

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD JUNE 3, 2010 AT THE CIVIC CENTER, 83 WEST MAIN, HYRUM, UTAH.

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

**CONDUCTING:** Mayor W. Dean Howard

**ROLL CALL:** Councilmembers Martin L. Felix, Paul C. James, Thomas C. LaBau, Stephanie Miller, and Craig L. Rasmussen.

**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, City Treasurer Todd Perkins, and two citizens. City Recorder Stephanie Fricke recorded the minutes.

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

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

**INVOCATION:** Councilmember Miller

**APPROVAL OF MINUTES:**

The minutes of a special City Council Meeting held May 20, 2010 were approved as written.

**ACTION**

**Councilmember Miller made a motion to approve the special City Council Meeting minutes of May 20, 2010 as written. Councilmember Rasmussen seconded the motion and Councilmembers Felix, James, Miller, and Rasmussen voted aye. Councilmember LaBau abstained since he was not present at the May 20, 2010 meeting. The motion passed.**

The minutes of a regular City Council Meeting minutes of May 20, 2010 were approved with the following amendments: Page 1, Paragraph 9 change "Cardea" to "Carias"; and Page 3, Paragraph 2 change "The City Council asked City Administrator D. Brent Jensen to research the ownership of the tank before writing a letter declaring the tank as property of the American Legion." to "The City Council asked City Administrator D. Brent Jensen to write a letter to the American Legion declaring the designation of the southeast corner of the Hyrum City Cemetery as a veteran war memorial area, and for him to research the ownership of the tank."

**ACTION** Councilmember Rasmussen made a motion to approve the City Council minutes of May 20, 2010 with the above amendments. Councilmember James seconded the motion and Councilmembers Felix, James, Miller, and Rasmussen voted aye. Councilmember LaBau abstained since he was not present at the May 20, 2010 meeting. The motion passed.

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

**ACTION** Councilmember LaBau made a motion to approve the agenda as written. Councilmember Felix seconded the motion and all five councilmembers voted aye.

AGENDA

8. BUDGET HEARING:
  - A. Adjustments to the 2009-2010 General and Enterprise Operating Budgets.
9. INTRODUCTION AND APPROVAL OF RESOLUTIONS:
  - A. Resolution 10-08 - A resolution amending the 2009-2010 General Fund, Water Fund, Sewer Fund, Electric Fund, Irrigation Fund, Storm Water Fund, Capital Projects Fund, and Library Trust Fund Operating Budgets.
  - B. Resolution 10-09 - A resolution authorizing the issuance of up to \$1.7 million of sales tax revenue refunding bonds; and related matters.
10. OTHER BUSINESS:
  - A. Review of moderate income housing plan.
  - B. Proposal to eliminate or fence green waste area.
  - C. Delinquent utility accounts.
  - D. Tentative adoption of the 2010-2011 Operating Budgets.
  - E. Mayor and City Council reports.
11. ADJOURNMENT

**BUDGET HEARING:**

**ADJUSTMENTS TO THE 2009-2010 GENERAL AND ENTERPRISE OPERATING BUDGETS.**

Councilmember James made a motion to open the public hearing at 6:35 p.m. to discuss the adjustments to the 2009-2010 General and Enterprise Operating Budgets. Councilmember Felix seconded the

motion and all five councilmembers voted aye.

Councilmember Miller read a letter from Wayne McBride regarding transfers from Utility Funds to the General Fund. He is concerned about the City increasing utility rates to help pay for services provided by the General Fund. If the General Fund needs additional revenue then the City should raise property taxes or cut back on services. The City could save electricity by turning off some of the lights on Main Street and taking down the flag on the City Square at night so the lights don't have to be on all night.

Councilmember Miller said she will send a letter of response to Wayne McBride.

Mayor Howard asked for public comment, there being none he called for a motion to close the public hearing.

**ACTION** Councilmember Rasmussen made a motion to close the public hearing at 6:38 p.m. Councilmember Miller seconded the motion and all five councilmembers voted aye.

***INTRODUCTION AND APPROVAL OF RESOLUTIONS:***

**RESOLUTION 10-08 - A RESOLUTION AMENDING THE 2009-2010 GENERAL FUND, WATER FUND, SEWER FUND, ELECTRIC FUND, IRRIGATION FUND, STORM WATER FUND, CAPITAL PROJECTS FUND, AND LIBRARY TRUST FUND OPERATING BUDGETS.**

**ACTION** Councilmember Felix made a motion to approve Resolution 10-08 amending the 2009-2010 General Fund, Water Fund, Sewer Fund, Electric Fund, Irrigation Fund, Storm Water Fund, Capital Projects Fund, and Library Trust Fund Operating Budgets. Councilmember LaBau seconded the motion and all five councilmembers voted aye.

