

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD JANUARY 16, 2020,
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, Jared Clawson, Paul C. James, Vicky McCombs, and Craig L. 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 seven citizens. City Recorder Stephanie Fricke recorded the minutes.

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

PLEDGE OF ALLEGIANCE: Mayor Miller led the governing body and the citizens in the Pledge of Allegiance.

INVOCATION: City Administrator Ron Salvesen

APPROVAL OF MINUTES:

The minutes of January 2, 2020 were approved as written.

ACTION

Councilmember Clawson made a motion to approve the minutes of a regular meeting held on January 2, 2020 as written. Councilmember McCombs seconded the motion and Councilmembers Adams, Clawson, James, McCombs, 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 Clawson made a motion to approve the agenda for January 16, 2020 as written. Councilmember James seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

AGENDA

9. PUBLIC HEARING:

- A. Hyrum City is eligible to apply to the Utah Department of Workforce Services for funding under the Community Development Block Grant (CDBG) Small Cities Program, a federally funded program administered by the State of Utah, Housing and Community Development Division (HCD). Hyrum City is eligible to apply for CDBG funding provided Hyrum City meets the applicable program requirements. 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. In the event that Hyrum City chooses to apply for CDBG funding, a second public hearing will be held at a later time to discuss the project.

10. SCHEDULED DELEGATIONS:

- A. Dan Larsen, Kartchner Homes - To request the approval of amending the Preliminary Plat for Phase 12 of Elk Mountain Estates located at approximately 1170 East 300 South from 23 lots - 11 single family building lots and 12 twin-home lots (24 units); to 28 lots - 4 single family building lots to 24 twin-home lots (48 units).

11. INTRODUCTION AND APPROVAL OF RESOLUTIONS:

- A. Resolution 19-26A - A resolution accepting an amended petition for annexation of certain real property under the provisions of Section 10-2-405, Utah Code Annotated, 1953, as amended (WDT Annexation 10.00 acres).
- B. Resolution 20-02 - A resolution amending the Hyrum City Canyon Lodge Rental Fee and Deposit Schedule, and setting rental times.

12. OTHER BUSINESS:

- A. Lease of Bore Machine.

- B. Discussion on purchase of power generated.
 - C. Appointment to the Planning Commission.
 - D. Approval of Youth Council Charter.
 - E. Certification of Annexation Petition
 - F. Budget Report.
 - G. Mayor and City Council reports.
13. 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:

HYRUM CITY IS ELIGIBLE TO APPLY TO THE UTAH DEPARTMENT OF WORKFORCE SERVICES FOR FUNDING UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SMALL CITIES PROGRAM, A FEDERALLY FUNDED PROGRAM ADMINISTERED BY THE STATE OF UTAH, HOUSING AND COMMUNITY DEVELOPMENT DIVISION (HCD). HYRUM CITY IS ELIGIBLE TO APPLY FOR CDBG FUNDING PROVIDED HYRUM CITY MEETS THE APPLICABLE PROGRAM REQUIREMENTS. 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. IN THE EVENT THAT HYRUM CITY CHOOSES TO APPLY FOR CDBG FUNDING, A SECOND PUBLIC HEARING WILL BE HELD AT A LATER TIME TO DISCUSS THE PROJECT.

ACTION

Councilmember Clawson made a motion at 6:33 p.m. to open the public hearing to receive public comment regarding Hyrum City is eligible to apply to the Utah Department of Workforce Services for funding under the Community Development Block Grant (CDBG) Small Cities Program, a federally funded program administered by the State of Utah, Housing and Community Development Division (HCD). Hyrum City is eligible to apply for CDBG funding provided

Hyrum City meets the applicable program requirements. 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. In the event that Hyrum City chooses to apply for CDBG funding, a second public hearing will be held at a later time to discuss the project. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye the motion passed.

Gordon Younker with the Family Place in Hyrum said the Family Place would like to submit another application for a CDBG Grant. The application would request grant money for the extension of the entryway on the north side of the building, expansion of the reception area, and to remodel the conference room. The Family Place has received CDBG Grant Money in prior years and the last project it received grant money for was to complete the basement. The Family Place in Hyrum is heavily used and it provides a great benefit for the people on the south side of Cache Valley.

Mayor Miller asked if there was any further public comment. There being none she called for a motion to close the public hearing.

