING SECTIONS 17.85.010 AND 17.85.020 OF CHAPTER 17.85 RAISING AND KEEPING OF ANIMALS OF TITLE 17 ZONING ORDINANCE OF THE HYRUM CITY MUNICIPAL CODE TO ALLOW RABBITS AS HOUSEHOLD PETS; DEFINING ANIMAL CONDITIONS THAT WOULD BE DEEMED A PUBLIC NUISANCE; AND TO REQUIRE ADEQUATE FENCING FOR LIVESTOCK.

Zoning Administrator Ron Salvesen said the Planning Commission has reviewed and is recommending the proposed changes to Title 17 of the Hyrum City Municipal Code. It allows up to six rabbits as household pets, defines animal conditions that can be defined as nuisances, and imposes a requirement of "adequate" fencing for livestock.

ACTION Councilmember James made a motion to adopt Ordinance 12-05 an ordinance amending Sections 17.85.010 and 17.85,020 of Chapter 17.85 raising and keeping of animals of Title 17 Zoning Ordinance of the Hyrum City Municipal Code to allow rabbits as household pets; defining animal conditions that would be deemed a public nuisance; and to require adequate fencing for livestock. Councilmember Rasmussen seconded the motion and all five councilmembers voted aye.

OTHER BUSINESS:

APPOINTMENT TO MUSEUM BOARD.

Councilmember Felix recommended the appointments of Scott Bushman, John Petersen, and Joan Palmer to serve on the Hyrum Museum Board.

ACTION Councilmember Woolstenhulme made a motion to appoint Scott Bushman, John Petersen, and Joan Palmer to serve on the Hyrum Museum Board. Councilmember James seconded the motion and all five councilmembers voted aye.

IRRIGATION WATER PURCHASE.

City Administrator D. Brent Jensen said Justin Wilding has offered to sell eight shares of water on the Paradise Canal for \$7,000 to \$7,500 per share. He claims each share represents three acre-feet, making the water a fairly decent buy (\$2,333 to \$2,500 per acre-foot). A letter from Paradise Irrigation approving the trade would need to be provided before the City purchases the shares.

ACTION Councilmember James made a motion to table the discussion on the irrigation share purchase until it receives a letter of approval from Paradise Irrigation Company and Mr. Wilding provides proof that there is not a lien on the property. Councilmember Felix seconded the motion and all five councilmembers voted

aye.

Councilmember Rasmussen said he is concerned about the purchase of these shares because even if Paradise Irrigation Company approves the transfer there is no guarantee the City will get its water. It will be a continuous fight with other shareholders to get the allocated water to the City's irrigation ponds.

CONSIDERATION AND AWARD OF BID FOR THE 100 EAST STORM DRAIN PROJECT.

City Administrator D. Brent Jensen said the City received ten bids for the 100 East Storm Drain Project:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
AAA Excavation Inc.	\$58,531.40
Rupp Trucking Enterprises	\$60,942.15
Allied Construction and Dev.	\$72,562.87
Triple H Excavating Inc.	\$78,955.79
Darrell W. Anderson Const.	\$80,991.15
Ormond Construction	\$89,000.00
Stapp Construction	\$112,240.00
Counterpoint Construction	\$117,963.00
Brinkerhoff Excavating	\$119,700.50
<i>Engineer's Estimate</i>	<i>\$54,801.50</i>

City Engineer Craig Neeley has reviewed the bids and contacted the references for AAA Excavation Inc. of Willard Utah and is recommending approval of its bid of \$58,531.40.

ACTION **Councilmember Miller made a motion to award the 100 East Storm Drain Project to AAA Excavation Inc. in the amount of \$58,531.40. Councilmember Felix seconded the motion and all five councilmembers voted aye.**

CONSIDERATION AND AWARD OF BID FOR THE 4800 SOUTH CULINARY WATER AND IRRIGATION LINE EXTENSION PROJECT.

City Administrator D. Brent Jensen said the City received eight bids for the 4800 South Culinary Water and Irrigation Line Extension Project:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
AAA Excavation Inc.	Bid Rejected
Triple H Excavating	Bid Rejected
Allied Construction and Dev	\$177,091.37
Rupp Trucking	\$185,185.57

Ormond Construction	\$207,000.00
Brinkerhoff Excavating	\$228,510.00
Counterpoint Construction	\$236,086.00
Stapp Construction	\$261,915.00
<i>Engineer's Estimate</i>	<i>\$215,987.50</i>

City Engineer Craig Neeley has reviewed the bids and contacted the references for Allied Construction and Development Inc. and is recommending approval of its bid of \$177,091.37.

ACTION **Councilmember Miller made a motion to award the 4800 South Culinary Water and Irrigation Line Extension Project in the amount of \$177,091.37. Councilmember Felix seconded the motion and all five councilmembers voted aye.**

ARMOR STORAGE REZONE REQUEST.

Mayor Howard said because Cache County is changing its zoning ordinance to disallow storage units in the agricultural zone, Curtis Knight has applied for a rezone from A-10 to Industrial/Manufacturing (I/M). Cache County wants a letter from the city stating our position on the proposal. He is not in favor of the rezone because the City doesn't want industrial or manufacturing types businesses in that area.

Curtis Knight said he has storage sheds on that property and wants to add a covered parking area for RVs. Cache County's current ordinance does not allow RV storage in its Zone A-10. He tries to keep the storage shed area nice and landscaped and will continue to do so.

City Administrator D. Brent Jensen said Cache County's Industrial/Manufacturing Zone allows for sexually oriented businesses and this property is the gateway into Hyrum City. He recommended to Curtis that he annex into Hyrum City and there wouldn't be any problems with him building an RV storage area next to his storage sheds.

Councilmember James said he has concerns about the County rezoning this property and the affects it could have on Hyrum City and its residents. He is not in favor of the County rezoning this property and would prefer it be annexed into Hyrum City.

ACTION **Councilmember James made a motion for the City to write a letter of opposition to the rezone of Curtis Knight's**

property and encourage annexation. Councilmember Woolstenhulme seconded the motion and all five councilmembers voted aye.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Woolstenhulme said National Night Out Against Crime is Tuesday, August 7 on the City Square.

Councilmember Felix said the Library Summer Reading Activity is on Friday night at the Logan Aquatic Center.

Councilmember James said softball and baseball is almost over and the new Recreation Director Steve Webb has done an amazing job this year.

Councilmember Miller said the Youth Council is attending a combined summer activity with other Youth Council's in the Valley. The Youth Council will help with National Night Out Against Crime. She is working on the design for the interior of the two historical cabins.

ADJOURNMENT:

ACTION There being no further business before the City Council, the Council Meeting adjourned at 7:10 p.m.

W. Dean Howard
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: September 6, 2012
As written