**RESOLUTION 10-09 - A RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$1.7 MILLION OF SALES TAX REVENUE REFUNDING BONDS; AND RELATED MATTERS.**

Mayor Howard said City representatives have met with Zions Bank to discuss refinancing the Library and Museum building. Hyrum City would issue \$1,700,000 principal amount of sales tax revenue refunding bonds for the purpose of refunding all or portion of the City's currently outstanding Sales Tax Revenue Bonds from 2006. Reissuing the bonds will save the City approximately \$20,000 a year for the first five years and approximately \$14,000

a year from year five to year ten. It would be a fixed rate for the first ten years and a variable rate for years 11 to 16. In order to start the bonding process Resolution 10-09 has to be approved and then the final supplemental resolution will be presented at the first City Council meeting in July.

**ACTION**            **Councilmember James made a motion to approve Resolution 10-09 authorizing the issuance of up to \$1.7 million of sales tax revenue refunding bonds; and related matters. Councilmember LaBau seconded the motion and all five councilmembers voted aye.**

***OTHER BUSINESS:***

**REVIEW OF MODERATE INCOME HOUSING PLAN.**

Mayor Howard said State law requires the City Council to review the moderate income element of the general plan every two years and submit a report on its findings. Zoning Administrator Ron Salvesen provided the City Council with a copy of the City's moderate income housing plan and the biennial report. If the City Council has no changes to the plan, Ron will submit the Moderate Income Housing Plan Biennial Report to the Utah Division of Housing & Community Development.

After reviewing the plan and report the City Council determined to submit them as written.

**PROPOSAL TO ELIMINATE OR FENCE GREEN WASTE AREA.**

Mayor Howard said due to changes in Logan City's green waste collection policies Hyrum City may want to eliminate or fence its site. If the City determines to fence the site then it could be open on certain days and times allowing City staff to monitor the site. The City is also in the process of installing a recording video system at the green waste site with the intent of prosecuting violators.

The City Council discussed moving the green waste site to the Public Works Facilities yard to allow for greater visibility by City staff.

**DELINQUENT UTILITY ACCOUNTS.**

Mayor Howard reviewed the list of delinquent utility accounts. The proposed accounts for write off for the Fiscal Year 2009-2010 is \$8,300. The collection fee total of \$3,455 is the amount added to the principal for collection agency commissions that are

technically not owed to the city.

**ACTION** Councilmember LaBau made a motion to approve the list of Fiscal Year 2009-2010 Delinquent Utility Accounts, in the amount of \$8,300 as a write-off. Councilmember Felix seconded the motion and all five Councilmembers voted aye.

**TENTATIVE ADOPTION OF THE 2010-2011 OPERATING BUDGETS.**

Mayor Howard said the City Council needs to approve a tentative budget to serve until adopting the final one after the public hearing in August.

**ACTION** Councilmember Rasmussen made a motion to adopt the tentative 2010-2011 Operating Budgets and to schedule a public hearing on August 5, 2010. Councilmember James seconded the motion and all five councilmembers voted aye.

**MAYOR AND CITY COUNCIL REPORTS.**

City Administrator D. Brent Jensen said as part of Hyrum City's Stormwater Small MS4 Permit's public outreach and education requirements the City is sending a storm water questionnaire to the residents and businesses in Hyrum regarding their knowledge of storm water related issues. All questionnaires returned by July 15 will be placed in a drawing for one of five \$50 Hyrum City utility bills credits

Councilmember LaBau said he is writing an article for the next City newsletter to provide information on how residents can help with mosquito abatement.

Councilmember Felix said the summer reading program has started at the library. This year's summer reading activity is going to be held at the Logan Aquatic Center rather than on the City Square.

Councilmember James said softball and baseball has started.

Councilmember Rasmussen said he spoke briefly with Greg Stuart who is interested in helping develop Salt Hollow Park. He will meet with Greg next week to discuss the details of the park and to organize volunteer groups.

Councilmember Miller said the Youth Council will distribute Hyrum City's Star Spangled Celebration posters tomorrow. She is

finalizing all of the arrangements for the July 4<sup>th</sup> Celebration. Associated Foods and North County Food Growers Association is donating the watermelons for the 4<sup>th</sup> of July and Kris Miller is providing the refrigerated trailer.

Mayor Howard said Hyrum City received a \$50,000 RAPZ Tax Grant to help build Salt Hollow Park. FERC has requested a teleconference to discuss a letter sent by the City stating Hyrum City is not going to spend anymore money on the relicensing project if FERC wants to revoke the City's license it can. FERC wants the City to make unnecessary improvements at the impoundment and to hire a consultant to develop plans.

**ADJOURNMENT:**

**ACTION**            **There being no further business before the City Council, the Council Meeting adjourned at 7:30 p.m.**

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W. Dean Howard  
Mayor

ATTEST:

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Stephanie Fricke  
City Recorder

Approved: July 1, 2010  
As Written