ACTION

Councilmember James made a motion at 6:36 p.m. to close the public hearing to receive public comment regarding Hyrum City is eligible to apply to the Utah Department of Workforce Services for funding under the Community Development Block Grant (CDBG) Small Cities Program, a federally funded program administered by the State of Utah, Housing and Community Development Division (HCD). Hyrum City is eligible to apply for CDBG funding provided Hyrum City meets the applicable program requirements. 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. In the event that Hyrum City chooses to apply for CDBG funding, a second public hearing will be held at a later time to discuss the project. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye the motion passed.

SCHEDULED DELEGATIONS:

DAN LARSEN, KARTCHNER HOMES - TO REQUEST THE APPROVAL OF AMENDING THE PRELIMINARY PLAT FOR PHASE 12 OF ELK MOUNTAIN ESTATES LOCATED AT APPROXIMATELY 1170 EAST 300 SOUTH FROM 23 LOTS - 11 SINGLE FAMILY BUILDING LOTS AND 12 TWIN-HOME LOTS (24 UNITS); TO 28 LOTS - 4 SINGLE FAMILY BUILDING LOTS TO 24 TWIN-HOME LOTS (48 UNITS).

Zoning Administrator Matt Holmes said the Planning Commission reviewed the preliminary plat for Phase 12 of Elk Mountain Estates and recommended and is recommended approval of the modification to property lines and to include twin home lots with no conditions.

Dan Larsen with Kartchner Home said the twin homes will be built without basements. The East end has already been approved for single level twin homes and they are just looking to amend the west side. The homes will face each other. He has received complaints about the garages being too small but these homes will have a two car garage and a large driveway to fit up to two more cars. The twin home lots will add symmetry to that street.

Councilmember Clawson said Elk Mountain PUD was already approved at a higher density than the City has ever approved. When the City Council approved this plan the twin homes were to serve as a transitional area from high density to residential single family lots. He is not in favor of increasing the density from what has already been approved.

Dan Larsen said there is a demand for one level retirement style homes and the twin homes would meet the demands of our growing elderly population.

Councilmember Clawson said the City Council approved a multi-

housing area in Elk Mountain for retirement people but the City Council did not require the developer to sale those homes as a retirement only community.

Councilmember James said there is also a lot of demand for single family retirement homes on one level.

Dan Larsen said a twin home can be sold for less than a single family home which helps provide housing for lower income individuals.

ACTION

Councilmember James made a motion to deny the request to amend the preliminary plat for Phase 12 of Elk Mountain Estates located at approximately 1170 East 300 South and for the preliminary plat to remain at 23 single family building lots. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye the motion passed.

INTRODUCTION AND APPROVAL OF RESOLUTIONS:**RESOLUTION 19-26A - A RESOLUTION ACCEPTING AN AMENDED PETITION FOR ANNEXATION OF CERTAIN REAL PROPERTY UNDER THE PROVISIONS OF SECTION 10-2-405, UTAH CODE ANNOTATED, 1953, AS AMENDED (WDT ANNEXATION 10.00 ACRES).**

Mayor Miller said Resolution 19-26 was approved by the City Council on December 5, 2019 accepting the petition for annexation of certain real property (10.00 acres) by Century Bound Utah. While certifying the annexation petition it was determined the recorded property owner was Top Dog Realty LLC. On January 2, 2020 the City Council was unable to certify the annexation petition due to different company names shown on annexation petition as to actual ownership shown by Cache County Recorder's Office. Hyrum City Council authorized Century Bound Utah to correct the annexation petition to state Top Dog Realty LLC on the annexation petition rather than Century Bound Utah. On January 8, 2020, the owners of said real property (petitioners) Top Dog Realty LLC. filed an amended petition with the city recorder of Hyrum City. Resolution 19-26A accepts the amended petition for annexation of the 10.00 acres owned by Top Dog Realty LLC.

ACTION

Councilmember James made a motion to approve Resolution 19-26a accepting an amended petition for annexation of certain real property under the provisions of Section 10-2-405, Utah Code Annotated, 1953, as amended (WDT

Annexation 10.00 acres). Councilmember McCombs seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye the motion passed.

RESOLUTION 20-02 - A RESOLUTION AMENDING THE HYRUM CITY CANYON LODGE RENTAL FEE AND DEPOSIT SCHEDULE, AND SETTING RENTAL TIMES.

Mayor Miller said City Office Staff is recommending the City Council set a fee and deposit schedule similar to the City's other buildings fee and deposit schedules along with splitting the rental from all day to two rental times per day.

ACTION

Councilmember James made a motion to approve Resolution 20-02 amending the Hyrum City Canyon Lodge Rental Fee and Deposit Schedule, and setting rental times. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye the motion passed.

OTHER BUSINESS:

LEASE OF BORE MACHINE.

Mayor Miller said there was a misunderstanding on the price and terms of the leasing of a bore machine and the Electric Department has decided to look at other options.

DISCUSSION ON PURCHASE OF POWER GENERATED.

Todd Ballard said he owns a hog farm in Benson and for several years he has been producing and selling power to Rocky Mountain Power. He generates power from the methane in hog manure. He had a partnership with USU to help research and design equipment that he could produce power. It is a very reliable year-round source of power that could provide power to 30 to 40 homes. the methane from the hog manure. He spoke with Hyrum City's Electric Department and they were interested in purchasing his power but needed approval by the City Council. He is no longer producing power and selling it to Rocky Mountain Power because it drastically reduced the price of what it is willing to pay for power generation.

ACTION

Councilmember James made a motion for an agreement (similar to the one with Richmond Irrigation) to be written with Todd Ballard for the purchase of generated power. The agreement would also set the price Hyrum

City would pay which would be the monthly blended cost minus the wheeling cost and then bring the agreement to the City Council for final approval. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye the motion passed.

APPOINTMENT TO THE PLANNING COMMISSION.

ACTION Councilmember Clawson made a motion to reappoint Kevin Anderson to the Planning Commission. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye the motion passed.

APPROVAL OF YOUTH COUNCIL CHARTER.

ACTION Councilmember James made a motion to approve the proposed amendments to the Youth Council Charter. Councilmember Rasmussen seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye the motion passed.

CERTIFICATION OF ANNEXATION PETITION - TOP DOG REALTY LLC.

City Recorder Stephanie Fricke said she and City Attorney Jonathon Jenkins reviewed the annexation petition and have determined that the petition meets the requirements of Sections 102-403 (3), (4), and (5) of the Utah Code. Hyrum City may grant the petition and annex this property unless a written protest is received by the Cache County Boundary Commission. If a protest is received the Cache County Boundary Commission will have to determine if it is a legal protest. Any protest must be filed by February 17, 2020. The public hearing for this annexation will be held on March 5, 2020. The Notice of Certification of Annexation Petition will be mailed to all property owners included in the annexation and to all affected entities; and will be published in the Herald Journal once a week for three consecutive weeks.

ACTION Councilmember James made a motion to accept the Certification of the Top Dog Realty LLC (WDT) Annexation Petition. Councilmember Clawson seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

BUDGET REPORT.

City Administrator Ron Salvesen reviewed the City Administrator Ron Salvesen reviewed the 2019-2020 General Fund Operating Budgets expenditures and revenues in detail

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Rasmussen said the New York New Years Eve dance generated \$950 in revenue. There were over 200 tickets sold. A The Museum is going to be hosting a State Traveling Exhibit on women's suffrage and their contributions to business and health. The Museum is also working with the Heritage Center, and Logan DUP to host a Smithsonian Exhibit in 2021.

Councilmember McCombs said is working on the Princess Pageant that is being held on February 29. She will talk to Museum Director Jami VanHuss about possibly using the same speakers that come from the Museum to speak at the Senior Center Lunches.

Councilmember Clawson said he is working on the Easter Egg Hunt and will need the Youth Council to help fill the eggs. Applications for 4th of July booths are being accepted and he is anticipating the same number of booths this year as last year.

City Administrator Ron Salvesen said the Forest Service contacted the City about the property the City owns in Left Hand Canyon. The Forest Service is offering its help to close down some of the areas on City property to help preserve the area. People have vandalized, left trash and human waste, and made numerous roads all through the City Property. He will work with the Forest Service to see what type of help it will provide.

ADJOURNMENT:

ACTION

There being no further business before the City Council, the Council Meeting adjourned at 7:55 p.m.

Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: February 20, 2020
As Written